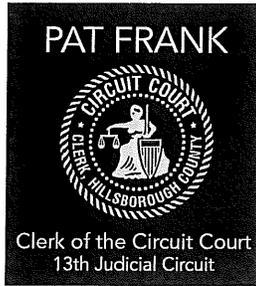


263



September 1, 2010

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

Re: Resolution No. R10-113 – Development Order Amendment and Related
Operating Permit Amendments for Hillsborough County Consolidated Mines /
Mosaic Fertilizer, LLC (DRI #263)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the
Hillsborough County Board of County Commissioners on August 10, 2010.

We are providing this original for your files.

Sincerely,



Julia Poupart, Director
BOCC Records/VAB

bam

Certified Mail Receipt # 7003 3110 0004 4684 3561

Attachment

cc: Board files (orig.)
Charles Gauthier, Chief, DCA Bureau of State Planning (orig. ltr.)
D. Kent Safriet, Hopping Green & Sams (orig. ltr.)
Jane Rose, Senior Assistant County Attorney
John Healey, Senior Planner, Planning and Growth Management
John Michael Stevenson, Planning and Growth Management
Jacqueline Gasper, County Attorney's Office
Sharon Sweet, BOCC Records
Christopher Weiss, Property Appraiser's Office
Mary Mahoney, Management and Budget

RESOLUTION R10-113

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #263 DEVELOPMENT ORDER AMENDMENT
AND RELATED OPERATING PERMIT AMENDMENTS

Upon motion by Commissioner Sharpe, seconded by Commissioner Higginbotham, the following Resolution was adopted by a vote of 7 to 0 with Commissioner(s) _____ voting "No."

WHEREAS, Mosaic Fertilizer, LLC is the successor in interest to Mosaic Phosphates Company, IMC Phosphates Company, IMC Agrico, and IMC Fertilizer, Inc., hereinafter referred to as "MOSF" or "Mosaic Fertilizer, LLC" or "Mosaic" or "Mosaic Fertilizer"; and

WHEREAS, the Lonesome Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on March 21, 1974 and was subsequently amended on February 21, 1984, January 9, 1990, September 25, 1990 and May 7, 1991; and

WHEREAS, the Kingsford Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on January 15, 1975, and was subsequently amended on March 29, 1988; and

WHEREAS, the Four Corners Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on January 4, 1978, and was subsequently amended on April 22, 1981, May 13, 1986, January 9, 1990 and September 25, 1990; and

WHEREAS, the Lonesome Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on November 8, 1974 and has been subsequently amended; and

WHEREAS, the Kingsford Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on January 15, 1975 and has been subsequently amended; and

WHEREAS, the Four Corners Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on January 5, 1978 and has been subsequently amended; and

WHEREAS, on July 1, 1990, IMC Fertilizer, Inc. filed an application for development approval for a substantial deviation to the approved Lonesome, Kingsford and Four Corners

DRI and related operating permit amendments with the Hillsborough County Board of County Commissioners, pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said 1990 substantial deviation proposed, among other things, the addition of approximately 18,000 acres to form the Extension Phase, the removal of approximately 850 acres from the Lonesome Mine boundary, an addition to the mining area, a revision to the mining schedule and equipment utilization, a revision of the clay and tailing storage areas and disposal methods, an addition to the approved methods for transporting product from the plants, a revision of the employee traffic impacts, the addition of a railroad to connect the Four Corners, Lonesome and Kingsford plants, the upgrading of the Lonesome Plan operations, including wet rock loading facilities, additional floodplain crossings, and the combination of the three approved mines into a single mine for reporting purposes; and

WHEREAS, on or about March 25, 1992, IMC Fertilizer, Inc. requested that the application be divided into Phase I (the "Consolidation Phase") and Phase II (the "Extension Phase"); and

WHEREAS, on July 1, 1993, IMC Fertilizer, Inc. became IMC-Agrico (IMC-Agrico); and

WHEREAS, on July 21, 1993, the Hillsborough County Board of County Commissioners approved Resolution 93-071, the Consolidation Phase of the Hillsborough County Mines; and

WHEREAS, on March 23, 1995, the Hillsborough County Board of County Commissioners approved Resolution 95-062, the Extension Phase of the Hillsborough County Mines; and

WHEREAS, on April 25, 1996, Hillsborough County Board of County Commissioners approved the NOPC and adopted Resolution 96-120, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Shuman Tract, approximately 35 acres; and

WHEREAS, on January 13, 1998, Hillsborough County Board of County Commissioners approved the NOPC and adopted Resolution 98-012, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Spivey Tract, approximately 157 acres; and

WHEREAS, on September 26, 2000, Hillsborough County Board of County Commissioners approved the NOPC and adopted Resolution 00-223, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Reynolds Parcel, approximately 357 acres; and

WHEREAS, on February 11, 2003, Hillsborough County Board of County Commissioners approved the NOPC and adopted Resolution 03-026, amending the DRI Development Order, Operating Permit, and Master Mine Plan to allow temporary trucking of tailings sand to the Tampa Bay Water Reservoir site; and

WHEREAS, on January 25, 2005, Hillsborough County Board of County Commissioners approved the NOPC and adopted Resolution 05-021, amending the DRI Development Order, Operating Permit, and Master Mine Plan to allow construction and operation of the Central Screening Station; and

WHEREAS, on March 11, 2008, Hillsborough County Board of County Commissioners approved Resolution 08-047, which added approximately 1,540 acres to form the Hillsborough County Mines Addition Area – DRI #263 (hereinafter “DRI #263 Addition Area Phase”); removed approximately 7,251.5 acres from the Lonesome and Four Corners Mine boundaries; added a mine infrastructure corridor, revised mining plans and incorporated clay settling area siting plans conceptually approved by the Environmental Protection Commission of Hillsborough County on April 26, 2005 and July 7, 2005, revised reclamation plans reflecting these changes as well as the reclamation already completed in the DRI #213 area; updated DRI #213 Development Order conditions already satisfied or no longer applicable; updated the approved methods for transporting product between the mines and plants; and updated product shipment destination points and deletion of certain destination points and route segments; and

WHEREAS, on July 15, 2009, Mosaic Fertilizer, LLC filed a Notice of Proposed Change (“NOPC”) for the Hillsborough County Mines Development of Regional Impact DRI #263 proposing to add approximately 75 acres of land, previously owned by Kathy Surface (hereinafter referred to as the “Surface Parcel”), to DRI #263; and

WHEREAS, on July 15, 2009, Mosaic Fertilizer, LLC filed an application to amend the Operating Permit/Master Mine and Reclamation Plan; and

WHEREAS, on August 14, 2009, the Hillsborough County Board of County Commissioners approved the rezoning of the approximately 75 acre Surface Parcel to AM zoning; and

WHEREAS, it is the intent of the Hillsborough County Board of County Commissioners that except for the amendments specified herein, previous DRI and Operating Permit approvals and conditions set forth in prior development orders shall remain in full force and effect; and

WHEREAS, the Hillsborough County Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider proposed changes to approved Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, the Department of Community Affairs has reviewed the NOPC application; and

WHEREAS, the Hillsborough County Board of County Commissioners has received and considered the recommendations of the Tampa Bay Regional Planning Council; and

WHEREAS, on May 17, 2010, the Phosphate Mining Hearing Master reviewed the request for amendment to the Operating Permit and Master Mine and Reclamation Plan, pursuant to the Hillsborough County Land Development Code, and has filed a recommendation on said application with the Hillsborough County Board of County Commissioners; and

WHEREAS, the proposed changes meet the requirements of Section 380.06(19)(e)(3) and whereas Mosaic has rebutted the presumption of substantial deviation by clear and convincing evidence such that this change is not a substantial deviation; and

WHEREAS, the Hillsborough County Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens, state and local agencies, and the Phosphate Mining Hearing Master; and

WHEREAS, the Hillsborough County Board of County Commissioners on August 10, 2010, held a duly noticed public hearing on said applications, as required by Hillsborough County Land Development Code Section 8.02.07.F.2., and has heard and considered testimony and reviewed documents received thereon.

NOW, THEREFORE, BE IT RESOLVED THIS 10 TH DAY OF AUGUST, 2010 BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THAT THE PROPOSED CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION AS DEFINED BY SECTION 380.06(19)(e)(3) FLORIDA STATUTES, WHERE MOSAIC HAS REBUTTED THE PRESUMPTION OF SUBSTANTIAL DEVIATION BY CLEAR AND CONVINCING EVIDENCE AND THE DEVELOPMENT ORDER FOR THE HILLSBOROUGH COUNTY MINES DRI AND OPERATING PERMIT AND MASTER MINE AND RECLAMATION PLAN IS HEREBY AMENDED BY ADDING THE FOLLOWING FINDINGS OF FACT AND CONDITIONS, WITH THE BALANCE OF THE ADOPTED DEVELOPMENT ORDER REMAINING IN EFFECT IN ITS ENTIRETY.

SECTION 1. FINDINGS OF FACT

- A. The addition of the Surface Parcel and mining of an additional 75 acres will not have any significant change in the impacts of the mine operation.
- B. All applicable requirements set forth in Section II, Condition F of approved Resolution 05-021 have been satisfied; therefore, no additional noise monitoring for the operation of the Four Corners Central Screening Station is required.

- C. The real property which is the subject of this Application is described as set forth in the attached legal description.
- D. This proposed development is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan.
- E. The authorized agent for MOSF is Ms. Diana M. Jagiella, Director of Mine Regulatory Affairs and Senior Environmental Counsel, Mosaic Fertilizer, LLC, 13830 Circa Crossing Drive, Lithia, Florida 33547.
- F. The property is owned or controlled by MOSF.
- G. This Amendment does not constitute a Substantial Deviation under Section 380.06(19)(e)(3), Florida Statutes.
- H. Any presumption of a Substantial Deviation has been rebutted.

SECTION 2. CONDITIONS:

- A. All conditions of the existing Development Order and Operating Permit (Resolution #08-047) that apply to DRI #263 Additional Area Phase, also equally apply to this 76.5 acre addition.
- B. Mosaic is hereby released from Section II, Condition F of approved Resolution 05-021, related to noise monitoring.

SECTION 3. ADMINISTRATION:

- A. The Ex Officio Clerk of the Board of County Commissioners shall send copies of this Resolution, by certified mail, within thirty (30) days following the effective date hereof, to MOSF, the Department of Community Affairs and the Tampa Bay Regional Planning Council.
- B. This Resolution shall be deemed rendered upon transmittal of copies hereof to the Department of Community Affairs and the Tampa Bay Regional Planning Council.
- C. A notice of adoption of this Resolution shall be recorded by MOSF in the public records of Hillsborough County, Florida, as provided in Section 380.06(15)(f), Florida Statutes.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Pat Frank, 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 at its regular meeting of _____
August 10, 2010, as the same appears of record in Minute Book 411 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 1st day of September 2010

PAT FRANK
CLERK OF THE CIRCUIT COURT

By Beverly Anne Miller
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
As To Form and Legal Sufficiency

BY: [Signature]
Sr. Assistant County Attorney

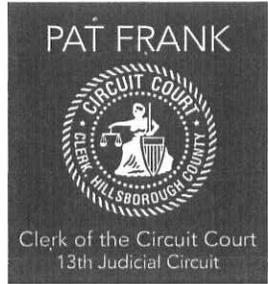


Surface Parcel

IN TOWNSHIP 32 SOUTH RANGE 22 EAST HILLSBOROUGH COUNTY, FLORIDA

That part of the S 1/2 of the SW 1/4 of the SW 1/4 of Section 6, Township 32 South, Range 22 East, Hillsborough County, Florida, lying West of Highway 39 running from Ft. Lonesome to Picnic, Florida.

#263



April 9, 2008

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

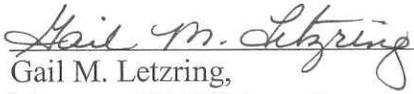
Re: Resolution No. R08-047 – Amending the Development Order for Mosaic Fertilizer, LLC
(DRI #263 / Deviation of DRI #213)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on March 11, 2008.

We are providing this original for your files.

Sincerely,


Gail M. Letzring,
Manager, BOCC Records

bam
Certified Mail Receipt # 7003 3110 0004 4684 6531
Attachment

- cc: Board files (orig.)
- Hugh H. Marthinsen, Esq., Saxon Gilmore (orig. ltr.)
- Charles Gauthier, Chief, DCA Bureau of State Planning (orig. ltr.)
- Jane Rose, Senior Assistant County Attorney
- John Healey, Senior Planner, Planning and Growth Management
- John M. Stevenson, Planning and Growth Management (orig. resolution)
- Sandra Davidson, County Attorney's Office
- Christopher Weiss, Property Appraiser's Office

RESOLUTION R08-047

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #263 DEVELOPMENT ORDER AMENDMENT
AND RELATED OPERATING PERMIT AMENDMENTS**

Upon motion by Commissioner Higginbotham, seconded by Commissioner Norman, the following Resolution was adopted by a vote of 6 to 1 with Commissioner(s) Ferlita voting "No."

WHEREAS, Mosaic Fertilizer, LLC is the successor in interest to Mosaic Phosphates Company, IMC Phosphates Company, IMC Agrico, and IMC Fertilizer, Inc., hereinafter referred to as "MOSF" or "Mosaic Fertilizer, LLC" or "Mosaic" or "Mosaic Fertilizer"; and

WHEREAS, the Lonesome Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on March 21, 1974 and was subsequently amended on February 21, 1984, January 9, 1990, September 25, 1990 and May 7, 1991; and

WHEREAS, the Kingsford Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on January 15, 1975, and was subsequently amended on March 29, 1988; and

WHEREAS, the Four Corners Mine Development of Regional Impact was originally approved by the Hillsborough County Board of County Commissioners on January 4, 1978, and was subsequently amended on April 22, 1981, May 13, 1986, January 9, 1990 and September 25, 1990; and

WHEREAS, the Lonesome Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on November 8, 1974 and has been subsequently amended; and

WHEREAS, the Kingsford Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on January 15, 1975 and has been subsequently amended; and

WHEREAS, the Four Corners Mine Operating Permit was originally issued by the Hillsborough County Board of County Commissioners on January 5, 1978 and has been subsequently amended; and

WHEREAS, on July 1, 1990, IMC Fertilizer, Inc. filed an application for development approval for a substantial deviation to the approved Lonesome, Kingsford and Four Corners DRIs and related operating permit amendments with the Hillsborough County Board of County Commissioners, pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said 1990 substantial deviation proposed, among other things, the addition of approximately 18,000 acres to form the Extension Phase, the removal of approximately 850 acres from the Lonesome Mine boundary, an addition to the mining area, a revision to the mining schedule and equipment utilization, a revision of the clay and tailing storage areas and disposal methods, an addition to the approved methods for transporting product from the plants, a revision of the employee traffic impacts, the addition of a railroad to connect the Four Corners, Lonesome and Kingsford plants, the upgrading of the Lonesome Plan operations, including wet rock loading facilities, additional floodplain crossings, and the combination of the three approved mines into a single mine for reporting purposes; and

WHEREAS, on or about March 25, 1992, IMC Fertilizer, Inc. requested that the application be divided into Phase I (the "Consolidation Phase") and Phase II (the "Extension Phase"); and

WHEREAS, on July 1, 1993, IMC Fertilizer Inc. became IMC-Agrico (IMC-Agrico); and

WHEREAS, on July 21, 1993, the Hillsborough County Board of County Commissioners approved Resolution 93-071, the Consolidation Phase of the Hillsborough County Mines ; and

WHEREAS, on March 23, 1995, the Hillsborough County Board of County Commissioners approved Resolution 95-062, the Extension Phase of the Hillsborough County Mines; and

WHEREAS, on April 25, 1996, Hillsborough County approved the NOPC and adopted Resolution 96-120, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Shuman Tract, approximately 35 acres; and

WHEREAS, on January 13, 1998, Hillsborough County approved the NOPC and adopted Resolution 98-012, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Spivey Tract, approximately 157 acres; and

WHEREAS, on September 26, 2000, Hillsborough County approved the NOPC and adopted Resolution 00-223, amending the DRI Development Order, Operating Permit, and Master Mine Plan to add the Reynolds Parcel, approximately 357 acres; and

WHEREAS, on February 11, 2003, Hillsborough County approved the NOPC and adopted Resolution 03-026, amending the DRI Development Order, Operating Permit, and Master Mine Plan to allow temporary trucking of tailings sand to the Tampa Bay Water Reservoir site; and

WHEREAS, on January 25, 2005, Hillsborough County approved the NOPC and adopted Resolution 05- 021, amending the DRI Development Order, Operating Permit, and Master Mine Plan to allow construction and operation of the Central Screening Station; and

WHEREAS, on March 28, 2005, the DRI Pre-application Conference Report was reviewed and adopted by TBRPC's Clearinghouse Review Committee; and

WHEREAS, on March 28, 2006, consistent with TBRPC's Pre-Application Conference Report adopted March 28, 2005, Mosaic Fertilizer, LLC filed an application, DRI #263, for

development approval for a substantial deviation to the approved Hillsborough County Mines DRI #213 Development Order, Operating Permit and Master Mine Plan (hereinafter referred to as "DRI #263 ADA" or "DRI #263 Substantial Deviation") with the Hillsborough County Board of County Commissioners, pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on August 1, 2006, Mosaic Fertilizer, LLC filed six applications requesting the rezoning of seven parcels to the AM zoning category, which parcels are included in the DRI #263 ADA; one of the six applications requesting rezoning to AM was properly and timely withdrawn by Mosaic Fertilizer, LLC, prior to consideration by the Zoning Hearing Master but which parcel remains in DRI #263 ADA; Mosaic may seek approval for phosphate mining and mining-related activities on this parcel pursuant to Part 8.02.00, Phosphate Mining Regulations, Hillsborough Land Development Code (LDC), once the proper zoning is obtained on this parcel; two parcels which are part of the DRI #263 ADA are currently designated AM zoning; all parcels which are part of the DRI #263 ADA have designations under the Hillsborough County Comprehensive Plan which permit phosphate mining as an approved land use; and

WHEREAS, on September 14, 2006, Mosaic Fertilizer, LLC filed the companion 2006 Revisions to the Operating Permit and Master Mine Plan; and

WHEREAS, on August 20, 2007, the five applications were heard by the Zoning Hearing Master whose Orders dated September 10, 2007 all recommended approval of the AM zoning request; and

WHEREAS, on October 9, 2007, the rezonings on the five applications were approved by the Board of County Commissioners; and

WHEREAS, said DRI #263 Substantial Deviation proposed, among other things, the addition of seven parcels containing approximately 1,540 acres to form the Hillsborough County Mines Addition Area – DRI #263 (hereinafter "DRI #263 Addition Area Phase"); the removal of approximately 7,251.5 acres from the Lonesome and Four Corners Mine boundaries; the addition of a mine infrastructure corridor, including expanded use of approved Stream Crossing "O", together with the deletion of Stream Crossings D, M, Q, R, S, and T that will now remain undisturbed; the revision of mining plans and incorporation of the clay settling area siting plans conceptually approved by the Environmental Protection Commission of Hillsborough County on April 26, 2005 and July 7, 2005, as part of the Life of Mine application for wetland impacts and mitigation approval as depicted on Map 38H-4, Revised Clay Settling Area Locations, 2006 Revisions to MMRP – Revised 5/31/07 (OPA/MMRP, June 2007, MOSF Response to RFAI), attached hereto and incorporated herein as part of Composite Attachment A; the revision of reclamation plans that reflect these changes as well as the reclamation already completed in the DRI #213 area; the updating of DRI #213 Development Order conditions that have been satisfied or are no longer applicable; the updating of the approved methods for transporting product from the plants; the transfer of approved product shipments from Lonesome to Four Corners; and the updating of product shipment destination points and deletion of certain destination points and route segments; and

WHEREAS, it is the intent of the Board that except for the amendments specified herein, previous DRI and Operating Permit approvals and conditions set forth in prior development orders shall remain in full force and effect; and

WHEREAS, the Hillsborough County Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider proposed changes to Previously Approved Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, the Department of Community Affairs has reviewed the DRI #263 ADA application; and

WHEREAS, the Hillsborough County Board of County Commissioners has received and considered a report and the recommendations of the Tampa Bay Regional Planning Council dated May 14, 2007; and

WHEREAS, a duly noticed joint public hearing of the zoning hearing master and the phosphate mining hearing master was held on November 5, 2007 on said DRI #263 ADA and the 2006 Revisions to the Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP) and the respective hearing masters have heard and considered testimony and documents received thereon; and

WHEREAS, the Phosphate Mining Hearing Master's Order was issued on November 20, 2007 reserving issuing the final recommendation to the Board of County Commissioners until certain procedural and substantive questions were addressed by Hillsborough County and MOSF; and

WHEREAS, the Zoning Hearing Master's Order was issued on November 27, 2007 recommending a remand in order to address certain substantive and procedural questions; and

WHEREAS, at the December 11, 2007 BOCC Land Use Meeting, DRI #263 ADA and the 2006 Revisions to the Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP) were remanded to the Zoning Hearing Master Hearing on January 14, 2008, and the Phosphate Mining Hearing Master Hearing on February 11, 2008; and to the BOCC Land Use Meeting on March 11, 2008; and

WHEREAS, the Hillsborough County Board of County Commissioners on March 11, 2008, held a duly noticed public hearing on said DRI #263 ADA and the 2006 Revisions to the Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP) and has heard and considered testimony and documents received thereon.

WHEREAS, the Hillsborough County Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens, state and

local agencies, the phosphate mining hearing master and the zoning hearing master for DRI #263 and the 2006 Revisions to the Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP); and

WHEREAS, the Hillsborough County Board of County Commissioners has reviewed the application for a substantial deviation to the development approvals for the DRI #263 ADA and the 2006 Revisions to the Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP) and has found the proposed development to be consistent with local land development regulations; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 11th DAY OF MARCH, 2008, AS FOLLOWS:

SECTION 1. AMENDMENT OF PREVIOUS DEVELOPMENT ORDERS

This Resolution constitutes an amendment to the Extension Phase Development Order, DRI SD No. 213, as approved by the Hillsborough County Board of County Commissioners on March 23, 1995, and all amendments thereto as shown in Composite Attachment B, attached hereto and incorporated herein by reference. The redline document and the companion mark-up document reflecting revisions to DRI SD No. 213, as shown in Composite Attachment C, is attached hereto and incorporated herein by reference.

SECTION 2. FINDINGS OF FACT

The Hillsborough County Board of County Commissioners (Board), having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The Board has received and considered the reports of the Zoning Hearing Master and the Phosphate Mining Hearing Master concerning the DRI #263 Substantial Deviation and related 2006 Revisions to the Operating Permit, and Master Mine Plan.
- B. The Board held a public hearing on, March 11, 2008, regarding the DRI #263 Substantial Deviation and related 2006 Revisions to the Operating Permit and Master Mine Plan in accordance with the requirements of the Hillsborough County Land Development Code, the Hillsborough County Comprehensive Plan, and has further considered the information received at said public hearing.
- C. Subject to the conditions hereinafter set forth, the proposed DRI #263 Substantial Deviation and related 2006 Revisions to the Operating Permit, and Master Mine Plan are consistent with the Hillsborough County Comprehensive Plan, the Hillsborough County Land Development Code and are consistent with the May 14, 2007 report and recommendations of the Tampa Bay Regional Planning Council.

- D.1. MOSF (Developer) submitted to Hillsborough County, Florida, the DRI #263 Application for Development Approval (ADA), and two Sufficiency Responses, which are incorporated herein by reference.
- D.2. MOSF (Developer) submitted to Hillsborough County, Florida, the 2006 Revisions to the Operating Permit, and Master Mine Plan, and the Supplemental Submittal on June 11, 2007, which are incorporated herein by reference.
- E. The real property, which is the subject of this DRI #263 ADA, is legally described as set forth in Section IV, Amended Legal Description, Composite Development Order and Operating Permit for Hillsborough County Mines, Consolidation and Extension Phases, All Amendments Thereto, and Addition Area Phase, which is attached hereto and incorporated herein as Composite Attachment A.
- F. This proposed development is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, F.S., and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan.
- G. The authorized agent for MOSF is Mr. Thomas E. Myers, III, Assistant Vice President - Mining, Mosaic Fertilizer, LLC, P.O. Box 2000, Mulberry, Florida 33860.
- H. The property is owned or controlled by MOSF.
- I. A review of the impacts generated by the proposed development described herein has been conducted by the following reviewing agencies: Hillsborough County Planning and Growth Management Department, the Environmental Protection Commission of Hillsborough County, the Hillsborough County City-County Planning Commission, the Florida Department of Environmental Protection, the Tampa Bay Regional Planning Council, and the Department of Community Affairs; and by the following commenting agencies: Tampa Bay Water, Florida Department of Transportation, Florida Department of State - Division of Historical Resources, Florida Fish and Wildlife Conservation Commission, Southwest Florida Water Management District, U.S. Fish & Wildlife Service, Enterprise Florida, Manatee County, Central Florida Regional Planning Council, and U.S. Army Corps of Engineers.
- J. The DRI #263 Preapplication Review resulted in the elimination of the following questions from the ADA:
 - Question 10: Part 1. D
 - Question 17: ALL
 - Question 18: Parts C.1., C.2., and E.
 - Question 20: ALL
 - Question 22: Parts B., C., D., and E.
 - Question 23: ALL

- Question 24: ALL
- Question 25: ALL
- Question 26: Parts A., B., C., and D.
- Question 27: ALL
- Question 28: ALL
- Question 29: Parts A., B., and C.
- Question 31: ALL
- Question 32: ALL
- Question 33: ALL
- Question 34: ALL
- Question 36: ALL
- Question 37: ALL
- Question 38: ALL

- K. The total areas included in the DRI #213 Consolidation and Extension Phases are those shown on Table 38A-10, Mining Area by Section, and subsequent amendments thereto, and Section V of Attachment A, attached hereto and incorporated herein. The total acreage to be mined in the DRI #213 Consolidation and Extension Phases are shown on Table 38A-10, Mining Area by Section, and subsequent amendments thereto.¹ A certified true and correct copy of the approved DRI #213 is attached hereto and incorporated herein as part of Composite Attachment B.
- L. The total areas to be included in the DRI #263 Addition Area Phase shall be as shown on Map 1, General Location – Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), and Section IV, Amended Legal Description, Composite Attachment A, attached hereto and incorporated herein. The total acreage to be mined in the DRI #263 Addition Area Phase shall be that as shown on Table 38A-2, 2006 Revision Conceptual Mining and Reclamation Schedule - Revised 05/31/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), attached hereto and incorporated herein as part of Composite Attachment A.
- M. This Development Order incorporates by reference the representations, terms, and conditions as set forth in the DRI #263 ADA and all Sufficiency Responses, and related documents described in amended Section V, Amended List of Exhibits, Composite Attachment A, attached hereto and incorporated herein.
- N. All statutory procedures have been adhered to.
- O. That the Mine is currently in operation, such that the Chapter 380.06, F.S. requirement for the commencing of development has been met.
- P. Phosphate Mining, as defined in Part 12.01.00, LDC, which occurs within a Wellhead Resource Protection Area Zone 2 (WRPA Zone 2) and/or a Surface Water Resource Protection Area (SWRPA), requires that the applicant comply with the criteria for approval set forth in Part 8.02.00, Phosphate Mining Regulations, LDC.

- Q. The Florida Department of State, Division of Historical Resources, has determined that the proposed development will have no effect on cultural resources listed or eligible for listing in the National Register of Historic Places, or otherwise of historical, architectural, or archeological value.
- R. The following list of items shall not change as part of this DRI #263 Development Order:
- Currently-approved mine water use.
 - Areas currently approved for mining in the Consolidation and Extension Phases, and all amendments thereto, of the Hillsborough County Mines.
 - Mine & reclamation plans for the Kingsford Mine.
 - Methods of mining and equipment used.
 - Materials handled and disposal methods, including hazardous wastes.
 - Location of hazardous waste storage facilities.
 - Wastewater management.
 - Currently-approved plant operations at Four Corners and Kingsford.
 - Source and level of police, fire and emergency medical services.
 - Existing NPDES outfall discharge amounts.
 - Plant processing capacities consolidated at Four Corners.

Changes proposed in any of these areas shall require a substantial deviation determination, except for changes required by FDEP, SWFWMD or a federal regulatory agency, pursuant to subsection 380.06(19)(d), F.S.

- S.1. The BOCC, as recommended by the Zoning Hearing Master and the Phosphate Mining Hearing Master, has determined that the approved Development is consistent with the following plans and regulations:
- the Hillsborough County Comprehensive Plan adopted July, 1989, and all amendments thereto (including applicable Land Development Code regulations, the Conservation and Aquifer Recharge Element (particularly policies under Objectives 1, 8, 9 and 14), Management Plans for the Alafia and Little Manatee Rivers and the Cockroach Bay Aquatic Preserve Management Plan, and other applicable amendments adopted prior to this report), pursuant to the Local Government Comprehensive Planning Act, Chapter 163, F.S.;
 - the Hillsborough County Phosphate Mining Regulations Part 8.02.00 of the LDC and all amendments thereto; and
 - the State Comprehensive Plan and the Strategic Regional Policy Plan.
- S. 2. The BOCC, as recommended by the Zoning Hearing Master and the Phosphate Mining Hearing Master, has determined that MOSF must comply with all other applicable Federal, State and local regulations, including the following:

- Chapters 10D-91(Control of Radiation Hazards), 62C-16 (Mandatory Phosphate Mine Reclamation) and 62-672 (Minimum Requirements for Earthen Dams, Phosphate Mining and Processing Operations), FAC;
- all applicable rules and regulations of FDEP;
- all applicable rules and regulations of SWFWMD;
- all applicable rules and regulations of the Florida Department of State, Division of Historic Resources; and
- the Metropolitan Planning Organization Long Range Transportation Plan.

SECTION 3. CONCLUSIONS OF LAW

The Board, having made the above findings of fact, reaches the following conclusions of law:

- A. That the addition of DRI # 263 Addition Area Phase to the Hillsborough County Consolidated Mines DRI #213 and other activities as described herein are consistent with the State Comprehensive Plan, the Tampa Bay Regional Planning Council's Comprehensive Regional Policy Plan, and the Hillsborough County Comprehensive Plan, and the Hillsborough County Land Development Code; and all amendments thereto.
- B. That the Substantial Deviation components of the DRI #263 Addition Area Phase are consistent with the intent of the report and recommendation of the Tampa Bay Regional Planning Council issued on May 14, 2007.
- C. The Florida Department of State, Division of Historical Resources, issued its letter dated October 2, 2007, stating that the proposed development will have no effect on cultural resources listed or eligible for listing in the National Register of Historic Places, or otherwise of historical, architectural, or archeological value.
- D. That these proceedings have been duly conducted pursuant to applicable law and regulations, and, based upon the record in these proceedings, MOSF is authorized to conduct development as described herein, subject to the conditions, restrictions and limitations set forth below.
- E. That the review by Hillsborough County, the Environmental Protection Commission of Hillsborough County, the Tampa Bay Regional Planning Council, and other reviewing and commenting agencies including Tampa Bay Water, and interested citizens indicates that impacts of the DRI #263 Substantial Deviation components to the Hillsborough County Mines (DRI #213) are adequately addressed pursuant to the requirements of Section 380.06, F.S., within the terms and conditions of this Development Order. To the extent that the DRI #263 ADA is inconsistent with the terms and conditions of this Order, the terms and conditions of this Order shall prevail.

- F. The Hillsborough County Comprehensive Plan Land Use Plan Map for Hillsborough County designates the area within the DRI #263 Addition Area Phase lies as AGRICULTURAL/MINING, AGRICULTURAL/RURAL, and AGRICULTURAL which permits mining activities.
- G. The DRI #263 Addition Area Phase, with the exception of one parcel, are all properly zoned AM to permit mining and mining-related activities. Mosaic may seek approval for phosphate mining and mining-related activities on that one parcel pursuant to Part 8.02.00, Phosphate Mining Regulations, LDC, once the proper zoning is obtained on this parcel.
- H. That except as amended in this DRI #263 Resolution, the approvals and conditions set forth in the development orders and operating permits constituting the Hillsborough County Mines, DRI #213 Consolidation and Extension Phases, previously adopted shall continue in full force and effect as previously approved.
- I. The Development does not unreasonably interfere with the achievement of the objectives of the State Comprehensive Plan.

SECTION 4. ORDER

Having made the above findings of fact and drawn the above conclusions of law, it is hereby ordered that the Development Order and Operating Permit and Master Mine Plan be amended as follows:

- A. The Development Order and Operating Permit and Master Mine Plan are hereby amended as set forth in Composite Attachment A, attached hereto and incorporate herein.
- B. The development orders and operating permits as previously amended and as amended herein, are hereby consolidated into a single composite document, hereinafter known as Composite Development Order and Operating Permit for Hillsborough County Mines, Consolidation and Extension Phases, All Amendments Thereto, and Addition Area Phase, and renumbered as DRI #263, and the provisions thereof renumbered as set forth in Composite Attachment A, attached hereto and incorporated herein.
- C. Pursuant to Section 163.3167(8), Florida Statutes, nothing herein is intended to modify or limit specific rights previously approved by the development orders, except to the extent that such rights or obligations previously approved by the development orders, including DRI #213, are specifically limited or modified by the amendments approved by this resolution.
- D. The Ex Officio Clerk of the Board of County Commissioners shall send copies of this Resolution, by certified mail, within thirty (30) days following the effective date

hereof, to MOSF, Department of Community Affairs and the Tampa Bay Regional Planning Council.

- E. This Resolution shall be deemed rendered upon transmittal of copies hereof to the Department of Community Affairs and the Tampa Bay Regional Planning Council.
- F. A notice of adoption of this Resolution shall be recorded by MOSF in the public records of Hillsborough County, Florida, as provided in Section 380.06, Florida Statutes.

SECTION 5. RESTRICTION ON DOWNZONING

The development shall not be subject to down-zoning or intensity reduction until December 31, 2027, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or the Development Order was based on substantially inaccurate information provided by MOSF, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

SECTION 6. COMPLIANCE WITH CODES AND ORDINANCES

Except as previously stated herein in Section 4.C, the provisions of this Development Order shall not be construed as a waiver of, or exception to, any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions and to the extent that further review is provided for in this Development Order, said review shall be subject to applicable rules, regulations and ordinances.

SECTION 7. SEVERABILITY, AMENDMENT AND ADMINISTRATION

- A. In the event that any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.
- B. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.
- C. Development activity constituting a substantial deviation from the terms or conditions of this development order or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impacts not previously reviewed by the Tampa Bay Regional

Planning Council may result in Hillsborough County making a substantial deviation determination pursuant to the provisions of Section 380.06(19), Florida Statutes.

- D. The Planning and Growth Management Department of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the Planning and Growth Management Department may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The Planning and Growth Management Department shall report to the Board of County Commissioners any findings or deviation from the terms and conditions of this Development Order.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Pat Frank, 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 at its regular meeting of March 11, 2008, as the same appears of record in Minute Book 382 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 8th day of, April 2008.

PAT FRANK
CLERK OF THE CIRCUIT COURT

By M. J. Dyer
Deputy Clerk



APPROVED BY COUNTY ATTORNEY
As To Form And Legal Sufficiency

BY: [Signature]
Assistant County Attorney

¹ The following amendments have been made to DRI #213; Res. 96-120, Res. 98-012, Res. 00-223, Res.03-026, and Res. 05-021, resulting in the addition of 549 acres.

COMPOSITE ATTACHMENT A

**COMPOSITE DEVELOPMENT ORDER AND OPERATING PERMIT
FOR
HILLSBOROUGH COUNTY MINES, CONSOLIDATION AND EXTENSION PHASES
ALL AMENDMENTS THERETO, AND ADDITION AREA PHASE**

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COMPOSITE ATTACHMENT A
COMPOSITE DEVELOPMENT ORDER AND OPERATING PERMIT
FOR
HILLSBOROUGH COUNTY MINES
CONSOLIDATION AND EXTENSION PHASES
ALL AMENDMENTS THERETO, AND ADDITION AREA PHASE

SECTION I. AMENDED DEFINITIONS

- A. That the definitions found in Chapter 380, Florida Statutes (1972), shall control the construction of any so-defined terms appearing in this Development Order, for the Consolidation and Extension Phases and all amendments thereto. That the definitions found in Chapter 380, Florida Statutes (2006), shall control the construction of any so-defined terms appearing in this Development Order.
- B. The term "mining" when used in this development order shall mean "phosphate mining" as defined in Part 12.01.00, Hillsborough County Land Development Code (LDC).
- C. "Acceptable Level of Service" shall be Level of Service D, peak hour on urban roads, and Level of Service C, peak hour on rural roads, or as shown in the Hillsborough County Comprehensive Plan, whichever is more restrictive. Acceptable Level of Service for links and intersections in Polk County, Florida, shall mean Level of Service as set for the affected roadways in the Polk County Comprehensive Plan.
- D. "Application", "Application for Development Approval" and "ADA" shall mean MOSF'S Hillsborough County Mine's Substantial Deviation Application for Development Approval of a Development of Regional Impact for the Four Corners, Lonesome, and Kingsford Mines (June 29, 1990), and all six sufficiency responses submitted (as Additional Information Submittals as listed in the development order exhibits in Section V – Amended List of Exhibits) by MOSF in response to the sufficiency reviews of state, regional, and local agencies (TBRPC DRI #213).
- E. "DRI #263 Application", "DRI #263 Application for Development Approval" and "DRI #263 ADA" shall mean MOSF's Hillsborough County Mines Addition Area Substantial Deviation Application for Development Approval of a Development of Regional Impact for the Four Corners and Lonesome Mines (March 28, 2006), and all sufficiency responses submitted (as Additional Information Submittals as listed in the development order exhibits in Section V – Amended List of Exhibits) by MOSF in response to the sufficiency reviews of state, regional, and local agencies (TBRPC DRI #263).
- F. "Best Management Practices" shall mean practices that are technologically and economically practicable and most beneficial in preventing or reducing adverse impacts from mining activities.
- G. "Developer" shall mean Mosaic Fertilizer, LLC. (MOSF), its assigns, agents, and successors in interest.
- H. "Development Approval" shall mean approvals for this development granted through the DRI ADA/Substantial Deviation process.
- I. "Consolidation Phase" shall mean the first approval requested as part of DRI #213 Hillsborough County Mines project to consolidate the existing mines into one mine with one development order, which was approved on July 21, 1993.

- J. "Hillsborough County Mines" shall mean all portions of the Four Corners, Lonesome, and Kingsford Mines which are located in Hillsborough County as described in Section IV and excludes those portions of the mines located in Manatee and Polk Counties.
- K. "Master Mining and Reclamation Plan" shall mean a description of proposed mining activities over the life of the mine, so as to allow overall review of MOSF's mining activities.
- L. "25-Year Floodplain" shall mean the area that is so labeled in the maps in the original Four Corners Mine DRI/ADA, in the original Lonesome Operation Permit Application and the Kingsford Extension DRI/ADA #120 and DRI #213. The exact location of the 25-Year Floodplain was determined by a process of calculation of the elevation of the highest water level following a calculated 25 year storm event, and determination of the location of that water level in the field by elevation survey, using standard hydrological analysis and field surveying practices, and is defined in the approved DRI #213 Greiner Study dated March 1992, and may be modified, upon review and approval of the County Engineer, using standard hydrological analysis and field surveying practices. The 25-Year and 100-Year Floodplains are distinguished from the "100-Year Flood Prone Areas" or "100-Year Flood Zone" or "100-Year Floodway" as shown on maps published by FEMA and other government agencies.
- M. The following acronyms are defined as follow:
TBRPC - Tampa Bay Regional Planning Council
SWFWMD - SouthWest Florida Water Management District
FDEP - Florida Department of Environmental Protection
ACOE - U.S. Army Corp of Engineers
EPCHC - Environmental Protection Commission of Hillsborough County
MOSF - Mosaic Fertilizer, LLC
FAC - Florida Administrative Code
SRPP Strategic Regional Policy Plan
EPA - U.S. Environmental Protection Agency
NPDES - National Pollution Discharge Elimination System
FDOT - Florida Department of Transportation
DCA - Florida Department of Community Affairs
PGMD - Hillsborough County Planning and Growth Management Department
FFWCC - Florida Fish and Wildlife Conservation Commission
DHR - Florida Division of Historical Resources
F.S. - Florida Statutes
ADA - Application for Development Approval
SR - Sufficiency Response (followed by number - See list of Exhibits - Section V)
AI - Additional Information (preceded by number - See list of Exhibits - Section V)
OFW - Outstanding Florida Water
FEMA - Federal Emergency Management Agency
TBW - Tampa Bay Water
- N. "Extension Phase" shall mean the second approval requested as part of the DRI #213 Hillsborough County Mines project ADA, adding the 17,915 acre area to the Consolidation Phase, and authorizing those activities necessary to mine the indicated area (14,705 acres), including the changes to the Consolidation Phase area, approved on March 23, 1995 (Resolution 95-062), and the following subsequent amendments resulting in the addition of 549 acres: 1) Resolution 96-120 dated April 25, 1996, 2) Resolution 98-012 dated January 13, 1998, Resolution 00-223 dated October 5, 2000, Resolution 03-026 dated February 11, 2003, and Resolution 05-021 dated January 25, 2005.

- O. "Wildlife Corridor" shall mean contiguous stands of significant wildlife habitat which facilitate the natural migratory patterns, as well as other habitat requirements (e.g., breeding, feeding) of wildlife.
- P. "Fragmentation", as the term is used in this Development Order, shall mean the breaking up, or apart, of a wildlife corridor into fragments. Fragmentation is not deemed to include, or be caused by, the construction, operation, or maintenance of a utility corridor (Map H-1), Mine Access Corridor Crossings (DRI #213), and Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) provided such activities are designed and conducted in a manner to minimize their adverse impacts to the wildlife corridor.
- Q. Phase "1" shall mean the Consolidation Phase as defined in Section I.I. of this Development Order.
- R. "Phase 2" shall mean the Extension Phase as defined in Section I.N. of this Development Order.
- S. "Reclamation Manual" shall mean the Hillsborough County Phosphate Mining Reclamation Manual adopted by Hillsborough County Board of County Commissioners on April 20, 2006.
- T. "DRI #263 Addition Area Phase" shall mean the addition of seven parcels containing approximately 1,540 acres to form the "DRI #263 Addition Area Phase", as shown on the map entitled "Hillsborough County Additions Location Sketch", attached hereto and incorporated herein as part of Composite Attachment A; the removal of approximately 7,251.5 acres from the Lonesome and Four Corners Mine boundaries, as shown on the map entitled "DRI 263 Deletion Parcels", attached hereto and incorporated herein as part of Composite Attachment A; the addition of a mine infrastructure corridor, including expanded use of approved Stream Crossing "O", together with the deletion of Stream Crossings D, M, Q, R, S, and T that will now remain undisturbed; the revision of mining plans and incorporation of the clay settling area siting plans depicted on Map 38H-4, Revised Clay Settling Area Locations, 2006 Revisions to MMRP - Revised 5/31/07 (OPA/MMRP, June 2007, MOSF Response to RFAI),² attached hereto and incorporated herein as part of Composite Attachment A; the revision of reclamation plans that reflect these changes as well as the reclamation already completed in the DRI #213 area; and the updating of DRI #213 Development Order conditions that have been satisfied or are no longer applicable; the updating of the approved methods for transporting product from the plants; the transfer of approved product shipments from Lonesome to Four Corners; and the updating of product shipment destination points; and deletion of certain destination points and route segments.
- U. "Best Available Information" shall mean the published research that has been subjected to peer review, or in its absence, the recommendation of the recognized expert or regulatory authority of the listed species in question at the time of application approval.

SECTION II. AMENDED DEVELOPMENT COMPONENTS

The Consolidation Phase approved on July 21, 1993 included the following development components:

- A. Remove approximately 850 acres located in Sections 13 and 24, Twn. 31 S., Rng. 21 E., and Sections 18, 30, and 31, Twn. 31 S., Rng. 22 E, from within the Lonesome mine

boundary as fully described in Section V. There are no outstanding development order conditions affecting these properties.

- B. Combine the three approved mines (Kingsford, Lonesome and Four Corners) into one consolidated mine named "Hillsborough County Mines". This will remove internal boundaries.
- C. Revise the mining areas at the Lonesome and Four Corners Mines, to increase the area approved for mining excavation at these approved mine sites to a total of 28,421 acres, according to Table 38A-7, Estimated Maximum Mining and Reclamation Schedule Consolidation Phase (DRI #213, 3rd SR).
- D. Revise the clay and tailing sand storage and disposal methods and locations at the Lonesome and Four Corners Mines to conventional above ground clay settling areas, thus eliminating the use of the sand clay mix methods. This includes the addition of L-2 and L-3 clay settling areas, as shown on Map 38H-10, Consolidation Phase Clay Settling Areas (DRI #213, 3rd SR).
- E. Revise the mining and reclamation rates and schedules, and all aspects of the mine operation related to the timing of the mining and reclamation within the approved mine areas as described in the ADA on Table 38A-7, Estimated Maximum Mining and Reclamation Schedule Consolidation Phase (DRI #213, 3rd SR).
- F. Revise the traffic analysis to reflect haulage by truck of product from the Four Corners and Lonesome Plants to market, the increase in the number of employees at Lonesome and Four Corners, and approve the rail connection among the Four Corners and Lonesome plants including the crossing of Taylor Road and SR 674.
- G. To repair and upgrade the existing Lonesome plant to current process technology. This involves the elimination of the field pre-washer, and location of all washer function at the plant site, and other improvements in the sizing and flotation process.
- H. To install facilities at Lonesome for the loading of wet rock into rail cars for shipment, in addition to the existing dry rock loading facilities.
- I. Change the number of draglines used and the nature of the pumping systems required to carry out the proposed mining plans, including the required access corridors with the necessary road, wetland and floodplain crossings as shown on Map H-5, Consolidation Phase Mine Access Corridor Crossings (DRI #213, 4th SR).
- J. Addition of two new stream floodplain crossings at sites I & O, and recognize the existing stream floodplain crossings at site H, J & C (Map H-5, Consolidation Phase Mine Access Corridor Crossings (DRI #213, 4th SR), and Table 38A-5, Mine Access Corridor Crossings (DRI #213, 4th SR).

The Extension Phase, approved on March 23, 1995, included the following development components:

- K. Increase the mine area by 17,915 acres, to a total of 53,388 acres, and extend the mine life to December 31, 2027.
- L. Increase the mining area by 14,706 acres to a total of 43,127 acres, as shown on table 38A-2, Estimated Maximum Mining and Reclamation Schedule (DRI #213), and Map H, Mining Plan (DRI #213).

- M. Revision of the mining and reclamation rates and schedules, and all aspects of the mine operation related to the timing of the mining and reclamation within the approved mine areas as described in the ADA on Table 38A-2, Estimated Maximum Mining and Reclamation Schedule (DRI #213).
- N. Addition of nine new tributary floodplain crossings at sites K, L, M, N, P, Q, R, S & T and wetland crossings at sites 13, 14, 15, 16, 17, 18, 19, 20 & 21, Map H-1, Mine Access Corridor Crossings (DRI #213), and Table 38A-5, Mine Access Corridor Crossings (DRI #213, 4th SR).
- O. The tailings and clay disposal plans, including the size, capacity and general locations of clay settling areas L-4 or L-4A, L-5, L-6, F-4, F-5, F-6, F-7, and F-8.

The DRI #263 Addition Area Phase includes the following development components:

- P. The addition of seven parcels containing approximately 1,540 acres;
- Q. The removal of approximately 7,251.5 acres from the Lonesome and Four Corners Mine boundaries;
- R. The addition of a mine infrastructure corridor, including expanded use of approved Stream Crossing "O";
- S. The deletion of Stream Crossings D, M, Q, R, S, and T that will now remain undisturbed;
- T. The revision of mining plans Map H, Conceptual Mine Plan, 2006 Revisions to OPA/MMRP – Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI);
- U. The incorporation of clay settling area siting plans depicted on Map 38H-4, Revised Clay Settling Area Locations, 2006 Revisions to MMRP - Revised 5/30/07 (OPA/MMRP – June 2007, MOSF Response to RFAI)³, attached hereto and incorporated herein as part of Composite Attachment A;
- V. The revision of reclamation plans that reflect these changes as well as the reclamation already completed in the DRI #213 area;
- W. The updating of DRI #213 Development Order conditions that have been satisfied or are no longer applicable;
- X. The updating of the approved methods for transporting product from the plants and the transfer of approved product shipments from Lonesome to Four Corners; and
- Y. The updating of product shipment destination points and delete certain destination points and route segments.

SECTION III. AMENDED DEVELOPMENT CONDITIONS

Previous conditions of approval that are not being changed by this amendment, apply only to that area for which that approval was originally granted, as indicated by the paragraph code and Figure 12A-2, DRI Development Order Areas, attached.

<u>MINE</u>	<u>D.O. DATE</u>	<u>DRI #</u>	<u>CODE</u>
Kingsford	1-15-75	31	[K-31]
	3-29-88	120	[K-120]
Lonesome	3-21-74	1	[L-1]
	2-21-84	85	[L-85]
	1-09-90	Amend.	[L-A2]
	9-25-90	Amend.	[L-A3]
	5-7-91	Amend.	[L-A4]
Four Corners	1-04-78	52	[FC-1]
	4-22-81	Amend.	[FC-A1]
	5-13-86	Amend.	[FC-A2]
	1-09-90	Amend.	[FC-A3]
	9-25-90	Amend.	[FC-A4]
Consolidation Phase	6-21-93	213	[CONSOL]
Conditions Applying to the Extension Area Only	3-23-95	213	[EXT]
Conditions Applying to All Areas of the Extension and Consolidation Phases			[ALL]
Conditions Applying to the Additional Acreage within the Consolidation Phase (as defined below)			[ADD]
Conditions Applying to the DRI #263 Addition Area Phase			[DRI #263]

The symbol [ADD] indicates conditions specific to the 3,936 acres, previously identified as areas "not to be disturbed", which were approved to be mined in the Consolidation Phase. These conditions apply to the following areas of the Consolidated Mine:

<u>Quarter(s)</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Acres</u>
Western 440 ac.	1	32	21	440
All	2	32	21	651
All	3	32	21	548
All	10	32	21	504
All	11	32	21	565
Western 440 ac.	12	32	21	440
South 1/2 of SE	22	32	22	80
SE of NE	23	32	22	40
NW of NE	16	32	22	40
S1/2 of NW	16	32	22	80
North 448 Acres	15	32	22	448

Mining Unit approval applications for these areas will be subject to the submittal and mitigation requirements of the current Land Development Code. Their review and approval shall be based on consistency with the plans presented in the ADA as shown on maps H, Mining Plan (DRI #213), H-7, Preservation Areas (DRI #213), and 38H-4, Clay Settling Areas (DRI #213). Following this approach will preserve all 25 year floodplain, and wetland and upland habitat impacts will be mitigated.

This document is a combination of the DRI Development Order and the Phosphate Mining Operating Permit. As part of the DRI 263 review, certain of the conditions in this section were found to be applicable only as DRI Development Order conditions, which is indicated by "(DO)" at the end of the first section of the condition, certain ones were found to be applicable as both DRI Development Order and the Phosphate Mining Operating Permit conditions, which is indicated by "(DO/OP)", and all others were found to be applicable only as Phosphate Mining Operating Permit conditions, which is indicated by "(OP)". Only those conditions materially changed as part of the DRI 263 review are so indicated. Conditions added or amended based on the recommendation of TBRPC are all indicated as (DO) or (DO/OP).

A. LIFE AND TIMING OF DEVELOPMENT

1. [ALL][DRI #263] This Development Order shall remain in effect for a period up to and including December 31, 2027. Mining activity shall commence in the Extension area by December 31, 1998. Mining activity will be considered started if by December 31, 1998, all permit applications required to start mining have been filed at least 6 months prior, but not yet approved. Mining activity shall commence in the DRI #263 Addition Area Phase by December 31, 2008. Mining shall be considered started by December 31, 2008 if all applications to permit the start of mining have been filed but not yet approved. Mining shall be completed by December 31, 2018, and Reclamation completed by December 31, 2026. Any development activity for which plans have been submitted to the County and approved prior to the expiration date of this Development Order may be completed in accordance with the requirements of the Development Order. This Development Order may be extended by the Board of County Commissioners of Hillsborough County.
(DO/OP)

B. AIR QUALITY

1. [CONSOL][DRI #263] If any proposed change to this Development is determined by Federal, State or Local regulatory agencies to have negative air quality impacts then MOSF shall perform diagnostic air quality analysis as required and then shall institute remedial measures as necessary, to assure compliance with all applicable laws. (DO/OP)
2. [CONSOL][DRI #263] That the number or location of air and surface water monitoring stations and parameters may be changed at any time by petition of MOSF or EPCHC based upon reasonable grounds. (DO/OP)
3. [EXT] The measures to reduce erosion and fugitive dust referenced on pages 13-3 and 14-9 of the ADA and page 13-2 of the SR, at minimum, shall be implemented.
4. [EXT] If any proposed change to this project is determined to be a substantial deviation, Hillsborough County shall determine if such proposed change includes uses which are

determined to be point sources of air pollution and whether or not the nature of the proposed change is such that it would require a re-analysis of the project's air quality impacts. If a re-analysis is warranted, as determined by Hillsborough County, MOSF shall perform point source air quality analysis for those facilities in the Extension Phase that are being changed and MOSF shall take remedial measures at the subject facilities as required by the County, in accordance with applicable law.

5. [DRI #263] Best Management Practices, including those identified in the DRI #263 ADA, shall be employed during site preparation, mining and reclamation to minimize air quality impacts. (DO/OP)

C. WATER MANAGEMENT and SUPPLY - GROUND WATER

1. [ALL][DRI #263] MOSF's water use shall not exceed the amounts permitted by SWFWMD. MOSF shall copy PGMD with any requested modifications. (OP)
2. [L-85] MOSF shall implement the mitigative water quality measures referenced in the Application on pages 15-56 through 15-58 for parcels A, B, and C. (OP)
3. [ALL][DRI #263] All on-site wells shall be maintained and operated, or plugged and abandoned by MOSF in accordance with SWFWMD regulations. (OP)
4. [EXT][ADD][DRI #263] In order to protect the Floridan aquifer, a groundwater quality monitoring program shall be instituted prior to mining and shall be continued periodically through reclamation, if required by Hillsborough County PGMD, FDEP, and/or SWFWMD. The requirement must be based on just cause and be directly related to mine operation impacts. Modification of any monitoring program may be proposed by either the listed agencies or MOSF at any time for just cause, with approval for implementation by Hillsborough County PGMD. However, requests by MOSF to reduce monitoring programs or reduce or eliminate the parameters included in the program must be reviewed for consistency by the listed agencies and approved by Hillsborough County EPC. Currently established programs may be expanded with the approval of Hillsborough County, FDEP and/or SWFWMD. Any violation of Chapter 62-520, FAC, determined to be caused by mining or related activities, shall require corrective measures as set forth by FDEP. (DO/OP)
5. [FC-1] For production wells, water quality analysis will be performed monthly and reported to the County quarterly for the following constituents:
 - 1) Calcium
 - 2) Magnesium
 - 3) Sodium
 - 4) Potassium
 - 5) Bicarbonate
 - 6) Sulfate
 - 7) Chloride
 - 8) Nitrate

- 9) Total Dissolved Solids
 - 10) Specific Conductance
 - 11) Gross Alpha Radiation
 - 12) Total Phosphate
 - 13) Radium 226 (only if gross Alpha exceeds 15 pci/l)
6. [FC-1] Pumpage records shall be kept for each production well on a monthly basis and forwarded to the County quarterly.
 7. [FC-1] Water level monitoring will be provided by SWFWMD ROMP - #40 wells located near the S.E. corner of Hillsborough County.
 8. [DRI #263] Only as applied to Parcel One, MOSF's mining activities shall not breach the clay confining unit, and in no event shall contact with the limestone aquifer be allowed. (DO/OP)

D. WATER MANAGEMENT - SURFACE WATER

1. [FC-1] That the applicant guarantees the correct operation and maintenance of all man-made control structures and the maintenance of proper surface water flows as determined by existing and future regulatory programs.
2. [K-31] A further condition of this approval is the fulfillment of the applicant's voluntary commitment to donate three hundred acres of land on the development site for development and utilization as a water reservoir suited for water supply, flood control, and recreation purposes, the exact location of said three hundred acres to be determined by the county.
3. [EXT][DRI #263]Erosion control measures such as siltation screens and hay bales shall be used to prevent surface water quality degradation. Best Management Practices shall be employed throughout preparation, mining and reclamation to minimize surface and groundwater quality impacts. (DO/OP)
4. [EXT][ADD][DRI #263]In order to protect water quality in the watersheds of the Alafia River and the Little Manatee River, an Outstanding Florida Water, there shall be no degradation of water quality standards by surface water exiting the site. MOSF shall provide for a surface water quality monitoring program, to continue through reclamation, as required by Hillsborough County, FDEP and/or SWFWMD. The requirement must be based on just cause and be directly related to mine operation impacts. Modification of any monitoring program may be proposed by either the listed agencies or MOSF at any time for just cause, with approval for implementation by Hillsborough County PGMD. However, requests by MOSF to reduce monitoring programs or reduce or eliminate the parameters included in the program must be reviewed for consistency by the listed agencies and approved by Hillsborough County EPC. Currently established programs may be expanded to cover the Extension Area with the approval of Hillsborough County

PGMD. Any violation of Chapter 62-302, FAC, determined to be caused by mining or related activities, shall require corrective measures as set forth by the FDEP. The monitoring results shall be submitted to Hillsborough County, FDEP and SWFWMD in the annual report. (DO/OP)

5. [ALL][DRI #263] Base flows to the Alafia and Little Manatee Rivers and their tributaries shall be those as documented in USGS water discharge records for stations 02301300 and 02300100. The base flows to these rivers and their tributaries shall not be adversely altered or reduced by mining activity or post reclamation conditions. (OP)
6. [ALL][DRI #263] Stormwater runoff from the active mine area, and any other discharges, shall only be released through approved NPDES discharge points. (OP)

E. SOILS

1. [ALL] Organic deposits and natural topsoils capable of supporting indigenous vegetation should be stockpiled during mining activities and utilized in reclamation to the maximum reasonable extent.
2. [EXT] The soil conservation measures referenced on page 14-9 of the ADA and the methods discussed on page 14-7 of the ADA to overcome problems associated with the particular on-site soil types shall be implemented.
3. [DRI #263] Best Management Practices, including those identified in the DRI #263 ADA, shall be employed during site preparation and construction to prevent soil erosion. (DO/OP)

F. WETLANDS

- 1.A. [ALL] Those areas which meet the definition of preservation and conservation areas, as defined in policies 10.1.2 and 10.3.1, FRCRPP (1987), unless otherwise determined to be vested during review of mining and mining related activities pursuant to the Hillsborough County Phosphate Mining Regulations, shall be so designated on all of the Mining and Reclamation Plans submitted to Hillsborough County and FDEP. These areas shall include the wildlife corridor identified in the Hillsborough County Comprehensive Plan, specific areas of which shall be designated as preservation or conservation, according to agreement between MOSF, Hillsborough County and the affected regulatory agencies. Such designation shall occur during application for approval of "Mining and Mining Related Activities", according to the Hillsborough County Phosphate Mining Regulations. (OP)
- 1.B. [DRI #263] Those areas which meet the definition of preservation and conservation areas, as defined in Policy 4.6.1 of the Strategic Regional Policy Plan (SRPP 2005), unless otherwise determined to be vested during review of mining and mining related activities pursuant to the Hillsborough County Phosphate Mining Regulations, shall be so designated on all of the Mining and Reclamation Plans submitted to Hillsborough County and FDEP. These areas shall include the wildlife corridor identified in the Hillsborough

County Comprehensive Plan, specific areas of which shall be designated as preservation or conservation, according to agreement between MOSF, Hillsborough County and the affected regulatory agencies. Such designation shall occur during application for approval of "Mining and Mining Related Activities", according to the Hillsborough County Phosphate Mining Regulations. (OP)

2. [ALL] As a condition precedent to the construction, operation and maintenance of the mine access corridors and corridor crossing of wetlands identified on Map H-1, Mine Access Corridor Crossings (DRI #213), and Map H-1, Mine Access Corridors, 2006 Revisions to MMRP- Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as Part of Composite Attachment A, the construction, operation and maintenance of the clay settling ponds as shown on Map 38H-4 Clay Settling Areas (DRI #213) and Map 38H-4 Revised Clay Settling Area Locations, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), attached hereto and incorporated herein as part of Composite Attachment A, and to the mining plans of the area identified on Map H, Mining Plan (DRI #213) and Map H, Conceptual Mine Plan, 2006 Revisions to OPA/MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A, and Map H-7, Preservation Areas (DRI #213), and Map H-7, Undisturbed Areas, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A, MOSF must satisfy the following conditions, as applicable.² (OP)
 - A. Impacts to EPCHC/FDEP jurisdictional wetlands caused by such activity must be mitigated on an acre-for-acre basis, within the same drainage basin as the impacted wetlands;²
 - B. A wetland delineation and mitigation plan must be submitted as part of each mining unit plan and will be reviewed to verify that proposed mitigation is in accordance with Chapter 1-11, Rules of the EPC;²
 - C. EPCHC shall assist MOSF in selection of the specific location of crossing sites to provide for the least overall wetland impact in the general vicinity of the crossings as shown on Map H-1 Mine Access Corridor Crossings (DRI #213), and Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A;
 - D. EPCHC has approved the shapes and configurations of L-2, L-3, L-4 F-5, F-7, and F-8 clay settling areas.⁴
 - E. A minimum of 9,096 acres are approved for construction of settling ponds within the Hillsborough County Mines, as shown on Table 10-4, (Revised 02/16/07) Comparison of CSA Requirements, (DRI #263 2nd SR).^{4,5}

- F. FDEP and/or the Army Corps of Engineers permits must be obtained as required by statute prior to committing any wetland disturbances.
3. [DRI #263] Impacts to EPCHC/FDEP jurisdictional wetlands for parcels 4 - 8 must be mitigated pursuant to Chapters 62C-16, 62-343 and 62-345, F.A.C., and Chapter 1-11, Rules of the EPC. (OP)
 4. [EXT] Pursuant to Council Policy 10.3.1 (FRCRPP, 1987), in the Mining Unit applications, there shall be no mining in preservation areas . . . except in cases of overriding public interest. Included as preservation areas are ... larger freshwater swamps and marshes. Any allowed wetland losses shall be mitigated, at minimum, by 1:1 in-kind or more productive wetland replacement. Existing wetlands which are permitted to be impacted should be used as donor material for revegetation of mitigation areas, where feasible. All mitigation areas shall be designed, implemented and monitored in accordance with the Environmental Protection Commission of Hillsborough County (EPCHC) and FDEP requirements, as appropriate.²
 5. [EXT] For the portion of the Little Manatee River that is currently an OFW, the associated adjoining natural forested communities shall be preserved in their entirety due to the river's special status pursuant to Chapter 62-302.700, FAC.
 6. [EXT][ADD] Mining in the Additional Acreage and the Extension Area shall not adversely impact TBRPC defined preservation areas. Mining shall proceed according to the conditions established by Hillsborough County and by this Development Order.
 7. [EXT][ADD][DRI #263] No adverse hydroperiod alteration shall be permitted in any preservation areas within the Additional Acreage , Extension Area and DRI #263 Addition Area Phase as identified in the Development Order for this project and on the Mining and Reclamation Plans submitted to Hillsborough County and the Florida Department of Environmental Protection (FDEP). Historic annual hydroperiods, normal pool elevations and normal seasonal high water elevations shall be substantially maintained. Hydroperiod monitoring shall be implemented as required by the County, SWFWMD and/or FDEP. Should preservation areas be stressed due to mining or related activities within the additional acreage, such activity shall cease until remedial measures have been taken to correct the hydroperiod imbalance. Such measures could include limitations on mine activities, enlargement of natural buffer areas, increased upland retention of stormwater and/or augmentation of the water supply to the wetland. (OP)
 8. [EXT][ADD][DRI #263] MOSF shall provide a natural buffer zone according to the requirement of the County LDC, around all preservation areas within the Additional Acreage, Extension Area and DRI #263 Addition Area Phase to provide an upland transition into the wetland areas and to protect the natural systems from mining impacts. The definition for preservation areas in the FRCRPP applicable to the Additional Acreage, Extension Area and DRI #263 Addition Area Phase includes larger freshwater swamps and marshes and consideration of ecologically-sensitive flora and fauna. In accordance with TBRPC policy there shall be no mining of the 25-year floodplain. (OP)

- A. All allowable wetland losses must be permitted by the appropriate regulatory agencies and shall require, at minimum, 1:1 in-kind or more productive wetland replacement.
- B. Existing wetlands which are permitted to be altered or eliminated shall be used as donor material for revegetation of mitigation areas, where feasible.
- C. All mitigation areas and littoral shelves shall be designed, implemented and monitored in accordance with the Environmental Protection Commission of Hillsborough County (EPCHC), and FDEP requirements, as appropriate.

G. FLOODPLAINS

1. [ALL][DRI #263] There shall be no mining within the 25-year floodplain. Mining within the 100-year floodplain is not prohibited, subject to appropriate state and local review and approvals. (OP)
2. [DRI #263] There shall be no net loss of 100-year floodplain storage capacity. (DO/OP)

H. STREAM AND RIVER CROSSINGS

1. [ALL][DRI #263] For all other crossings:
Site-specific plans and schedules for each 25-year floodplain and wetland crossing shall be included in the mining unit applications and shall meet the following standards, subject to Part 8.02.00 (Phosphate Mining Regulations) of the Hillsborough County Land Development Code and approval by Hillsborough County. The location of crossings shall be as depicted on Map H-1, Mine Access Corridor Crossings(DRI #213), and by Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as Composite Attachment A, and the disturbance to each crossing area as described in Table 38A-5, Mine Access Corridor Crossings (DRI #213, 4th SR). Any changes to the crossings locations or amounts of disturbance other than eliminations of crossings or reductions in amounts of disturbance, shall require a substantial deviation determination. (DO/OP)
 - a. Crossings shall be scheduled for base or low water-flow periods and shall be conducted in accordance with Best Management Practices. Any violation of applicable state water quality standards shall result in cessation of crossing activities at that location, until such violation is corrected.
 - b. Crossings and culverts shall be designed to handle the 100-year flood event.
 - c. The removal of vegetation shall be minimized. Clearing width for dragline crossings shall be limited to 175 to 250 feet and the length and width of each crossing shall be specified.

- d. Fill material used in the wetlands for the crossings shall be clean sand.
 - e. Any fill material required for the crossing shall be placed no sooner than three days before the crossing, and removed within two days after the crossing, unless the permitting agencies determine it would cause less disturbance at the crossing site to leave the fill in place until after its final use. MOSF shall remove all structures, restore the area in question to the original grade elevations and re-grass the area without delay, and permanently re-vegetate and replace trees after the final crossing at the appropriate seasonal time.
 - f. Siltation control devices shall be used in the streams/wetlands as needed.
 - g. Pipelines shall be jacketed, placed above the 100-year floodplain pursuant to and as mapped by the approved DRI #213 and isolated from tributaries by berms.
 - h. All utility crossings shall be elevated above the 25-year floodplain pursuant to and as mapped by the approved DRI #213, and shall consist of piers without any approach embankment. Verification that the proposed piers can sustain high water flow conditions shall be certified by a professional engineer, under seal, prior to any construction.
 - i. Each crossing shall require a FDEP permit, with the SWFWMD, EPCHC and TBRPC receiving a copy of the application when it is submitted to the FDEP. A time schedule for construction, operation, and reclamation, as well as surface water quality monitoring, shall be required for each crossing. The water quality monitoring program shall be as determined by Hillsborough County, SWFWMD and FDEP.
2. [ALL][DRI #263] Additional stream crossings or crossings of tributaries at locations other than those described in the Application on Map H-1, Mine Access Corridor Crossings (DRI #213), and by Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), or Table 38A-5, Mine Access Corridor Crossings (DRI #213, 4th SR) shall be sufficient cause for a substantial deviation determination. (DO/OP)
 3. [CONSOL][DRI #263] The applicant shall not use floodplain crossings A, B, and I, or wetland crossings 5, 6, 10, and 12 for mine operations. Continuation of all existing agricultural uses of wetland crossings are not restricted by this condition, nor are continued vehicular uses of the existing bridges at floodplain crossings B, C, and I. Floodplain crossings C and H shall not be used for slurry pipeline crossings, but may be used for transfer of water. Floodplain crossing O may be used for access, movement of draglines and for slurry pipeline crossing. (OP)
 4. [ALL] As committed by MOSF, no clay transfer pipelines crossings of the 25-year floodplain or wetlands in route to clay settling areas shall be allowed within the Consolidation Phase, except for 25-year floodplain crossings I (Hurrah Creek/Sec.31) and J (Alderman) and at wetland crossing 12 (HurrahCreek/Sec.1) or 4. (OP)

5. [EXT][DRI #263] MOSF shall document to Hillsborough County, in Mining Unit applications, that 25-year floodplain and wetland crossings are necessary.² Approved floodplain crossing L, and wetland crossings 15, 16, 17, 18, 19 and 20, shall incorporate design features sufficient to protect the Little Manatee River. Continuation of all existing agricultural use and maintenance of wetland crossings are not restricted by this condition. For crossing points K, L, M, N, O, and P, use for roads and power lines is approved. Their use for pipelines crossings shall be restricted so as to use them for the most direct route. Their use for dragline crossings shall be restricted to those which are needed for access which will cause the least impact. (OP)
6. [EXT][DRI #263] MOSF shall be provided access to all areas approved for mining by this Development Order. (DO/OP)
7. [EXT] All 25-year floodplain and wetland crossings in Sections 33 and 34, Twn. 32 S., Rng. 21 E., must be submitted for approval in the same application.
8. [EXT][ADD] If any 25-year floodplain or wetland crossings occur in the Additional Acreage or Extension Area, recommended Mining Operations condition III.Q.13.D. shall apply.

I. VEGETATION AND WILDLIFE

1. [FC-1] That best management practices and techniques including revegetation, reforestation, erosion control, etc. shall be utilized by the applicant in the reclamation of all land designed to support forested and unforested wetland vegetation associations.
2. [FC-1] That best management practices shall be utilized by the applicant to accelerate the natural development of those areas that are intended to support native forested and unforested wetland vegetation associations.
3. [FC-1] That reclamation shall not be considered complete until all areas intended to develop native forested and unforested wetland vegetation associations are firmly established and it is assured that these areas will develop the vegetation associations that they are designed to support.
4. [L-85][DRI #263] A program to protect rare, endangered or threatened species such as capture-relocation programs and/or recreation of appropriate habitat shall be implemented by MOSF. (OP)
5. [ALL][DRI #263] In the event that any species listed in Sections 39-27.003-.005, FAC, are observed frequenting the site for nesting, feeding, or breeding, proper protection/mitigation measures shall be employed immediately in cooperation with the Florida Fish and Wildlife Conservation and Wildlife Conservation Commission (FFWCC), in accordance with the Best Available Information at the time of the application approval for the species observed. If applicable, previously approved management plans and conditions retained from the existing Development Orders shall be utilized as part of the protection/mitigation measures. (DO/OP)

6. [EXT][K-120][DRI #263] Relocation of the gopher tortoises observed on-site to a suitable location may be considered as an alternative to preservation of the tortoise communities, if deemed acceptable by the FFWCC. (OP)
- 7.A. [CONSOL][DRI #263] By 1997, MOSF shall participate, in conjunction with the FFWCC, the U.S. Fish and Wildlife Service and Hillsborough County, in a wildlife corridor protection program. Wildlife corridors identified in this program shall be in addition to the preservation areas, as defined in the FRCRPP and TBRPC policies. The wildlife corridor protection program shall utilize the Hillsborough County Comprehensive Plan, "Wildlife Preserves and Corridor Linkages Map (Greenways Program)", and MOSF's Map 38H-12 of the Third Sufficiency Response to the ADA (DRI #213), Consolidation Phase Wildlife Corridors. (OP)
- 7.B. [EXT][DRI #263] MOSF shall participate, in conjunction with the FFWCC, the U.S. Fish and Wildlife Service, and Hillsborough County, in a wildlife habitat protection program. Post-mining wildlife corridors and xeric habitats identified in this program shall be in addition to the preservation areas, as defined in the FRCRPP policies. (OP)
8. [EXT][DRI #263] Within the Extension Area and the DRI #263 Addition Area Phase, MOSF shall utilize and abide by the U.S. Fish and Wildlife Service and FFWCC listed species guidelines and regulations as specifically defined for the Extension area by the Habitat and Wildlife Management Plan (Appendix D, 3AI), unless specific changes are recommended by FFWCC. (OP)
9. [EXT][DRI #263] MOSF shall utilize the best management practices to establish the land forms, land uses, and natural vegetation associations in accordance with the approved reclamation plan. (OP)
10. [EXT][DRI #263] Approval of Mining Unit applications within the Extension Area and the DRI #263 Addition Area Phase shall include conditions which ensure the maintenance, and where environmentally and economically feasible, increase the abundance and distribution of populations of endangered, threatened or special concern species. (OP)
11. [EXT][DRI #263] MOSF shall perform premining wildlife surveys for the purpose of locating all individuals of listed species using the site so that they may be mitigated through relocation, avoidance, or directional clearing according to the Habitat and Wildlife Management Plan (Appendix D, 3AI). The pre-clearing wildlife survey shall be conducted a minimum of six (6) months prior to land clearing activities within that Mining Unit, unless otherwise approved by FFWCC. This survey shall be conducted according to the approved Habitat and Wildlife Management Plan. The results of the survey shall be reported to FFWCC office of Environmental Services, and Hillsborough County PGMD. Any listed species shall be protected/relocated according to the procedures contained in the approved Habitat and Wildlife Management Plan and/or FFWCC capture/relocation permits. Planning for the clearing of areas to be mined shall consider the listed species of concern. Contact with the Florida Fish and Wildlife Conservation Commission and/or the US Fish and Wildlife Service shall be performed

before each area is prepared by clearing. Each annual report shall include a discussion of mining plans for the subsequent year. (DO/OP)

A. The Wildlife Surveys will incorporate the following elements:

1. Gopher Tortoises will be surveyed in all appropriate habitats as documented in ADA. If a relocation permit is required and obtained, the Gopher tortoises and commensals may be relocated in accordance with the gopher tortoise permit concurrently.
2. Surveys for Florida Mice and Gopher frogs will be conducted in the appropriate habitats as documented in the ADA.
3. Surveys for listed wading bird nests will be done if clearing is scheduled in the nesting season, such that the clearing of those sites can be done at a time outside the nesting season.
4. Survey for Scrub Jays will be done at least one year ahead of clearing in appropriate habitat. Relocation to reclaimed habitat shall be by FFWCC permit, using technique developed by Archbold Biological Station.
5. Surveys for Bald Eagles and their nests will follow USFWS & FFWCC guidelines.
6. Survey for other species is not necessary, due to their mobility, and the mitigation methods in the management plan.
7. Reporting of Survey results and actions will be on an as needed basis, with status summary included in Annual Report.

12. [EXT][DRI #263] Habitat and Wildlife Management will contain the following elements: (OP)

- A. Continue existing range management practices and controlled burning on a 2 to 4 year cycle in the palmetto prairie and xeric areas.
- B. Clearing shall be done in a directional method to herd remaining wildlife to adjacent refuge areas.
- C. Reclamation of replacement habitat shall be done in a staged or incremental manner so as to maintain a minimum of 50% of habitat on the total mine site.
- D. Bald Eagles and their nests will be protected according to USFWS & FFWCC rules.

13. [EXT][DRI #263] To assure that mined tributaries and watersheds are reclaimed as functionally equivalent systems, all proposed reclamation plans shall be reviewed in a complete ecosystem context. Accordingly, when mining unit approvals are requested, MOSF shall include plans for any post-reclamation basin or sub-basin that may be affected by the proposed activities within the mining unit. (OP)

14. [EXT][DRI #263] Mining and disturbance of significant and essential wildlife habitat shall be conducted according to LDC §8.02.08 A.18 of the Hillsborough County Land Development Code. The overall status of habitat re-establishment shall be included in the Annual Report. (OP)

15. [EXT][DRI #263] Significant and Essential Wildlife habitat shall be field verified at the time of future mining unit approvals. (OP)
16. [EXT][DRI #263] As part of the mining unit applications, MOSF shall submit evidence that activities as shown on Map H-1, Mine Access Corridor Crossings (DRI #213) are conducted such that fragmentation of wildlife corridors will not occur. In the instance that fragmentation of a wildlife corridor is unavoidable, design features for the safe passage of wildlife species expected to utilize the crossings shall be included in accordance with FFWCC guidelines. (OP)
17. [EXT][DRI #263] All habitat restoration and reclamation of natural plant communities shall be done so in accordance with the guidelines, success criteria -and reporting requirements contained in the Hillsborough County Phosphate Mining Reclamation Manual as set forth in LDC Section 8.02.08 C.1 for future mining unit reclamation plans. (OP)
18. [EXT][ADD] [DRI #263] To the extent it is reasonably possible, the population and size of each relocated wildlife species shall be at least as large after relocation as it was before relocation, as well as viable. For viable populations of listed species associated with areas that qualify as essential wildlife habitat, an attempt to retain those populations within Hillsborough County through onsite or offsite preservation shall be made where possible. (OP)
19. [DRI #263] Existing wetlands which are permitted to be altered or eliminated shall be used as donor material for revegetation or mitigation to the greatest extent practicable. (OP)
20. [DRI #263] Existing agricultural activities on the site may continue until the area is prepared for mining, but at no greater density or intensity than at present. (DO/OP)
21. [DRI #263] Mining Unit Applications will include a survey of the current status of threatened and endangered plants and animals in those areas indicated to be of possible concern in the ADA. This includes the Florida Golden Aster (See Table 18B-3, Flowering Seasons for Potentially Occurring Listed Plants (SR, 12-16), and Table 12-3, Listed Plant Species Potentially Present, (DRI #263 ADA); and b) Table 14-5, Listed Plant Species Observed on the DRI #263 Addition Area Phase, (2006 OPA/MMRP). (OP)
22. [DRI #263] The areas of regionally-significant habitat within the DRI #263 Addition Area Phase, as shows on Map 4 of the TBRPC Final Report dated May 14, 2007, and subject to ground truthing, shall be protected in perpetuity. (DO/OP)

J. ARCHAEOLOGICAL AND HISTORIC RESOURCES

1. [ALL] Any historical or archaeological resources discovered shall be immediately reported to the Florida Division of Historical Resources (DHR) and treatment of such resources shall be determined in cooperation with Hillsborough County, the DHR and the

TBRPC. Disposition of the resources shall be determined in cooperation with DHR. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue. If the resources are not scheduled to be impacted, the site shall be designated as a preservation area.

2. [ALL] Pursuant to Table 19B-2, and as shown on Map D-1 (SR3), Potentially Significant Archaeological and Historical Sites (SR3, 19-12), the following 10 sites are potentially significant and shall be totally preserved and protected or excavated and approved for release by the Division of Historical Resources (DHR): 8Hi3791 (Strawberry Fields), 8Hi3792 (Points O' Plenty), 8Hi3794 (Stanland Farmstead), 8Hi3795 (Kicklighter Farmstead - barn, may be moved), 8Hi3797 (Reflecting Man), 8Hi3801 (Little Manatee), 8Hi3804 (Howard Prairie Mound), 8Hi3817 (Arrow), 8Hi3824 (Indian Trail) and 8Hi3868 (Pippin Field). If the above National Register-eligible archaeological or historical Sites identified are to be impacted by project activities, additional survey/excavation shall be conducted at the site prior to the commencement of site-disturbing project activities. Documentation of release of the sites for mining impact shall be included in annual report as appropriate.
3. [DRI #263] If historical or archeological sites are discovered within the DRI #263 Addition Area Phase, the Florida Division of Historical Resources shall evaluate the significance of such findings and assess the measures which will be taken to avoid, minimize, or mitigate any adverse impacts prior to continuation of mining activities. (DO/OP)

K. EMERGENCY RESPONSE & FIRE PROTECTION

1. [ALL][DRI #263] MOSF shall continue to meet or exceed federal, state and local fire codes and regulations. (DO)
2. [EXT][DRI #263] MOSF shall continue to maintain effective communication with the Hillsborough County Fire Rescue Department to assure immediate paramedic assistance, including Medevac response if necessary. (DO)

L. SOLID WASTE AND HAZARDOUS WASTE

1. [ALL][DRI #263] Managers of all Hillsborough County Mines facilities that generate hazardous waste are encouraged to utilize waste exchanges. MOSF is also encouraged to develop permittable on-site hazardous waste treatment capabilities for waste, which is not suitable for recycle, exchange or reuse, to ensure public safety prior to transport. (DO)
2. [ALL][DRI #263] Consistent with Hillsborough County policies, MOSF shall provide to all its employees information that: (DO)

-indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas;
and

-describes construction requirements for hazardous waste holding areas; and

-advises of applicable statutes and regulations regarding hazardous wastes and materials.

3. [ALL][DRI #263] Underground storage of hazardous or toxic materials shall be prohibited. (DO)
4. [ALL][DRI #263] MOSF shall comply with all applicable federal, state and local solid waste and hazardous materials regulations. (DO)
5. [K-120] The collection, transportation and disposal of solid waste is controlled by Hillsborough County ordinance and shall take place in accordance with the terms of said ordinance.
6. [DRI #263] There shall be no increased wastewater generation in excess of the currently permitted volume as it pertains to the mining of the DRI #263 Addition Area Phase. (DO)

M. ENERGY CONSERVATION

1. [CONSOL][DRI #263] The following energy conservation measures shall be encouraged at the mine: (DO)
 - Energy policies, an energy audit by Tampa Electric Company, energy-use monitoring, and energy conservation for the mines using a qualified energy use analyst.
 - Information regarding programs to promote energy conservation by employees.
 - Programs to reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours.
 - Recycling programs.
 - Innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and cogeneration.

N. EQUAL OPPORTUNITY

1. [K-120][DRI #263] MOSF shall seek, urge and encourage all contractors and subcontractors to involve minority groups in the development of the project. All office and commercial establishment areas shall be available to all, on a fair and impartial basis. (DO)

O. DRAINAGE

1. [FC-1] That after reclamation is complete in each affected drainage basin, the applicant shall conduct a detailed study to define final flood frequency elevations, delineate the aerial extent of each basin and determine the duration and quantity of surface water leaving the site during high rainfall events. This information shall be transmitted to all appropriate local, regional, state and federal agencies involved in floodplain management and floodplain delineation so that downstream flood elevations and management mechanisms can be appropriately modified.
2. [FC-1] That if hydrologic studies indicate that the peak discharge characteristics of any affected drainage basin have been increased over premining conditions, the applicant shall increase the retention capacity of the reclaimed land, such that the peak discharge characteristics of the affected drainage basin is equal to or less than that which existed before mining. Increases in retention capacity shall be accomplished with a minimum use of control structures.
3. [FC-1] Upon completion of mining and reclamation, all recreated wetlands and floodplain/flood prone areas shall be subject to all the rules, regulations and policies of local, state and federal agencies governing wetland and floodplain/flood prone areas at the time mining and reclamation is complete.
4. [L-85] Parcels B and C shall be restored after mining to provide for the same drainage basin areas as existed prior to mining to maintain approximately the same surface and groundwater runoff for each drainage basin.
5. [K-120] Drainage, stormwater management, water recirculation and pipeline installations shall meet the following specifications:
 - a. [EXT][K-120] Stormwater runoff and stream discharges from active mining areas shall not cause violation of Class III water quality standards in the receiving stream. Stormwater runoff from areas disturbed by mining activities shall be retained within the mine water recirculation system. Discharge from the mine water system shall occur only through NPDES permitted points.
 - b. [EXT][K-120] MOSF shall be responsible for maintaining the drainage system including channels, culvert and erosion protection facilities. Any transfer of this responsibility from MOSF to subsequent owners shall require the approval of Hillsborough County and/or SWFWMD.
 - c. [CONSOL] Best Management Practices for reducing adverse water quality impacts, as recommended by Hillsborough County and SWFWMD shall be implemented.
6. [ALL][DRI #263] The post-reclamation flood flow peaks shall be in accordance with current SWFWMD and Hillsborough County requirements. (OP)

P. TRANSPORTATION

1. [K-120] No private access to public roads shall be interrupted unless adequate alternative access exists to that parcel.
2. [K-120] MOSF shall be held responsible for any damage caused by MOSF to public streets or roads used for mining activities as reasonably determined by the Hillsborough County Public Works Department, Engineering Division. The Hillsborough County Public Works Department, Engineering Division shall monitor structural conditions of public roads throughout the mining of the site. The results of this monitoring shall be provided to MOSF by the county for inclusion in the Annual Report. The Hillsborough County Public Works Department, Engineering Division shall assess the amount of structural degradation which has occurred based on MOSF mining related traffic and a determination of appropriate remedial action to be taken by MOSF shall be made. MOSF shall be required to undertake the remedial action as determined by the County.
3. [ALL] MOSF shall ensure that results of the Florida Department of Transportation (FDOT), Hillsborough and Polk Counties monitoring of S.R. 37, C.R. 39, S.R. 674, C.R. 630, S.R. 60, C.R. 640 and U.S. Highway 41 (including all bridges) within the Hillsborough County Mines Substantial Deviation transportation impact study area for the structural condition of these facilities over the life of the mine's trucking activity are provided to TBRPC, Hillsborough and Polk Counties. In order to continue trucking once FDOT or the counties (for their respective maintained roads) determine that these roads (including bridges) are structurally degraded or are degrading at an accelerated rate such that the structural condition will fall below acceptable standards within two years, MOSF shall enter into an agreement with the responsible entity for improvements to these facilities. Hillsborough County shall determine, in concert with the responsible entity, MOSF's financial responsibility for its proportionate share of the improvements to these facilities, unless the improvements are budgeted in the current year of the work program of the appropriate agency. The agreement shall be entered into within 90 days of notification of the determination, and the improvements shall be completed within two years of the determination, unless programmed for construction in the current-year work program of the appropriate agency.
4. [ALL][DRI #263] MOSF shall not use SR 674 between U.S. 301 and I-75 to transport product by truck. The approved alternate haul route, subject to weight restrictions, is SR 674 to Balm Wimauma Road to SR 672 to I-75 to SR 674 in lieu of the proposed haul route through Sun City Center, as shown on the map "Approved Truck Haul Routes" July 21, 1993, as amended. (DO)
5. [ALL][DRI #263] Any proposed change to the haul routes or destinations as approved by Hillsborough County in this Development Order, shall require a substantial deviation determination. (DO)
6. [CONSOL] When the mine and the plants are operating at maximum capacity, MOSF shall provide peak-hour and daily traffic counts at the project entrances, including a description of the types of vehicles making each trip, to verify that the projected number

of external trips for the project are not exceeded. This information shall be supplied in the required annual report. If the annual report indicates that the total trips exceed projected counts, Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may amend the Development Order to change the requirements or to require additional roadway improvements. The results of the study may also serve as a basis for MOSF or reviewing agencies to request Development Order amendments. If the variance is determined to be a substantial deviation, the revised transportation analysis required shall be based upon results of the traffic counts and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis.

7. [ALL][DRI #263] All project access ways onto County or State roads shall be acquired, constructed and maintained by MOSF without cost or obligation to Hillsborough County or FDOT. (DO)

Q. MINING OPERATION

1. [ALL][DRI #263] That the total disturbed and unreclaimed lands in Hillsborough County not exceed 14,622 acres at any one time. The total disturbed and unreclaimed lands shall include but not be limited to clay settling ponds, dams, and perimeter ditches, but does not include access corridors.⁵ (OP)
2. [ALL][DRI #263] The Board approves the amended Mining and Reclamation Plan as shown on Table 38A-2, 2006 Revision Conceptual Mining and Reclamation Schedule – Revised 05/31/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), attached hereto and incorporated herein as part of Composite Attachment A, subject to the requirement that all mining be completed by 2018 and all reclamation (including initial revegetation) be completed by December 31, 2026. (DO)
3. [CONSOL][FC-A2] The Board approves Settling Pond "F-2" in Sections 25-27 and 34-36; Township 32S; Range 22E as shown on Map No. 2, Location of Proposed and Permanent Structures dated 5/23/84 subject to the following conditions: (OP)
 - a. [FC-A2] The maximum effective area including all embankment areas and perimeter ditches shall not exceed 2750 acres as shown on Table 38H-1, Waste Clay Disposal Areas – Design Summary, (4th SR, DRI #213)
 - b. [FC-A2] Reclamation shall be started in 1998 and allow for stage filling, per the schedule shown on Table 38A-2, 2006 Revision Conceptual Mining and Reclamation Schedule - Revised 05/31/07, (OPA/MMRP, June 2007 MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A. Progress on reclamation shall be considered when reviewing requests for mining units during this period.

4. [ALL][DRI #263] There shall be no disturbance of any preservation areas as shown on Map H-7 Preservation Areas (DRI #213), and by Map H-7, Undisturbed Areas, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A. There shall be no disturbance of other wetland areas under the jurisdiction of the EPCHC or the FDEP until agency review and mitigation plan approval has been secured.² (OP)
5. [L-85] No mining shall occur in the stream that occurs in the northern half of parcel B.
6. [L-85] MOSF shall meet the setback requirements of Section 14(7) of the Hillsborough County Phosphate Mining Ordinance (1974) and any special setback requirements imposed by Southwest Florida Water Management District under consumptive use permit #200203, or subsequent permits, which was approved August 4, 1982. (OP)
7. [ALL][DRI #263] The cumulative rate of mining shall not exceed by more than 10% or 11 acres, whichever is greater, the proposed Mining and Reclamation schedule shown on Table 38A-2, 2006 Revision Conceptual Mining and Reclamation Schedule - Revised 05/31/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A, without prior approval of the County pursuant to 380.06 (19), F.S. procedures. (OP)
8. [K-120][DRI #263] If MOSF elects to amend the approved Mining and Reclamation Schedule as shown on Table 38A-2, 2006 Revision Conceptual Mining and Reclamation Schedule - Revised 05/31/07, (OPA/MMRP, June 2007, MOSF Response to RFAI), MOSF shall submit said amendments to the Hillsborough County Planning and Growth Management Department for review and approval as required by law, which approval shall not be withheld for mere acceleration or deceleration of the rate or sequence of mining if the terms of this Order are otherwise fully complied with. (OP)
9. [K-120] Mining and Reclamation Plans shall include the following:
 - a. [K-120] Preservation of the 25-year floodplain wetlands, and restoration of all forest (wooded wetland) areas, within or along the edge of the 100-year floodplain which are disturbed due to mining or associated activities at a density equal to that previous to the disturbance.
 - b. [K-120] Use of the toe spoiling mining technique for all overburden containing matrix or leach zone material.
10. [K-120] MOSF shall comply with all conditions of the amended Mining and Reclamation Plan. All mining operations shall be carried out pursuant to Hillsborough County Ordinance 87-27 and all other applicable agency rules and regulations.
11. [ALL][DRI #263] This Development Order is intended to control future mining and mining related activities in the Consolidation and Extension Phases and all amendments thereto, and the DRI #263 Addition Area Phase. All aspects of the Consolidation and Extension Phases and all amendments thereto, and the DRI #263 Addition Area Phase

shall be consistent with the current Land Development Code unless determined to be vested during review of mining and mining related activities pursuant to Part 8.02.00 of the Phosphate Mining Regulations. Specific determinations of vested rights, if any, shall be made by the Board at the time of individual mining unit approval. MOSF shall also comply with the federal Mine Safety and Health Regulations and training requirements. (OP)

12. [ALL][DRI #263] MOSF shall continue to implement all monitoring requirements from the existing Development Orders, permits and approvals. Proposed changes in the monitoring programs shall require the approval of the County PGMD, and the affected regulatory agencies if appropriate. (See Condition B.2.) (OP)
13. [ALL][DRI #263] All Mining Unit applications shall include the following: (DO/OP)
 - A. Preservation of the pre-mining 25-year floodplain, as determined by Hillsborough County, shall be required. Wetland mitigation required by regulatory agencies would satisfy the restoration requirements for systems that are disturbed due to mining or associated activities.² No mining, dredging or filling of the 25-year floodplain shall be allowed, except for minimal permitted, and mitigated intrusions for necessary mine access corridor crossings. No impervious surfaces shall be constructed within the 25-year floodplain, except for minimal, properly-permitted and mitigated intrusions for necessary mine access corridor crossings. Any 25-year floodplain or wetland crossing, beyond those approved for DRI #213 (as shown on Map H-1, Mine Access Corridor Crossings (DRI #213), and by Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07 (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A, subject to County approval), shall be subject to a substantial deviation determination.
 - B. All allowable wetland losses must be permitted by the appropriate regulatory agencies and shall require, at minimum, 1:1 in-kind or more productive wetland replacement. Existing wetlands which are permitted to be altered or eliminated shall be used as donor material for revegetation of mitigation areas, where feasible. All mitigation areas and littoral shelves shall be designed, implemented and monitored in accordance with EPCHC, FDEP requirements, as appropriate.
 - C. Maintenance of the same watershed sizes and locations.
 - D. MOSF shall provide positive protection, such as alarms and spill containment systems against any significant discharge, leak or other release of materials from pipelines that are external to the rainfall catchment area of the water recirculation system. In addition, pipelines shall be routinely inspected by operating personnel and the system shall be shut down as soon as possible if a spill occurs, until the source of the spill is corrected. Spills occurring in environmentally sensitive areas (such as crossing areas or areas in proximity to preservation areas) shall have the highest priority for remedial actions.

14. [ALL][DRI #263] The adoption or incorporation of tables, figures and/or maps from the application or the application documents, themselves, as part of this Development Order shall not constitute approval of MOSF's underlying assumption utilized in developing this information, that all requested setback variances will be approved. All setback variances, implied or stated, shall require approval by the Hillsborough County Board of County Commissioners. Appropriate setbacks shall be placed between mining activities and adjacent existing land uses to ensure public health and safety. (OP)
15. [ALL] All dams (to impound or channel waste clays, spoils, tailings, clear water, process water, wastewater or sand/clay mixtures) shall be designed, constructed, inspected and maintained in compliance with the Rules of FDEP, Chapter 62-672, FAC - Minimum Requirements for Earthen Dams, Phosphate Mining and Processing Operations; with all other applicable local, state and federal requirements; and in accordance with generally accepted, sound engineering practices. MOSF shall continue its inspection and maintenance practices for all dams as described on page 38E-15 of the ADA.
16. [CONSOL] Phase 1 of the Hillsborough County Mines Substantial Deviation shall include the temporary movement of waste clays from settling area F-1 (Manatee County) into settling area F-2 (Hillsborough County) until F-1 is mined and then rebuilt. This condition does not imply a recommendation of approval for size or height enlargement of the F-2 clay settling area.
17. [CONSOL][DRI #263] The proposed L-2 and L-3 clay settling areas are to be located atop areas which will be mined and which are currently TBRPC defined preservation or conservation areas. Appropriate wetland mitigation construction shall be consistent with regulatory agency requirements. (DO)
18. [ALL][DRI #263] Any proposed waste clay settling area, other than those approved in this Development Order (as shown on Map 38H-4 Clay Settling Areas (DRI #213), and by Map 38H-4, Revised Clay Settling Area Locations, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI) attached hereto and incorporated herein as part of Composite Attachment A, subject to County and FDEP approval), shall be subject to a substantial deviation determination. (DO/OP)
19. [EXT] In the Extension Phase, clay settling areas shall not be built on unmined ground.
20. [EXT] MOSF shall develop a contingency plan for each waste clay settling pond in the Extension Area in the vicinity of the Little Manatee River and its tributaries (including Howard Prairie Branch) which specifies actions to be taken in the event of a dam failure. This plan shall accompany the Hillsborough County Dam Construction permit application for each area.
21. [EXT] In order to protect the natural values of preserved/conserved wetland areas², MOSF will submit sufficient copies of each Mining Unit application for the County to forward to TBRPC, SWFWMD, and to other appropriate county and state agencies for review and comments to the County. The application shall address, in addition to Hillsborough County's requirements, wetlands to be preserved, proposed wetland

alterations, control of exotic species, mitigation of lost wetlands (including scheduling of the timing of mitigation and the disturbance of wetlands to minimize adverse impacts to wildlife), control of on-site water quality, and methods for wetlands restoration/enhancement and lake creation. The application shall include the classification of each wetland and individual and cumulative acreage figures for wetlands to be preserved, altered or lost, and recreated via mitigation areas.

22. [EXT] This Development Order specifically recognizes that MOSF will continue to conduct agricultural operations on the land according to all applicable regulations until such time as each area is converted for mining (at the time of Mining Unit Approval).
23. [DRI #263] Per Mosaic's revised standard operating procedures, as recognized during the course of S/D DRI review, the applicant shall ensure that all critical locations are provided alternative energy sources for the pumps during the hurricane season to assure the appropriate control of the water within the recirculation/containment systems.
(DO/OP)

R. RECLAMATION

1. [L-85] Reclamation of mined areas located within the newly acquired acreage shall be completed within three (3) years after the cessation of mining on the identified parcels respectively.
2. [L-85] Reclamation plans for parcels B and C must be submitted to the Environmental Protection Commission of Hillsborough County for staff approval.
3. [L-85] MOSF must determine the acreage of the existing sand pine scrub community in parcel B and restore the area acre for acre.
4. [L-85] The littoral zone of the proposed man-made lakes shall be vegetated using mulching techniques, with mulch acquired from the small isolated marshes prepared for mining.
5. [K-120] Reclamation Plans shall include the following:
 - a. [K-120] Replacement of at least equal acres and natural density of hardwood forest as existed before mining, including xeric forest.
 - b. [K-120] Maintenance of the existing watershed boundaries.
 - c. [K-120] Provision of at least 10 percent forest in pasture land area for wildlife habitat.
 - d. [K-120] Commitment by MOSF to maintain all reclamation areas per Department of Environmental Protection (FDEP) and County regulations.

- e. [K-120] Implementation of the mining mitigation measures identified on page 22-10 of the Application, at minimum.
6. [ALL][DRI #263] MOSF shall reclaim all mined or disturbed land in accordance with Rules of the FDEP, Chapter 62C-16, FAC, Mandatory Phosphate Mine Reclamation and Hillsborough County standards. Reclamation and revegetation shall proceed according to Part 8.02.00 of the Land Development Code, as soon as possible after mining activities cease in each Mining Unit consistent with the reclamation design and objectives. Reclamation of the DRI #263 Addition Area Phase, and the Extension Phase Areas where applicable, shall be in accordance with the Hillsborough County Phosphate Mining Reclamation Manual pursuant to LDC Part 8.02.08 C.1. (OP)
7. [ALL][DRI #263] MOSF shall abide by all FDEP and Hillsborough County reclamation regulations regarding site cleanup and shall dismantle and remove any building structures existing at the cessation of the mining operation that cannot be put to an allowable use under the zoning district classification of the property.⁶ (OP)
8. [ALL][DRI #263] Future FDEP rule changes may alter the reclamation requirements of Chapter 62C-16, FAC, and plans that are made a part of the DRI Development Order. Therefore, pursuant to Subsection 380.06(19)(d), F.S., future amendments to the FDEP and County Reclamation Plans that are required solely to stay in compliance with state rules shall be presumed not to constitute a substantial deviation of the DRI. MOSF shall amend the DRI, if changes in the FDEP Conceptual Reclamation Plan affect Development Order requirements or developer commitments, to assure consistency with the FDEP Conceptual Reclamation Plan and appropriate compliance with the Development Order. (DO/OP)
9. [ALL][DRI #263] Deeds for land within this project shall disclose that the parcel is within a mined area and that the resulting soils may be affected by the mining. (OP)
10. [ALL][DRI #263] New mining and reclamation procedures resulting from on-going research projects of the U.S. Bureau of Mines, the Florida Institute of Phosphate Research and other agencies, designed to lessen adverse environmental impacts shall be incorporated by MOSF into their mining and reclamation plans, when technically and economically feasible. If the Mine/Reclamation Plans are amended through the Paragraph 380.06(19) (f), F.S., process, such changes shall be presumed not to create a substantial deviation. (DO/OP)
11. [EXT][DRI #263] MOSF shall continue to comply with State rules and procedures established by the Department of Health for radioactivity content and shall preferentially utilize low activity fill materials for capping applications. (OP)
12. [EXT][DRI #263] Until any given reclamation or mitigation area is released, MOSF shall control exotic species as required by the Hillsborough County Land Development Code, FDEP rules 62C-16 FAC, EPCHC Rules, and specific dredge and fill permit conditions. (OP)

13. [EXT][DRI #263] All surface waters in areas reclaimed as lakes or wetlands shall exhibit water quality conditions comparable to equivalent natural systems. (OP)

S. GENERAL CONDITIONS

1. [ALL][DRI #263] ANNUAL REPORTS

MOSF shall file an annual report in accordance with Section 380.06(18), Florida Statutes, as amended, and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form RPM-BSP-Annual Report, as amended. MOSF must file an annual report by July 31 for each reporting year (July 1 through June 30) until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to TBRPC, FDCA and the Hillsborough County Planning and Growth Management Department which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order. MOSF shall be notified of any Board of County Commissioners' hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. This report shall contain: (DO/OP)

- a. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and
- b. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following the submittal of the annual report; and
- c. A statement listing all Applications for Incremental Review required pursuant to this Development Order or other applicable local regulations which MOSF proposes to submit during the year immediately following submittal of the annual report; and
- d. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this Development Order; and
- e. A statement describing how MOSF has complied with each term and condition of this Development Order applicable when the Annual Report was prepared; and
- f. [K-120] The Annual Report shall include reports on the status of MOSF's purchase of extension area agreement lands, water quality monitoring and soils study results, historical and archaeological site activities, reclamation progress, and tributary crossings in addition to mining activities; and

- g. [ALL][DRI #263] The DRI annual report shall comply with the Florida Department of Community Affairs (DCA) report format and DCA informational requirements. The annual report shall also include the following items:
1. cumulative results of the setback variance requests;
 2. summaries of environmental monitoring results, including any violations of standards, for each area of monitoring (including monitoring conducted in association with the Extension Phase, and the additional acreage to be mined in the Lonesome and Four Corners Mines) and the DRI #263 Addition Area Phase;
 3. corrective actions taken for any violations of water quality standards per Chapter 62-302, FAC, Surface Water Quality Standards and Chapter 62-520, FAC, Groundwater Standards and the results of the corrective actions;
 4. success or problems with implementation of listed species management plans required by the Consolidation or Extension Phase approvals and the DRI #263 Addition Area Phase;
 5. mining and reclamation progress (including cumulative totals of acres mined, in reclamation and released by FDEP); and
 6. assessments of compliance with the approved Consolidation and Extension Phase and the DRI #263 Addition Area Phase mining and reclamation schedules;
 7. the results of the regional roadway and bridge structural integrity monitoring conducted by FDOT, Hillsborough and Polk Counties; and
 8. reports on any MOSF agreements with FDOT, Hillsborough and/or Polk County for improvements needed to provide 12-foot lanes and appropriate structural integrity on the regional roadways and bridges in the transportation impact study area.
 9. MOSF shall continue to provide proof of long-term financial responsibility for the reclamation of mined lands in accordance with Hillsborough County and FDEP requirements.
 10. Additionally, the first annual report following mining in the Extension Area shall contain descriptions of each of the monitoring programs for the Extension Area and the DRI #263 Addition Area Phase, including the following elements: sampling locations, parameters and standards; sampling schedule and analysis methods; quality assurance and data reporting.

2. [ALL][DRI #263] MOSF shall provide TBRPC and DCA with copies of annual progress reports provided to Hillsborough County along with copies of all monitoring data. (DO/OP)
3. [ALL][DRI #263] MOSF shall encourage the utilization of entrepreneurship and small and minority-owned businesses and provide non-discriminatory employment opportunities. (DO/OP)
4. [ALL][DRI #263] No capital improvement costs shall accrue to the County due to the development of this project. (DO/OP)
5. [ALL] Any change to the project which departs from the parameters set forth in the latest revised information, tables, figures and maps as identified in the Addenda (Sixth Sufficiency Response to the ADA) for Phase 1 and 2 of the Hillsborough County Mines Substantial Deviation shall require a substantial deviation determination, pursuant to Subsection 380.06(19), F.S.
6. [EXT] All Mining Units within the Extension Area shall be numbered in a separate numbering sequence so as to distinguish them from those in the Consolidation Area.
7. [DRI #263] Any approval of Hillsborough County Mine Consolidation S/D shall, at minimum, satisfy the provisions of Subsection 380.06(15), F.S., and the following provisions of the Florida Administrative Code (F.A.C.): Rule 9J-2.041 (Listed Plant and Wildlife Resources Uniform Standard Rule); Rule 9J-2.043 (Archaeological and Historical Resources Uniform Standard Rule); Rule 9J-2.044 (Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities Uniform Standard Rule); and Rule 9J-2.045 (Transportation Uniform Standard Rule). (DO/OP)
8. [DRI #263] Payment for any future activities of the TBRPC with regard to this development including, but not limited to monitoring or enforcement actions, shall be paid to the TBRPC by the applicant/developer in accordance with the Rule 9J-2.0252, FAC. (DO/OP)
9. [DRI #263] All provisions contained within the Application shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control. (DO/OP)
10. [DRI #263] This Development Order shall be binding upon MOSF and its heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on MOSF by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency. (DO/OP)

11. [DRI #263] Should the changes to pre-mining, mining or post-mining scenarios depart significantly from the schedules and methods described in the ADA or meet the criteria set forth in Subsection 380.06(19), F.S., the project will be subject to a Substantial Deviation determination. (DO/OP)

T. WATER QUALITY, WATER SUPPLY AND STORMWATER MANAGEMENT

1. [DRI #263] Crossing O is also designated as a pipeline crossing point for water pipes and slurry pipes. (DO/OP)
2. [DRI #263] Mine use of these existing crossings (N, K, L, P, 13, 14, and 21) was approved by DRI #213. As described in the Conceptual Approval Letter dated April 26, 2005, the exact wetland impact justification for any remaining tributary crossings will be done at the time of the future mining unit approvals, as well as during any FDEP review, including dredge and fill permitting, for the expanded use of these crossings. (DO/OP)
3. [DRI #263] All existing wells which have no future use or attempted wells or test foundation holes shall be cement plugged by the firm of a licensed water well contractor (under SWFWMD Well Abandonment Permit(s)), or by test or foundation hole contractor in accordance with Rule 40D-3.041(1), F.A.C. Test foundation holes that penetrate only sand or gravel, and no clayey layers, may be filled with drill cuttings. Existing wells will be retained if proposed for use, properly fitted and permitted by SWFWMD. (DO/OP)
4. [DRI #263] There shall be no net increase in the public water demand in excess of the currently permitted volume as of 2006 as it pertains to the mining of the DRI #263 Addition Area Phase. (DO/OP)
5. [DRI #263] As committed, Mosaic shall implement the following measures to avoid potential adverse impacts upon ground and surface water hydrology and water quality on, beneath, and downgradient of the DRI #263 Addition Area Phase: Maintenance of Water Table Elevations (Ditch and Berm System, System Performance Monitoring, Design Variables and Installation Schedule); Stream Flows; and Water Quality (Mine Recirculation System, Tailings Backfill and Wetlands). (DO/OP)
6. [DRI #263] In order to ensure the protection of water resources, water table measurements shall continue to be taken on a weekly basis or as required by the Southwest Florida Water Management District. (DO/OP)

SECTION IV. – AMENDED LEGAL DESCRIPTION

REVISED LEGAL DESCRIPTION

LEGAL DESCRIPTION DRI #213

CONSOLIDATION PHASE AREA

In Township 31 South, Range 21 East, Hillsborough County, Florida: Section 36: The E ½ of the SW ¼; and the W ½ of the SE ¼; and the S ¾ of the E ½ of the SE ¼;

In Township 32 South, Range 21 East, Hillsborough County, Florida: Section 1: All Section 2: All Section 3: All Section 10: The N ½, and the E ½ of SW ¼, and, The N ½ of SE ¼, and, The W ½ of SW ¼ of SE ¼. Section 11: All, LESS the E ½ of SW ¼. Section 12: All;

In Township 30 South, Range 22 East, Hillsborough County, Florida: Section 24: The SE ¼, LESS the CSX Railroad right of way, and, the S ¼ of W ¾ of NE ¼, LESS the CSX Railroad right of way; and the E ½ of SE ¼ of SE ¼ of NW ¼, subject to a road right of way over the south 15 feet of the NE ¼ of SE ¼ of SE ¼ of NW ¼; and the E ½ of NE ¼ of SW ¼, LESS the following described parcel: The south 162 feet of the N ¼ of said E ½ of NE ¼ of SW ¼, LESS the west 326.5 feet thereof; and the N ¾ of SE ¼ of SW ¼. Section 25: All. Section 26: The SW ¼; and the E ½ of the SE ¼; and the S ¾ of the W ½ of the SE ¼; and the SE ¼ of SW ¼ of NW ¼; and the S ¾ of W ½ of SE ¼ of NW ¼; and the E ½ of SE ¼ of NW ¼, LESS the west 330 feet of the north 660 feet thereof; and the S ½ of the SE ¼ of NE ¼, LESS the north 420 feet of the west 474.37 feet thereof; and the east 30 feet of the west 45 feet of the SW ¼ of NE ¼, LESS the south 774 feet thereof; and the east 810 feet of the west 825 feet of the north 529 feet of the south 774 feet of the SW ¼ of the NE ¼. Section 35: All, LESS: West 395 feet of the N ½ of the NW ¼ of the NW ¼ of the SW ¼; and, LESS: The East 25 feet of the West 420 feet of the North 105 feet of the N ½ of the NW ¼ of the NW ¼ of the SW ¼; and, LESS: The S ½ of the NW ¼ of the NW ¼ of the SW ¼. Section 36: All;

In Township 31 South, Range 22 East, Hillsborough County, Florida: Section 1: All Section 2: All, LESS: The SE ¼ of the NW ¼, Also LESS: That part of the N ½ of the NW ¼, lying within the following metes and bounds description: Beginning at the SE corner of the NE ¼ of the NW ¼ of said Section 2, run thence West along the South boundary thereof 1428.22 feet, thence North 0°57' East 50 feet, thence East 247.5 feet, thence North 26.5 feet, thence South 86°18'40" East 1183.2 feet to the point of beginning. Also LESS: That part of the SW ¼ of the NE ¼ and NW ¼ of SE ¼ of said Section 2 described as follows: Beginning at the Northwest corner of said SW ¼ of NE ¼ run South 86°18'40" East 13.0 feet, thence South 1°43' West 85 feet, thence South 88°17' East 289 Feet, thence South 7°20'50" West 1273.8 feet, thence South 88°27'30" West 177 feet, thence North 1°43' East for 3.0 feet to the center of said Section 2, thence continue North 1°43' East 1349.7 feet to the point of beginning. Also LESS: That part of the N ½ of SW ¼ of said Section 2 described as follows: Beginning at the center of said Section 2, run South 1°43' West 3.0 feet, thence South 88°27'30" West 1403.4 feet, thence North 1°48'40" East 62.0 feet to the North boundary of said SW ¼ thence South 89°08' East along said North boundary 1402.2 feet to the point of beginning. Also LESS: That part of SW ¼ of NW ¼ of said Section 2 described as follows: Beginning at SE corner of said SW ¼ of NW ¼, run North 89°08' West 81.7 feet, thence North 1°48'40" East 665 feet, thence South 88°11'20" West 19.6 feet, thence North 0°57' East 664.8 feet, thence East 102.5 feet to NE corner of said SW ¼ of NW ¼, thence South 1°26' West 1329.6 feet to the point of beginning. Section 3: The NW ¼ of the SW ¼; and, the E ½ of SE ¼ of SE ¼. Section 4: The SW ¼ of SE ¼. Section 9: All that part lying north of Jameson Road, LESS N ½ of NE ¼ of NE ¼ and LESS 1 acre square in the SW corner of the NW ¼ of NE ¼. Section 10: All Section 11: All. Section 12: All Section 13: All Section 14: All Section 15: The N ¼ LESS: the west 1,080 feet thereof. Section 16: That part lying north of Jameson Road. Section 23: The N ¼; and the W ½ of SW ¼ of NW ¼. Section 24: The N ¼; and the S ¾ of E ¼. Section 25: The N ½ of NE ¼. Section 31: The S-3/4 of W-1/2 of SE-1/4 and the E-1/2 of SE-1/4, and that part of the E-1/2 of NE-1/4 lying south of a proposed conservation easement being more particularly described as: BEGIN at the southeast corner of said E-1/2 of NE-1/4; thence proceed south 89°23'33" west, along the south line of the E-1/2 of NE-1/4, 1,340.56 feet to the southwest corner of the E-1/2 of NE-1/4; thence north 00°27'05" west, along the west line of the E-1/2 of NE-1/4, 707.5 feet; thence north 09°55'44" east 594.98 feet; thence north 37°12'07" east 1,044.31 feet to a point on the southerly line of said proposed conservation easement; thence south 53°53'17" east, along said conservation easement line, 753.55 feet to a point on the east line of the E-1/2 of NE-1/4; thence south 00°06'46" east, along the east line of the E-1/2 of NE-1/4, 1,664.78 feet to the POINT OF BEGINNING. Section 32: The S-1/2 and that part of the N-1/2 of the section (lying south of the south boundary line of a proposed conservation easement for the South Prong of the Alafia River), being described as: commence at the southeast corner of said Section 32, thence proceed north 00°24'37" west along the east line of the section 3,046.29 feet for a POINT OF BEGINNING, thence north 78°33'46" west 163.70 feet, thence south 83°49'34" west 1,708.40 feet, thence north 77°18'47" west 1,610.30 feet, thence south 83°06'54" west 392.14 feet, thence north 53°53'18" west 1,917.60

feet to a point on the west line of the N-1/2 of the section, thence south 00°06'46" east along the west line of said N-1/2 1,667.17 feet to the southwest corner of the N-1/2, thence south 89°56'41" east along the south line of the N-1/2 5,367.90 feet to a point on the east line of the section, thence north 00°24'37" west 386.83 feet to the POINT OF BEGINNING.

Section 33: That part of the section (lying south of the south boundary line of a proposed conservation easement for the South Prong of the Alafia River), being described as: commence at the northeast corner of the section, thence proceed south 00°23'52" east, along the east line of the section, 3,662.02 feet for a POINT OF BEGINNING, thence continue south 00°23'52" east, along the section line, 1,600.86 feet to the southeast corner of the section, thence north 89°55'50" west, along the south line of the section, 5,338.84 feet to the southwest corner of the section, thence north 00°24'37" west, along the west line of the section, 3,046.29 feet, thence south 78°33'46" east 3,020.09 feet, thence south 50°51'25" east 605.45 feet, thence south 76°13'17" east 1,976.73 feet to the POINT OF BEGINNING.

Section 34: that part of the W-1/2 lying south of a proposed conservation easement for the South Prong of the Alafia River in the SW-1/4 of the section, the excepted portion being described as: commence at the southwest corner of said Section 34, thence proceed north 00°23'52" west, along the west line of the section, 1,600.85 feet for a POINT OF BEGINNING, thence south 76°13'17" east 437.95 feet, thence south 46°02'27" east 1,720.83 feet, thence south 66°23'36" east 781.99 feet to a point on the south line of the W-1/2 of the section, thence south 89°43'49" east 255.81 feet to the southeast corner of the W-1/2 of the section, thence north 00°17'02" east, along the east line of the W-1/2 of the section, 1,050.03 feet, thence north 56°02'10" west 2,320.56 feet, thence north 70°14'53" west 758.03 feet to a point on the west line of the section, thence south 00°23'52" east, along the west line of the section, 989.48 feet to the POINT OF BEGINNING.

In Township 31 South, Range 21 East, Hillsborough County, Florida: Section 13: The E 1/2 Section 24: The N 1/2 of the NE 1/4, and the SW 1/4 of the NE 1/4, and the E 1/2 of the NW 1/4;

In Township 32 South, Range 22 East: Section 3: All, LESS the E 1/2 of NE 1/4; and LESS that part of the NE-1/4 of NW-1/4 and the NW-1/4 of NE-1/4 described as: commence at the northwest corner of said Section 3, thence proceed south 89°43'49" east, along the north line of the section, 2,369.52 feet for a POINT OF BEGINNING, thence south 66°23'36" east 975.91 feet, thence south 53°28'22" east 850.39 feet to a point on the east line of the NW-1/4 of NE-1/4 of Section 3, thence north 00°35'20" west 889.63 feet to the northeast corner of the NW-1/4 of NE-1/4 of Section 3, thence north 89°43'49" west, along the north line of the section, 1,568.47 feet to the POINT OF BEGINNING. Section 4: All. Section 5: All. Section 6: The N 1/2 of SW 1/4, and all that part lying East of State Road 39 (the Plant City Picnic Road). Section 7: All, LESS the South 650 feet of the East 350 feet of the SE 1/4 of the SW 1/4, and LESS the W 1/4 of the SW 1/4 of the SW 1/4. Section 8: All. Section 9: All. Section 10: a.) The W 1/2, and the NE 1/4, and the E 1/2 of SE 1/4, and the N 1/2 of NW 1/4 of SE 1/4. b.) (Phosphate and phosphate rock only). The S 1/2 of NW 1/4 of SE 1/4. Section 13: All. Section 14: The W 3/4; and the NE 1/4 of NE 1/4; and the north 104.35 feet of the east 208.71 feet of the NE 1/4 of SE 1/4 of NE 1/4. Section 15: All. Section 16: The S 1/2; and the NW 1/4 of NE 1/4; and the S 1/2 of the NW 1/4. Section 17: The W 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4, and the SW 1/4 of the NE 1/4 of the NE 1/4, and the N 1/2 and SE 1/4 of the NW 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4, and the E 1/4 of the SE 1/4. Section 21: All. Section 22: ALL, LESS the SW 1/4 of the NE 1/4. Section 23: All, LESS the NE 1/4 of the NE 1/4. Section 24: All. Section 25: All. Section 26: All. Section 27: All. Section 28: E 1/2 of SE 1/4. Section 33: All, LESS the NE 1/4 of NW 1/4 and the NW 1/4 of NE 1/4. Section 34: All. Section 35: All. Section 36: All.

All containing 26,917 acres more or less.

EXTENSION PHASE AREA

In Township 30 South, Range 22 East, Hillsborough County, Florida:

Section 26: The N 1/2 of the SE 1/4 of the NE 1/4 and the South 1/4 of the NE 1/4 of the NE 1/4; The N 1/2 of the NW 1/4 of the SE 1/4; The South 245 feet of the West 825 feet of the SW 1/4 of the NE 1/4, and the West 15 feet of the West 825 feet of the SW 1/4 of the NE 1/4 LESS the South 245 feet.

In Township 31 South, Range 21 East, Hillsborough County, Florida

Section 25: That part of the SW 1/4 of SW 1/4 described as begin at the northwest corner thereof, run thence east 200 feet, thence southeasterly to a point 200 feet west of the southeast corner thereof, thence west to the southwest corner thereof, thence north to the point of beginning. Section 26: the S 1/2 of SW 1/4 of NW 1/4; and the S 1/2 of SE 1/4 of NW 1/4; and the W 1/2 of SW 1/4 of SW 1/4 of NE 1/4; and the S 1/2 LESS the part of the N 1/2 of SE 1/4 described as begin 495 feet north of the southeast corner of the N 1/2 of SE 1/4, run thence west 990 feet, thence North 165 feet, thence West 165 feet, thence North 165 feet, thence west 495 feet, thence North 165 feet, thence west 330 feet, thence North 330 feet, more or less, to the North boundary of the N 1/2 of SE 1/4, thence east to the Northeast corner thereof, thence South to the point of beginning. Section 27: The SW 1/4 of NW 1/4; and the E 1/2 of NW 1/4; and the W 1/2 of SW

$\frac{1}{4}$ of NE $\frac{1}{4}$; and the S $\frac{1}{2}$. Section 28: The E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ LESS the south 30 feet; and the S $\frac{3}{4}$ of the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ LESS the South 30 feet; and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the North 50 feet of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Section 33: The SE $\frac{1}{4}$ of NW $\frac{1}{4}$ LESS that part thereof lying north of a dirt road (the easterly extension of Sweat Loop Road); and the E $\frac{3}{4}$ of N $\frac{1}{2}$ of NE $\frac{1}{4}$; and the S $\frac{1}{2}$ of NE $\frac{1}{4}$ LESS that part of the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ lying north of a dirt road (the easterly extension of Sweat Loop Road and the S $\frac{1}{2}$; and, the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; and The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, LESS that part lying north of Sweat Loop Road. Section 34: All. Section 35: All. Section 36: The NW $\frac{1}{4}$ of NW $\frac{1}{4}$; and the S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$; and the W $\frac{1}{4}$ of N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$; and the S $\frac{1}{2}$ of NW $\frac{1}{4}$; and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$; and the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$; and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$; and the W $\frac{1}{2}$ of SW $\frac{1}{4}$.

In Township 31 South, Range 22 East:

Section 19: The north 150 feet of the West 290 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; and The E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$.

In Township 32 South, Range 21 East, Hillsborough County, Florida:

Section 4: All. Section 9: The W $\frac{1}{2}$; and the W $\frac{1}{2}$ of NE $\frac{1}{4}$; and the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$; and the W $\frac{3}{8}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$; and the NW $\frac{1}{4}$ of SE $\frac{1}{4}$. Section 13: The E $\frac{1}{2}$ of W $\frac{1}{2}$ of NW $\frac{1}{4}$; and The SW $\frac{1}{4}$; and The SE $\frac{1}{4}$; and The W $\frac{1}{2}$, LESS the following described lands: the South 210 feet of the North 260 feet of the West 210 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; the West 315 feet of the South 210 feet of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$; the North 260 feet of the East 210 feet of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$; the North 260 feet of the West 210 feet of the East 660 feet of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$. Section 15: The S $\frac{1}{4}$ The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ The E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ The W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 16: The W $\frac{3}{4}$ The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$. The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Section 22: All, LESS the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$. Section 23: All. Section 24: All. Section 25: All. Section 26: All. Section 27: All. Section 28: The SE $\frac{1}{4}$ of NE $\frac{1}{4}$, and the S $\frac{1}{2}$. Section 33: All. Section 34: All. Section 35: All. Section 36: All.

In Township 32 South, Range 22 East, Hillsborough County, Florida

Section 7: the W $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$. Section 16: The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and, The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, LESS the North 550 feet of the West 792 feet, and, The N $\frac{1}{2}$ of the NW $\frac{1}{4}$. Section 17: All. Section 18: The W $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, the W $\frac{1}{2}$ of SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$. Section 19: The E $\frac{1}{2}$, The SE $\frac{1}{4}$ of SW $\frac{1}{4}$, The W $\frac{3}{4}$ of N $\frac{1}{2}$ of NW $\frac{1}{4}$, The E $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$. Section 20; All Section 22: The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$. Section 29; All. Section 30; All, LESS the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$. Section 31; All. Section 32; All.

Said parcels containing 17,883 acres more or less.

1998 AMENDMENT AREA, SPIVEY, CHASTAIN, AND COLDING PARCELS:

In Township 32 South, Range 22 East, Hillsborough County Florida:

Section 14, The south $\frac{3}{4}$ of the east $\frac{1}{4}$, LESS the north 104.35 feet of the east 208.71 feet of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 23, The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; All, containing approximately 157 acres.

1999/2000 AMENDMENT AREA: REYNOLDS PROPERTY:

In Township 31 South, Range 22 East, Hillsborough County, Florida:

Section 3: The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$; the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; and the West 648.55 feet of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$.

Section 4: The E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$; the N $\frac{1}{2}$ of the SE $\frac{1}{4}$; and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$. Less the following parcel: Begin at the Northeast Corner of said Section 4; thence S00°40'15"E, along the East Line of said Section 4 a distance of 595.13 feet; thence N73°26'01"W, 133.18 feet along the twenty five year flood plain line; thence N62°05'09"W, 159.23 feet; thence N82°19'48"W, 145.43 feet; thence S84°56'20"W, 60.77 feet; thence N82° 03'11"W, 197.74 feet; thence N85° 13'52"W, 201.38 feet; thence S84° 11'03"W, 199.12 feet; thence S88° 47'03"W 203.64 feet; thence N81° 02'02"W, 182.40 feet; thence N62° 49'06"W, 203.69 feet; thence N52° 21'44"W, 200.00 feet; thence N26° 29'56"W, 98.84 feet; thence N58° 45'19"W to a point on the North Boundary of said Section 4 a distance of 222.75 feet; thence N89° 59'27"E along said North boundary of

Section 4 a distance of 701.18 feet; thence N89° 56'44"E, 1267.46 feet to the Point of Beginning, subject to existing road rights of way.

All containing 357 acres, more or less.

KC-BOG 5 Description

IN TOWNSHIP 31 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA.

Section 21:

That part described as follows: **BEGIN** at the southeast corner of said Section 21, thence N 89°08'14"W along the south boundary thereof 3300.00 feet; thence N 00°00'13"W 1320.00 feet; thence N 63°25'51"E 368.95 feet; thence N 00°00'13"W 264.00 feet; thence N 47°38'37"W 1028.52 feet; thence N 00°00'13"W 790.00 feet; thence S 89°08'14"E 2675.00 feet; thence N 62°18'34"E 1191.34 feet to a point on the east boundary of said section; thence S 00°00'13"E along said east boundary thereof 1076.54 feet to the SE corner of the NE ¼ of said section; thence S 00°00'13"E 2718.46 feet to the **POINT OF BEGINNING**.

Section 22:

All; LESS That part described as follows: **BEGIN** at the southeast corner of said Section 22, thence proceed west, along the south line of said section, to the southwest corner of the SE-1/4, thence north, perpendicular to said south line, 1,000 feet, thence northeasterly to a point lying 2,000 feet north and 500 feet west of the southeast corner of said Section 22, thence north parallel with the east line of the section, to a point on the north line of said Section 22, said point lying 500 feet west of the northeast corner of Section 22, thence east along said north line, 500 feet to the northeast corner, thence south along the east line of the section to the **POINT OF BEGINNING**.

AND LESS that part described as follows: **BEGIN** at the Northwest corner of said section, thence east along the north boundary thereof to a point 500 feet west of the northeast corner thereof; thence south parallel with the east boundary thereof to a point 500 feet west and 1460.17 feet south of the northeast corner of said section; thence S 89°57'34"W 3031.76 feet; thence S 01°11'52"W 165.00 feet; thence N 89°59'37"W 1815.00 feet to a point on the west boundary of said section; thence north along the west boundary thereof 1635.14 feet to the **POINT OF BEGINNING**.

Section 27:

That part of the NW ¼ described as follows: **BEGIN** at the northwest corner of said Section 27, thence S 89°59'37"E along the north boundary of said section 2345.00 feet; thence S 31°45'14"W 940.76 feet; thence N 89°59'37"W and parallel with the north boundary thereof 1701.15 feet; thence S 00°05'20"W and parallel with the east boundary thereof 1280.00 feet; thence N 89°59'37"W and parallel with the north boundary thereof 150.00 feet to a point on the west boundary of said section; thence N 00°05'20"E along the west boundary thereof 2080.00 feet to the **POINT OF BEGINNING**.

Section 28:

That part described as follows: **BEGIN** at the northeast corner of said Section 28, thence S 00°05'20"W along the east boundary thereof 2080.00 feet; thence N 89°08'14"W 1980.00 feet; thence N 00°05'20"E and parallel with the east boundary of said section 1255.00 feet; thence N 89°08'14"W 1320.00 feet; thence N 00°05'20"E and parallel with the east boundary thereof 825.00 feet to a point on the north boundary of said section; thence S 89°08'14"E along the north boundary thereof 3300.00 feet to the **POINT OF BEGINNING**.

Said Parcel Contains 775.7 acres, more or less.

BF-L-SP(8) Description

IN TOWNSHIP 31 SOUTH RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA.

Section 29:

Commence at the Northeast corner of said section; thence S 00°08'59"W along the east boundary thereof 1210.56 feet to the **POINT OF BEGINNING**; thence S 00° 08' 59" W along said east boundary 2014.45 feet; thence S 11° 17' 39" W 25.52 feet; thence S 11° 16' 20" W 32.27 feet; thence S 11° 18' 50" W 17.43 feet; thence S 11° 16' 59" W 42.61 feet; thence S 11° 17' 17" W 134.14 feet; thence S 11° 17' 07" W 150.99 feet; thence S 11° 17' 18" W 837.09 feet; thence S 11° 17' 12" W 442.06 feet; thence S 11° 16' 53" W 51.89 feet; thence S 11° 17' 19" W 400.07 feet to a point on the south boundary of said section; thence N 89° 47' 54" W along the south boundary thereof 2674.61 feet; thence N 56° 10' 27" W 112.96 feet; thence N 56° 10' 27" W 677.00 feet; thence N 56° 10' 22" W 176.47 feet; thence N 34° 39' 32" W 86.97 feet; thence N 34° 39' 34" W 17.85 feet; thence N 34° 39' 32" W 658.14 feet; thence N 34° 40' 44" W 25.23 feet; thence N 17° 47' 36" W 12.96 feet; thence N 17° 47' 45" W 744.04 feet; thence N 17° 47' 46" W 166.71 feet; thence N 17° 46' 52" W 24.98 feet; thence N 17° 48' 11" W 47.85 feet; thence N 17° 47' 48" W 305.00 feet; thence N 05° 36' 00" W 700.79 feet; thence N 05° 35' 34" W 83.23 feet; thence N 36° 40' 53" E 298.18 feet; thence N 36° 40' 18" E 25.39 feet; thence N 36° 40' 57" E 341.49 feet; thence N 36° 41' 04" E 37.90 feet; thence N 36° 41' 06" E 14.43 feet; thence N 41° 58' 25" E 172.71 feet; thence N 41° 58' 21" E 77.30 feet; thence N 41° 53' 08" E 2.90 feet; thence N 41° 59' 14" E 35.95 feet; thence N 34° 07' 21" E 169.37 feet; thence N 34° 08' 42" E 10.99 feet; thence N 34° 07' 06" E 28.22 feet; thence N 34° 07' 47" E 149.87 feet; thence N 34° 07' 16" E 63.24 feet; thence N 34° 07' 37" E 226.95 feet; thence N 34° 07' 47" E 266.07 feet; thence N 34° 07' 15" E 181.67 feet; thence N 34° 07' 29" E 190.77 feet; thence N 34° 09' 10" E 31.75 feet; thence S 78° 42' 54" E 45.54 feet; thence S 78° 42' 51" E 233.71 feet; thence S 78° 42' 47" E 99.97 feet; thence S 78° 42' 54" E 472.28 feet; thence S 78° 42' 30" E 66.38 feet; thence S 78° 42' 53" E 345.43 feet; thence S 78° 42' 55" E 265.20 feet; thence S 78° 41' 55" E 34.82 feet; thence S 78° 42' 45" E 35.86 feet; thence S 78° 42' 43" E 53.67 feet; thence S 78° 46' 45" E 4.13 feet; thence S 78° 42' 53" E 144.66 feet; thence S 78° 42' 11" E 31.30 feet; thence S 78° 43' 02" E 80.14 feet; thence S 68° 44' 02" E 5.79 feet; thence S 68° 46' 39" E 74.06 feet; thence S 68° 46' 47" E 491.90 feet; thence S 68° 46' 50" E 513.17 feet; thence S 68° 46' 37" E 71.85 feet; thence S 68° 46' 26" E 30.68 feet; thence S 68° 46' 43" E 241.54 feet; thence S 68° 46' 54" E 271.49 feet to the **POINT OF BEGINNING**.

Section 28:

Commence at the Northwest corner of said section; thence S 00°08'59"W along the west boundary thereof 1210.56 feet to the **POINT OF BEGINNING**; thence S 68° 46' 55" E 12.57 feet; thence S 54° 55' 19" E 28.61 feet; thence S 55° 46' 23" E 0.58 feet; thence S 54° 57' 22" E 60.43 feet; thence S 54° 57' 48" E 98.33 feet; thence S 54° 57' 49" E 107.09 feet; thence S 54° 35' 02" E 2.87 feet; thence S 07° 59' 14" W 191.67 feet; thence S 07° 59' 16" W 289.47 feet; thence S 07° 59' 41" W 27.49 feet; thence S 07° 59' 21" W 469.82 feet; thence S 07° 59' 19" W 638.92 feet; thence S 07° 59' 08" W 191.33 feet; thence S 11° 17' 38" W 48.63 feet to a point on the west boundary thereof; thence N 00° 08' 58" E along said west boundary 2014.45 feet to the **POINT OF BEGINNING**.

Section 32:

Commence at the Northeast corner of said section; thence N 89°47'54"W along the north boundary thereof 412.24 feet to the **POINT OF BEGINNING**; thence S 11° 17' 19" W 58.43 feet; thence S 11° 17' 11" W 185.13 feet; thence S 11° 17' 19" W 386.48 feet; thence S 11° 16' 43" W 83.95 feet; thence S 11° 17' 59" W 21.39 feet; thence N 75° 46' 17" W 18.72 feet; thence N 75° 44' 51" W 98.83 feet; thence N 75° 44' 50" W 129.44 feet; thence N 75° 44' 53" W 34.85 feet; thence N 75° 44' 52" W 1302.12 feet; thence N 75° 45' 09" W 49.36 feet; thence N 75° 44' 49" W 147.23 feet; thence N 75° 44' 49" W 433.17 feet; thence N 75° 44' 49" W 179.71 feet; thence N 56° 10' 50" W 97.00 feet; thence N 56° 09' 41" W 34.73 feet; thence N 56° 10' 27" W 122.13 feet to a point on the north boundary thereof; thence S 89° 47' 54" E along said north boundary 2674.61 feet to the **POINT OF BEGINNING**.

Said Parcel Containing 485.3 acres, more or less.

DRI #263 ADDITION AREA PHASE

LEGAL DESCRIPTION

In Township 32 South, Range 21 East, Hillsborough County, Florida:

Parcel -2

Section 10: The W 1/2 of the SW 1/4 LESS the W 466 feet of the N 1,122 feet.

Parcel – 8

Section 20: The E 7/8 of SE 1/4.

Section 21: The W 1/2.

Section 28: The NW 1/4.

Section 29: The N 1/2 of the NE 1/4; the SE 1/4 of NE 1/4.

Parcel – 7

Section 21: The E 1/2.

Section 22: The NW 1/4 of the NW 1/4.

Section 28: The N 1/2 of the NE 1/4, LESS road right of way, and the SW 1/4 of NE 1/4

In Township 32 South, Range 22 East, Hillsborough County, Florida:

Parcel – 1

Section 6: Beginning at the NW corner of the NW1/4 of section 6 and proceed S89°47'54"E (Florida SPC 83-90 TMW Grid) along the north boundary of said NW1/4 a distance of 544.55 feet; thence S29°25'48"E 3063.82 feet to the south boundary of said NW1/4 of section 6; thence N89°38'37"W 2066.22 feet to the SW corner of said NW1/4 of section 6; thence N00°20'57"E 2657.57 feet to the Point of Beginning.

Parcel – 4

Section 16: The north 550 feet of the West 792 feet of the NE1/4 of NE1/4.

Parcel – 6

Section 19: The S 1/2 of the West 1/2, Less the SE 1/4 of SW 1/4 and LESS the East 1/4 of the SW 1/4 of the SW 1/4, Public Records of Hillsborough County, Florida.

Parcel – 5

Section 30: The SE 1/4 of NW 1/4.

Said parcels containing 1,540 acres, more or less.

SECTION V. – AMENDED LIST OF EXHIBITS

The following exhibits, on file with the Hillsborough County Planning and Growth Management Department are hereby incorporated by reference:

DEVELOPMENT ORDER EXHIBITS: REFERENCE

1. HILLSBOROUGH COUNTY MINES - CONSOLIDATION AND EXTENSION PHASES
 - A. Substantial Deviation DRI No. 213, Application for Development Approval (ADA), June 29, 1990.
 - B. Addition Information (AI, SR), Substantial Deviation DRI No. 213, Application for Development Approval, November 21, 1990.
 - C. Second Addition Information (2AI, SR2), Substantial Deviation DRI No. 213, Application for Development Approval, August 16, 1991.
 - D. Third Addition Information (3AI, SR3), Substantial Deviation DRI No. 213, Application for Development Approval, March 25, 1992, (including Appendix D).
 - E. Executive Summary, Hillsborough County Mines Substantial Deviation DRI No. 213, April, 1992.
 - F. Fourth Addition Information (4AI, SR4), Substantial Deviation DRI No. 213, Application for Development Approval, September 16, 1992.
 - G. Revised Executive Summary, Hillsborough County Mines substantial Deviation DRI No. 213, September, 1992.
 - H. TBRPC, DRI Final Report, as adopted January 11, 1993.
 - I. Fifth Addition Information (5AI, SR5), Substantial Deviation DRI No. 213, Application for Development Approval, July 21, 1993.
 - J. Sixth Addition Information (6AI, SR6), Substantial Deviation DRI No. 213, Application for Development Approval, December 17, 1993.
 - K. TBRPC, DRI Final Report, as adopted May 9, 1994
 - L. Pre-Mining Floodplain Study for Hillsborough County Mines Extension Area, by Greiner, Inc., March, 1992.

2. FOUR CORNERS MINE
 - A. Four Corners Mine, Application for Development Approval of a Development of Regional Impact, with Appendices A, B, C, D, E, & F.
 - B. Four Corners Mine Development Order, dated January 4, 1978.
 - C. Four Corners Mine Development Order Amendment, dated April 22, 1981.
 - D. Four Corners Mine Development Order Amendment, dated May 13, 1986.
 - E. Four Corners Mine Development Order Amendment, dated January 9, 1990.
 - F. Four Corners Mine Development Order Amendment, dated September 25, 1990.

3. LONESOME MINE

- A. Application for Development Approval (Supplement to Development of Regional Impact Application for Lonesome Mine).
- B. Development Order issued in 1974 (Development Order 73-1).
- C. Mining Permit issued in 1974 (Mining Permit 74-MINE-2).
- D. The document constituting the proposed amendments to the Mining and Reclamation Plan for Lonesome Mine dated March 22, 1983.
- E. A series of Resolutions adopted by the Board of County Commissioners in 1980 and 1982.

4. KINGSFORD MINE, HILLSBOROUGH TRACT

- A. Development of Regional Impact, Application for Development Approval for Kingsford Mine, Hillsborough Tract, with Appendices books I & II.
- B. The Resolutions and Staff Report of the Hillsborough County Planning Commission dated July 22, 1974.
- C. The Revised Recommendations of the Hillsborough County Water Resources Director dated August 28, 1974, attached hereto as Exhibit C.
- D. Kingsford Mine Development Order, dated January 15, 1975.
- E. Kingsford Mine Extension, Substantial Deviation DRI No. 120, Application for Development Approval, dated June 25, 1986.
- F. Addition Information, Substantial Deviation DRI No. 120, Application for Development Approval, November 20, 1986.
- G. Second Addition Information, Substantial Deviation DRI No. 120, Application for Development Approval, April 15, 1987.
- H. Kingsford Mine Extension Development Order Amendment, dated March 29, 1988.

5. DRI #263 ADDITION AREA PHASE

- A. Application for Development Approval dated March 28, 2006.
- B. First Sufficiency Response dated October 12, 2006.
- C. Second Sufficiency Response dated February 16, 2007.
- D. 2006 Revisions: Master Mining and Reclamation Plan.
- E. OPA/MMRP, June 2007 MOSF Response to RFAI.
- F. EPCHC Life of Mine Conceptual Approvals dated April 26, 2005 and July 7, 2005.
- G. Certified copy of DRI #213, Resolution 95-062, approved March 23, 1995.
- H. Amendments to DRI # 213: Res. 96-120, Res. 98-012, Res. 00-223, Res. 03-026, and Res. 05-021.
- I. TBRPC Final Report dated May 14, 2007.
- J. June 13, 2007 Response to Agency Comments from TBRPC Final Report.

SECTION VI. – AMENDED DEVELOPER COMMITMENTS FROM TBRPC DRI FINAL REPORTS

1. [ALL] All provisions contained within the Application shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.
2. [ALL] This Development Order shall be binding upon MOSF and its heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on MOSF by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.
3. [ALL][DRI #263] Any approval of this development shall require that all of the developer commitments set forth in the ADA and subsequent Sufficiency Responses, and summarized in Section III of this Report, be honored, except as they may be superseded by specific terms of the Development Order.
4. [CONSOL][EXT][DRI #263] The following list of commitments cover only those that are above and beyond all existing federal, state, and local rules and regulations. MOSF commits to the following in accordance with the Developer Commitments shown on pages 36 through 40 of the TBRPC DRI #213 Phase I Final Report (January 11, 1993), Pages 31-36 of the DRI #213 Phase II Final Report (May 9, 1994) and pages 21-29 of the DRI #263 Final Report (May 14, 2007), unless specifically modified by the County or agency action:

GENERAL PROJECT DESCRIPTION

Existing streams and watershed boundaries will not change as a result of the proposed development. (SR, 12-16)

MOSF will maintain watershed boundaries in the approximate pre-mining locations and will not cause any significant increase in the stormwater runoff peak flows. (SR, 12-16)

MOSF will plug all wells prior to mining. They will be plugged according to Southwest Florida Water Management District standards and rules. (SR, 12-16)

The MOSF mine schedule calls for mining only one side of the stream at a time, whenever possible. An augmentation (rim) ditch will also be installed along the wetland border during mining. This ditch will be supplied with water which will help maintain groundwater levels and base flow to the adjacent stream. (SR, 12-17)

MOSF will have floodplains and jurisdictional boundaries of all wetland areas determined, surveyed and mapped. These surveys will be included as part of the mining unit plan before any mining activity is conducted along or in wetland areas. (SR, 12-17)

The mine plan includes crossings of the stream and tributaries with draglines, pipelines and roads. These activities will be done in such a manner so as to not affect the stream flow capacity, and the crossing area will be reclaimed following the completion of use. (SR, 12-17)

Stream crossings for access to mining areas will be permitted with the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers and the Environmental Protection Commission of Hillsborough County, as necessary, and done in a manner which will prevent unacceptable disturbance to the stream or water quality. MOSF will attempt to obtain permission to use a neighbor's property to go around the stream and eliminate the need for crossings. (SR, 12-17)

The expansion of the Hillsborough County Mines will not change the existing annual rate of water use, but will extend the period of the requirements. (SR, 12-17)

All process water is discharged through existing National Pollutant Discharge Elimination System (NPDES) permitted discharge points. This expansion will not require any new discharge points, however, existing discharge points may be relocated (during Phase 2), if permitted. (SR, 12-17 & SR2, 9-2 & 9-3)

No PCB equipment is proposed for use in this project. (SR2, 9-1)

MOSF has indicated that the following reclamation programs at the Lonesome Mine are the responsibility of Brewster Phosphates: BP-L-SP(2) through BP-L-SP(5), BP-L-SP(6A), BP-L-SP(7), BP-L-SP(8), BP-L-SP(11) through BP-L-SP(13), BP-L-84(4), BP-L-85(3) through BP-L-85(6) and BP-L-SPA(1). (SR3, 12-15)

MOSF commits that the reclamation schedules are consistent with FDEP and Hillsborough County's Mining Ordinance and/or Part 8.02.00 Phosphate Mining Regulations, LDC as applicable. (SR3, 12-25)

Certain wetland impacts and mitigation in the Consolidation Phase and the Extension Phase are already conceptually approved as part of the Life of Mine application.² The siting of the clay settling areas L-2 and L-3 will not change the wetland impacts. (SR3, 12-26)

ENVIRONMENT AND NATURAL RESOURCES

Land

MOSF commits that there are no soil limitations, in terms of soil composition or strength that affect the ability of earthen embankments to meet FDEP Chapter 62-672, FAC standards. Soils are tested for strength prior to construction, and this information is incorporated into the design of the dam. Compaction testing is ongoing throughout construction to ensure design criteria is met. (SR2, 14-1).

Water Quality and Stormwater Management

MOSF does not propose to change the current Development Order conditions regarding stream monitoring requirements at Four Corners and Lonesome for periods of stream crossings, or the groundwater monitoring requirements for Four Corners, when mining in the vicinity of the property line. (SR3, 15-7)

Crossing O is also designated as a pipeline crossing point for water pipes and slurry pipes.

Mine use of these existing crossings (N, K, L, P, 13, 14, and 21) was approved by DRI #213. As described in the Conceptual Approval Letter dated April 26, 2005, the exact wetland impact justification for any remaining tributary crossings will be done at the time of the future mining unit approvals, as well as during any FDEP review, including dredge and fill permitting, for the expanded use of these crossings.

Vegetation and Wildlife

MOSF is not depending solely on migration of species or adjacent undisturbed acreage as the "seed source" for recovery of animal and plant populations. Replanting, topsoiling and relocation will be the primary recovery techniques. For less mobile animals, live trapping will be conducted, to relocate them to the new reclaimed habitats as necessary. (SR2, 16-6)

Map 38H-6, Wildlife Corridors, depicts the wildlife corridor that will eventually exist upon completion of reclamation. To this end, MOSF commits to the following reclamation standards:

Design

- Contiguity is a primary design objective. Avoid isolation of restoration areas from existing natural or created systems.
- Diversity of habitat types within corridors shall be maximized to the extent allowed by physical constraints (elevation, soil types) and by the Conceptual Plan.

- Design shall provide for breeding/feeding areas suitable for species known to inhabit the corridor area. Cover crop and permanent plantings shall be selected to provide or supplement food sources for those species.

Execution

- Mining shall occur on only one side of an existing corridor at a time, to allow unimpeded migration from disturbed areas.
- Brush stacks shall be left at intervals in cleared areas adjacent to existing corridors to provide temporary cover.
- Corridor creation and /or enhancement areas shall receive priority in reclamation earthmoving and revegetation.
- Tree planting density shall be increased in the core areas of created corridors, using larger trees to speed development of the canopy.
- Control bushy understory within created corridors to maintain trails until canopy develops. Encourage thick brush growth at edges of corridors to isolate corridors from adjacent rangeland or pasture and to provide escape cover for small animals. (SR2, 18-14)

MOSF commits to mitigate any impact according to the procedures of Section 10 by appropriate mitigation banking and habitat conservation. (SR4, 18-2)

The ADA indicates that 1,218 acres of suitable feeding habitat has been incorporated into the reclamation plan and that, where suitable, MOSF will plant a portion of these marsh reclamation areas with sandhill crane preferred nesting vegetation. (ADA, 18D-19)

Mining Unit Applications will include a survey of the current status of threatened and endangered plants and animals in those areas indicated to be of possible concern in the ADA. This includes the Florida Golden Aster (See Table 18B-3, Flowering Seasons for Potentially Occurring Listed Plants (SR, 12-16).

MOSF will make a reasonable effort to find and relocate any eastern indigo snakes, Florida mouse, scrub jays, or gopher tortoises prior to clearing of land for mining. (SR, 1217)

For threatened or endangered upland species which are less mobile, MOSF will make a reasonable effort to trap and restock or recolonize the species to suitable habitat on reclaimed land. (SR2, 8-8).

PUBLIC FACILITIES

Solid and Hazardous Waste

The reagents and materials which are currently used and will be used in the future at the Four Corners flotation plants are the same materials that were reviewed in the original DRI for each facility, except that the use of Ammonia has been discontinued and replaced by Soda Ash. MOSF is not making a change to this aspect of the operations and therefore will not provide material safety data sheets. These materials are received, stored and used in accordance with all applicable federal, state and local regulations. (SR2, 24-2)

Activities related to wastes (both hazardous and non-hazardous) will not change from those permitted under the existing DRIs, except as required by changes in regulations. (SR2, 24-5)

No hazardous wastes will ever be disposed of on-site. All hazardous wastes are shipped via licensed hazardous waste transporters to properly permitted, recycled, disposal, or treatment facilities. (SR3, 24-5)

Energy

MOSF commits that while the percentage of electrical energy used in Hillsborough County will increase, there will not be a corresponding increase in electricity generated in Hillsborough County due to MOSF's operation because many of the Polk County operations, which are currently supplied from Hillsborough County power stations operated by Tampa Electric Company, are scheduled to shut down in the coming years. (SR, 25-1)

Fire

There are no changes to the Four Corners proposed (including the handling of hazardous wastes - laboratory chemicals, paint solvent and spent dragline lubricants) in this substantial deviation. Neither are there any hazards to the area residents. (SR2, 30-1)

MINING

MOSF commits to balance the clay disposal so that the amount of clay that is produced in each county is disposed in that county. (ADA, 38A-11)

Due to minor revisions in the mine plan, the FDEP Conceptual Reclamation Plan will be amended to match the DRI when it is approved. (SR2, 38-1)

MOSF commits to build all of its dams to the following additional design standards, which are more stringent than FDEP's requirements; to withstand a 90 mph wind, have a side slope grade of 2.5 horizontal/1 vertical and withstand a 39-

inch rainfall in 24 hours, which is greater than a 500-year storm event. (SR2, Appendices)

MOSF does not propose to make any changes to the "footprint" sizes of approved clay settling areas (K-1, K-2, K-6, K-8, K-10, L-1 and F-2). (SR3, 38-5)

MOSF commits to follow the reclamation schedule given on revised page 38H-3 of the ADA, and the following clay settling area use schedule guidelines:

- For efficient plant operation, it is desired to have at least two clay ponds active at any time for each plant.
- The clay ponds and water system need to maintain 5,000 acre feet of water storage for the plant operation.
- The clay ponds will be built and put in service as needed to maintain the plant operation.
- The clay ponds will be filled as efficiently as possible, so as not to build them any larger than necessary.
- As soon as the pond is no longer needed for clay disposal, it will be taken out of service and abandonment procedures will begin. The abandonment and reclamation will be carried out as rapidly as practical, consistent with the reclamation design requirement. (SR4, 38-7 & 38-8)
- Clay ponds will be used as water reservoirs to store surface water in order to allow minimum ground water usage.

Endnotes

² Conceptual approval for certain wetland impacts and mitigation as part of the Life of Mine Application was provided by the Executive Director of the EPCHC on April 26, 2005 and July 7, 2005.

³ EPC Approval of the Life of Mine Application included approval of the proposed CSA footprints and are reflected in Revised Table 38H-4, CSA Design Summary – (2006 Revisions to Operating Permit, and Master Mine Plan (2006 Rev. – OPA/MMRP); See also, Table 10-4, (Revised 02/16/07) Comparison of CSA Requirements. (DRI #263 2nd SR).

⁴ Revisions to shapes and configurations, size and capacity of clay settling areas may be required in the future and shall not constitute a substantial deviation.

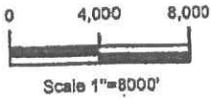
⁵ The total disturbed and unreclaimed land acreage in Hillsborough County is being increased to include the DRI #263 Addition Area Phase. This number is also being increased, not to accelerate the rate of mining or the amount of acres mined at any one time, but to allow clay settling areas to remain in service for a longer period of time. This reduction in the total number of DRI #213 approved clay settling areas resulted from the agreement reached between MOSF and EPCHC through the Life of Mine Application.

⁶ In the dismantling and removal of any building structures, MOSF shall comply with all applicable Federal, State, and local solid waste and hazardous materials regulations.

PLACE MAPS AND TABLES HERE

Index of Tables/Maps

1. DRI #263 – Map entitled Hillsborough County Additions Location Sketch, dated 8/21/2007.
2. DRI #263 – Map entitled Deletion Parcels dated 9/13/2007.
3. Table 38A-2, 2006 Revision, Conceptual Mining and Reclamation Schedule – Revised 05/31/07, (OPA/MMRP, June 2007, MOSF Response to RFAI)
4. Revised Table 38H-1, CSA Design Summary (2006 OPA/MMRP)
5. Table 10-4, (Revised 02/16/07) Comparison of CSA Requirements (DRI #263, 2nd SR)
6. Table 18B-3, Flowering Seasons for Potentially Occurring Listed Plants (SR, 12-16) and DRI #263 Table 12.3, Listed Plant Species Potentially Present; and b) Table 14-5, Listed Plant Species Observed on the Additions Parcel, (2006 Revisions to OPA/MMRP)
7. Map 1, General Location, - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI)
8. Map H, Conceptual Mine Plan, 2006 Revisions to OPA/MMRP – Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI)
9. Map H-1, Mine Access Corridors, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI)
10. Map H-7, Undisturbed Areas, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, (MOSF Response to RFAI)
11. Map 38H-4, Revised Clay Settling Area Locations, 2006 Revisions to MMRP - Revised 05/30/07, (OPA/MMRP, June 2007, MOSF Response to RFAI)



DRI #263 - Hillsborough County Additions Location Sketch

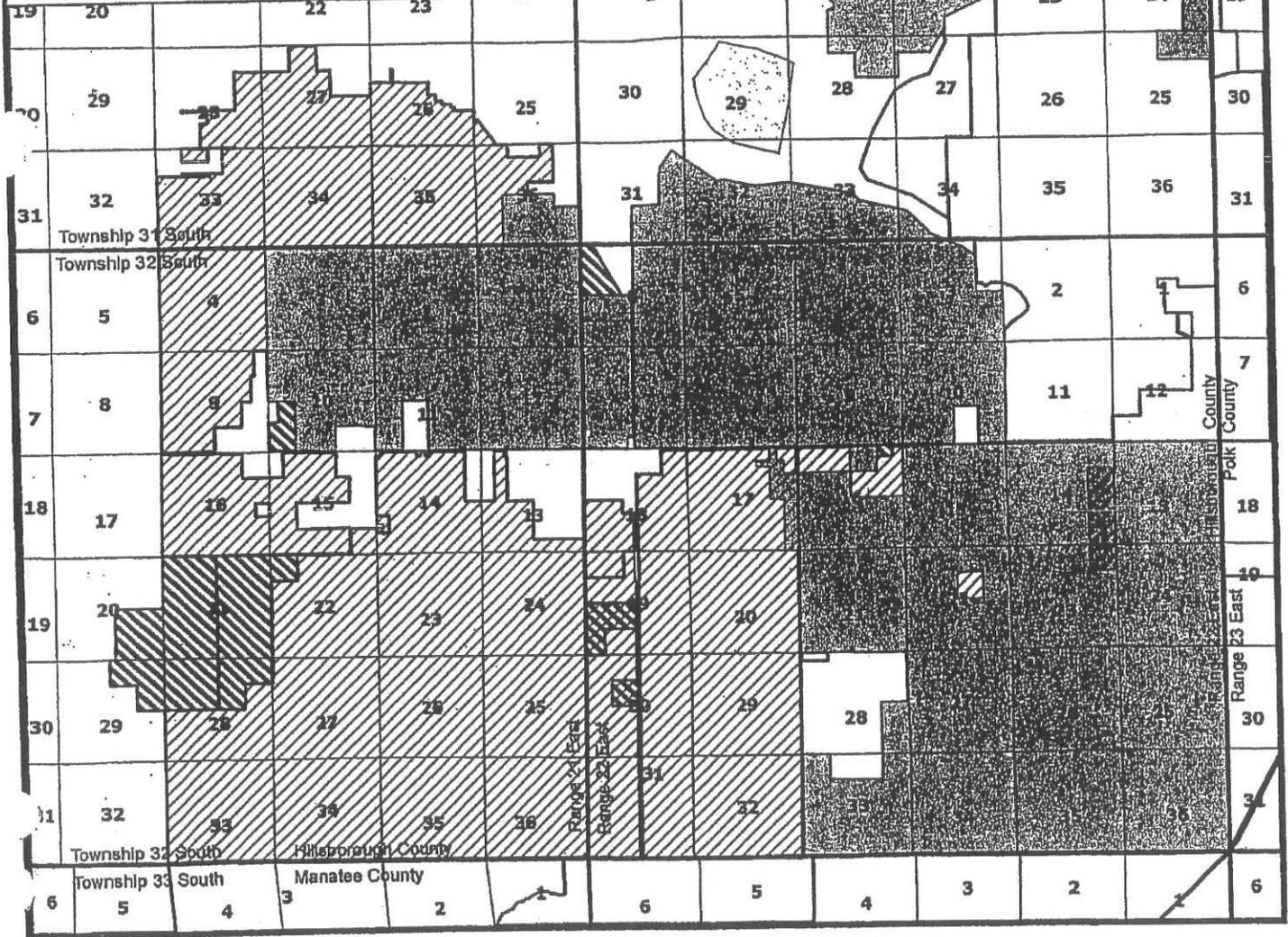
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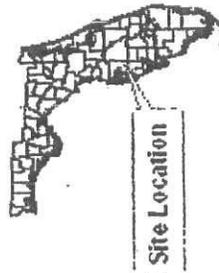
-  DRI213 Consolidation Phase Area
-  DRI213 Consolidation Phase Area (Kingsford)
-  DRI213 Extension Phase Area
-  DRI263
-  Reynolds Tract
-  Spivey Chastain Colding Amendment
-  KC-BOG(5) Area
-  BF-L-SP(8) Area
-  Mosaic Property



GIS DEPARTMENT

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Florida Map Key
1:100,000 Scale

Legend

- DRI Deletion Parcels
- Mosaic Property

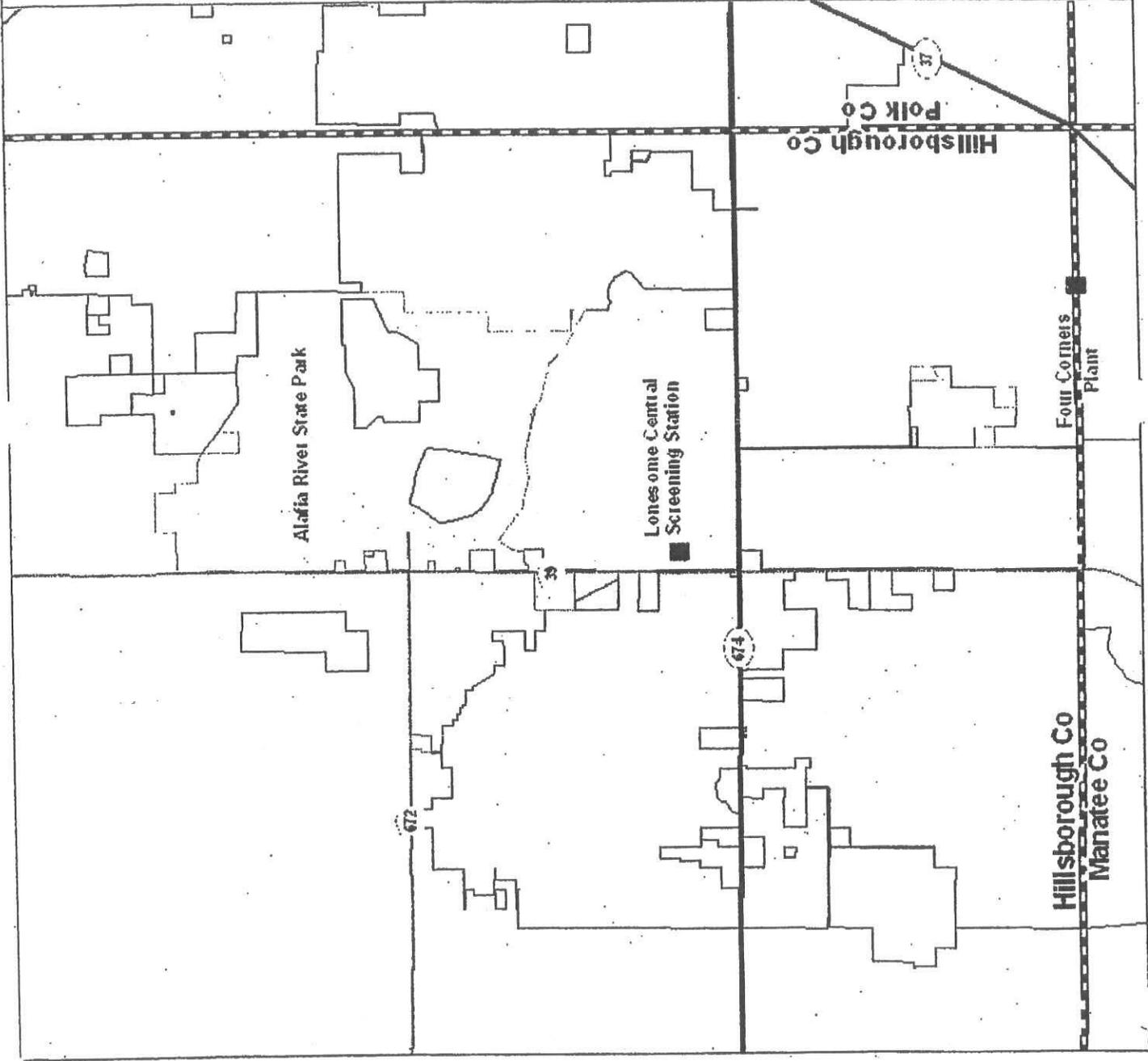


Not to Scale



DRI 263 Deletion Parcels

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**TABLE 38A-2 (2006 REVISION)
CONCEPTUAL MINING AND RECLAMATION SCHEDULE
(Revised 05/31/07)**

Year	Mineable Area	Annual Area Mined	Cumulative Area Mined	Clay Settling Areas		Annual Area Reclaimed	Cumulative Reclaimed	Unreclaimed	
				Acres	AC-FT			Total	Except CSAs
Pre-06	30,926		13,731	3,470	172,100	N/A	7,141	6,590	9,120
2006	17,195	649	14,380	4,056	200,100	397	7,538	6,842	2,786
2007	16,546	1,319	15,699	4,056	200,100	198	7,734	7,965	3,909
2008	15,227	2,239	17,938	5,402	263,700	221	7,955	9,983	4,581
2009	12,998	1,962	19,900	5,402	263,700	207	8,162	11,738	6,338
2010	11,026	2,264	22,164	5,402	263,700	230	8,392	13,772	8,370
2011	8,762	1,831	23,995	5,423	257,300	1,198	9,590	14,405	8,982
2012	6,931	2,090	26,085	4,754	223,300	1,985	11,575	14,510	9,756
2013	4,841	1,823	27,908	6,195	284,600	1,779	13,354	14,554	8,358
2014	3,018	1,596	29,504	7,229	325,900	1,628	14,982	14,822	7,393
2015	1,422	584	30,088	7,229	325,900	1,201	16,083	14,005	6,776
2016	836	382	30,470	7,229	325,900	1,398	17,479	12,991	5,762
2017	456	456	30,926	7,229	325,900	1,741	19,220	11,706	4,477
2018	0	0	30,926	7,229	325,900	2,378	21,598	9,328	2,099
2019	0	0	30,926	7,229	325,900	1,458	23,056	7,670	641
2020	0	0	30,926	7,229	325,900	641	23,697	7,229	0
2021	0	0	30,926	6,016	266,700	1,213	24,910	6,016	0
2022	0	0	30,926	4,873	219,000	1,143	26,053	4,873	0
2023	0	0	30,926	3,159	135,600	1,714	27,767	3,159	0
2024	0	0	30,926	2,471	104,400	688	28,455	2,471	0
2025	0	0	30,926	0	0	830	29,285	1,541	0
2026	0	0	30,926	0	0	1,641	30,926	0	0
Total	30,926	N/A	30,926	N/A	N/A	N/A	30,926	0	0

* = Best current estimate. Actual mining rate—and therefore total acres mined and/or reclaimed in any given year—will be influenced by market demand, economics, regulatory constraints, and site-specific geologic conditions. Actual schedule and sequence will be presented in annual reports.



Revised Table 38H-1
Clay Settling Area Design Summary

Settling Area ⁽¹⁾	Capacity (acre-feet)	Dam Height (feet above grade, average)
F-2B	3,000 ⁽²⁾	50
F-2C	1,100 ⁽²⁾	50
F-4	12,700 ⁽²⁾	50
F-5	32,400	50
F-7	26,000	50
F-8	41,300	40
L-1	28,000	45
L-2	31,200	45
L-3	27,800	45
L-4	35,300	40

Notes:

- (1) Approved settling areas F-2A and F-2D are full.
- (2) Settling area in use as of February 2005; capacity listed is remaining available as of that date.

Table 10-4
Hillsborough County Consolidated Mines Addition DRI No. 263
Comparison of Clay Settling Area Requirements⁽¹⁾
(Revised 02/16/07)

Settling Area	Table 38H-1 (1992)		Appendix 35-1 (2006 ADA)	
	Total Acres	AC-Ft Capacity ^{*(2)}	Total Acres	AC-Ft Capacity ^{*(2)}
L-1	730	27,500	613	28,000
L-2	770	33,500	705	31,200
L-3	600	26,000	630	27,800
L-4	520	23,750	830	35,300
L-4A	520	23,750	N/R ⁽³⁾	N/R
L-5	660	31,500	N/R	N/R
L-6	600	26,500	N/R	N/R
F-2A	700	4,100 ^{*(2)}	700	4,100 ⁽²⁾
F-2B	730	34,200 ^{*(2)}	730	34,200 ⁽²⁾
F-2C	700	40,000	770	34,000
F-2D	620	33,800	620	33,800
F-4	1,100	44,000	1,116	51,000
F-5	810	45,600	658	32,400
F-6	600	33,600	N/R	N/R
F-7	620	34,800	1,050	41,300
F-8	945	53,400	674	26,000
Total	11,225	516,000	9,096	369,100

Notes

- (1) Excludes Kingsford Mine area.
- *(2) Available as-of January 1992.
- (3) N/R = not required.

TABLE 18B-3
 FLOWERING SEASONS FOR POTENTIALLY OCCURRING LISTED PLANTS
 IMCF Hillsborough County Mines
 Substantial Deviation DRI No. 213
 Hillsborough County, Florida

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASON ⁴			
	FDA	USEFUL			WINTER	SPRING	SUMMER	FALLS
<i>Acrostichum danneifolium</i> (giant leather fern)	T	--	Brackish and freshwater marshes	621,6211,631,641,6411,6412,6413,6414,6415	X	X	X	X
<i>Agalinis purpurea</i> var. <i>carteri</i> (Carter's large purple false foxglove)	--	UR2	Moist, open pinelands and seadocks	213,2131,310,6411		X	X	X
<i>Agalinis setacea</i> (= <i>stenophylla</i>) (narrow-leaved foxglove)	--	UR2	Dry pinelands	3210,3211,411		X	X	X
<i>Asclepias curtissii</i> (Curtiss milkweed)	E	--	Sandhill and scrub	3210,411,413,421,4221		X	X	X
<i>Asplenium auritum</i> (auricled spleenwort)	E	--	Epiphytic in swamps and hammocks	4222,621,6211,631	X	X	X	X
<i>Asplenium platyneuron</i> (ebony spleenwort)	T	UR2	Hammocks and woods	4222,621,6211,631	X	X	X	X
<i>Botrychium biternatum</i> (southern grape fern)	T	--	Terrestrial in subacid soils in pinelands, swamps, old fields and woods	213,2131,310,3211,3212,3213,411,414,4222,431,621,6211,631		X	X	X
<i>Calamintha ashei</i> (Ashe's savory)	T	UR1	Dry pinelands and sand pine scrub	3210,411,413,421,4221		X	X	X
<i>Centrosema arenicola</i> (sand butterfly pea)	--	UR5	Pinelands and sandhill	3210,3211,411,413,421,4221		X	X	X

IMc Hillsborough County Mines
 Additional Information
 DRI/SD No. 213, Questions 18
 November 1990

TABLE 18B-3
 (continued)

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASONS ⁴				
	FDA	USFWS			WINTER	SPRING	SUMMER	FALL ⁵	
<i>Chionanthus pygmaea</i> (pigmy fringe tree)	E	E	Sand pine scrub	3210, 413, 421		X	X	X	
<i>Chrysopsis floridana</i> (Florida golden aster)	E	E	Sand pine scrub	3210, 413, 421					X
<i>Drosera intermedia</i> (water sundew)	T	--	Clear streams, ponds and bogs	511, 515, 521, 561, 621		X			
<i>Dryopteris ludoviciana</i> (shield fern)	T	--	Wet hammocks and rocky woods	414, 4221, 4222, 431, 621, 6221, 631		X	X	X	X
<i>Eulophia alba</i> (wild coco)	T	--	Terrestrial in cypress and hardwood swamps, marshes and wet pine flatwoods	3213, 411, 414, 4222, 621, 6211, 631, 641, 6411				X	X
<i>Encyclia tempensis</i> (butterfly orchid)	T	--	Mangrove, cypress swamps, hardwood swamps and hammocks	4222, 621, 6211, 631				X	
<i>Epidendrum canopseum</i> (greenfly orchid)	T	--	Epiphytic in cypress and hardwood swamps, and moist woods	4222, 621, 6211, 631				X	
<i>Garberia heterophylla</i> (garberia)	T	--	Sand pine and oak scrub	3210, 413, 421		X	X	X	X
<i>Glencularia</i> (= <i>Verbena</i>) <i>tempensis</i> (Tampa vervain)	E	UR1	Moist pinelands	3211, 3212, 411, 414		X	X	X	X
<i>Habenaria odontopetala</i> (rein orchid)	T	--	Cypress swamps, hardwood swamps, wet hammocks and wet pine flatwoods	3213, 3213, 411, 414, 4222, 621, 6211, 631, 641, 6411			X		X
<i>Habenaria quinquevasta</i> (long-horned orchid)	T	--	Marshes, wet hammocks and wet pine flatwoods	3213, 414, 4222, 621, 6211, 631, 641, 6411		X			X
<i>Habenaria repens</i> (water spider orchid)	T	--	Cypress swamps, hardwood swamps, marshes and bogs	621, 6211, 631, 641, 6411				X	X
<i>Ilex opaca</i> var. <i>arenicola</i> (scrub holly)	C	UR5	Sand pine scrub	3210, 413, 421		X			

TABLE 18B-3
 (continued)

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASON ⁴				
	FDA	USFWS			WINTER	SPRING	SUMMER	FALL ⁵	
<i>Lechea cernua</i> (nodding pineweed)	E	UR2	Sand pine scrub	3210, 413, 421			X	X	X
<i>Lilium catesbaei</i> (Catesby lily)	T	--	Moist pine flatwoods and savannas	213, 2131, 310, 641			X	X	X
<i>lobelia cardinalis</i> (cardinal flower)	T	--	Banks of streams and springs and wet meadows	2131, 3212, 3213, 511, 513, 621, 641, 6411			X	X	X
<i>Lycopodium alopecuroides</i> (foxtail club moss)	T	--	Wet pinelands and edges of swamps	3212, 3213, 411, 414, 4222, 621, 6211, 631, 6414, 6415	X		X	X	X
<i>Lycopodium cernuum</i> (slender club moss)	T	--	Wet pinelands, edge of bogs and wet disturbed sites	3212, 3213, 411, 414, 4222, 621, 6211, 631, 6414, 6415	X		X	X	X
<i>Ophioglossum</i> sp. (Adder's tongue fern)	T	--	Open woods, disturbed sites, wet woods, open grassy areas, epiphytic on <i>Sabal palmetto</i> (cabbage palm)	213, 2131, 310, 3212, 3213, 414, 4222, 431, 621, 6211, 631			X	X	X
<i>Osmunda cinnamomea</i> (cinnamon fern)	C	--	Wet woods and swamps	4222, 621, 6211, 631			X		
<i>Osmunda regalis</i> (royal fern)	C	--	Wet woods and swamps	4222, 621, 6211, 631	X		X	X	X
<i>Phlebodium aureum</i> (golden polypody)	T	--	Hamocks, epiphytic on <i>Sabal palmetto</i> (cabbage palm)	4221, 4222, 431				X	X
<i>Physostegia leptophylla</i> (slender-leaved false dragonweed)	--	UR2	River banks and swamps	511, 513, 521, 561, 621, 6211, 631			X	X	X
<i>Pinguicula caerulea</i> (blue butterwort)	T	--	Wet, acid pinelands	213, 2131, 310, 3211, 3212, 3213, 411, 414			X		
<i>Pinguicula lutes</i> (yellow butterwort)	T	--	Wet, acid pinelands	213, 2131, 310, 3211, 3212			X		
<i>Polygala rugelii</i> (big yellow milkwort)	T	--	Moist pinelands	213, 2131, 310, 3211, 3212			X		X

IMCF Hillsborough County Mines
 Additional Information
 DRI/SD No.213, Questions 18
 November 1990

TABLE 188-3
 (continued)

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASON ⁴			
	FDA	USFWS			WINTER	SPRING	SUMMER	FALL ⁵
<i>Polygonella myriophylla</i> (woody wireweed)	--	URS	Sand pine scrub	3210,413,421		X	X	X
<i>Pteris tripartita</i> (giant brake fern)	T	--	Terrestrial in swamps and woods	4221,4222,431,621,6211,631,641	X	X	X	X
<i>Pteroglossaspis cristata</i> (wild coco)	T	UR2	Sand pine scrub and sandhill	3210,413,421,4221				X
<i>Rhapidophyllum hystrix</i> (needle palm)	C	URS	Wet to mesic woods and hammocks	4221,4222,431,621,6211,631,641		X	X	X
<i>Rhoderion viscosum</i> (swamp honeysuckle)	T	--	Wet woods and swamps	4221,4222,431,621,6211,631,641		X	X	X
<i>Sabal etonia</i> (scrub palmetto)	T	--	Dry pinelands and sand pine scrub	3210,411,413,421,4221		X	X	X
<i>Sabal minor</i> (dwarf palmetto)	T	--	Moist to wet woods	4221,4222,431,621,6211,631		X	X	X
<i>Schizachyrium niveum</i> (riparian sawgrass)	--	UR2	Sand pine scrub	3210,413,421				X
<i>Selaginella arenicola</i> (sand spike-moss)	T	--	Dry pinelands, scrub and coastal dunes	3210,411,413,421	X	X	X	X
<i>Spiranthes praecox</i> (giant ladies' tresses)	T	--	Cypress swamps, hardwood swamps, sandhill, wet pine flatwoods and marshes	213,2131,310,3210,3211,3212,3213,411,414,4221,4222,431,621,6211,631,641,6411		X	X	X
<i>Spiranthes vernalis</i> (spring ladies' tresses)	T	--	Cypress and hardwood swamps, hammocks, pine flatwoods, sandhills and marshes	213,2131,310,3210,3211,3212,3213,411,414,4221,4222,431,621,6211,631,641,6411		X	X	X
<i>Thelypteris dentata</i> (downy shield fern)	T	--	Moist hammocks	414,4221,4222,431,621,6211,631		X	X	X

TABLE 18B-3
 (continued)

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASON ⁴			
	FDA	USFWS			WINTER	SPRING	SUMMER	FALL ⁵
<i>Thelypteris kunthii</i> (shield fern)	T	--	Rocky woods and cypress swamps	414, 4221, 4222, 431, 621, 6211, 631	X	X	X	X
<i>Thelypteris palustris</i> (marsh fern)	T	--	Wet open woods and marshes	4221, 4222, 431, 621, 6211, 631, 641, 6411, 6414, 6415		X	X	X
<i>Tillandsia bertramii</i> (wild pine)	T	--	Epiphytic in hammocks and pinelands	411, 414, 4221, 4222, 431, 621, 6211, 631	X	X	X	X
<i>Tillandsia fasciculata</i> (common wild pine)	C	--	Epiphytic in cypress swamps and hammocks	414, 4221, 4222, 431, 621, 6211, 631				X
<i>Tillandsia setacea</i> (wild pine)	T	--	Epiphytic in hammocks, hardwood and cypress swamps	414, 4221, 4222, 431, 621, 6211, 631			X	X
<i>Tillandsia utriculata</i> (giant wild pine)	C	--	Epiphytic in hammocks and cypress swamps	414, 4221, 4222, 431, 621, 6211, 631			X	X
<i>Vittaria lineata</i> (shoestring fern)	T	--	Epiphytic on <i>Sabal palmetto</i> (cabbage palm) in hammocks	414, 4221, 4222, 431, 621, 6211, 631	X	X	X	X
<i>Woodwardia areolata</i> (netted chain fern)	T	--	Swamps and wet woods	3212, 3213, 414, 4221, 4222, 431, 621, 6211, 631, 6411, 6414, 6415			X	X
<i>Zamia integrifolia</i> (Florida arrowroot)	C	URS	Hammocks, pinelands and Indian middens	411, 414, 4221, 4222, 431	X			X

TABLE 18B-3
 (continued)

SPECIES	DESIGNATED STATUS ¹		HABITAT PREFERENCE	HABITAT CLASSIFICATION ON-SITE ²	FLOWERING SEASON ⁴			
	FDA	USFWS			WINTER	SPRING	SUMMER	FALL ⁵
Zephyranthes sp. (rain lilies)	T	--	Moist pine flatwoods and meadows	213, 2131, 310, 3211, 3212, 3213, 411, 414, 4221, 4222, 431, 621, 6211, 631, 6411		X		

¹ SOURCE: Florida Game and Fresh Water Fish Commission, Official Lists of Endangered and Potentially Endangered Fauna and Flora in Florida, 1 January 1990. (NOTE: USFWS Designated Status in 50 CFR 17.12 may differ).

FDA = Florida Department of Agriculture
 USFWS = United States Fish and Wildlife Service

E = Endangered
 T = Threatened
 C = Commercially exploited

UR1 = Under review for federal listing, with substantial evidence in existence indicating at least some degree of biological vulnerability and/or threat.

UR2 = Under review for listing, but substantial evidence of biological vulnerability and/or threat is lacking.

UR5 = Still formally under review for listing, but no longer considered for listing because recent information indicates species is more widespread or abundant than previously believed.

² Assigned by Greiner, Inc., using the Florida Land Use and Cover Classification System: A Technical Report (Florida Department of Administration 1976). Refer to Table 18A-1.

³ See text for further information.

⁴ Flowering season as noted in Wunderlin, Richard P. 1982. Guide to the Vascular Plants of Central Florida.

⁵ Winter: Nov-Jan; Spring: Feb-April; Summer: May-July; Fall: Aug-Oct (Months provided for calendar reference only, overlaps may occur)

NOTE: Botanical nomenclature follows Wunderlin, Richard P., 1982. Guide to the Vascular Plants of Central Florida.



Mosaic Fertilizer, LLC.
Hillsborough County Mines
2008 Revisions: Master Mining and Reclamation Plan/Operating Permit

Table 14-5. Listed Plant Species Potentially Present

Scientific Name	Common Name	Designated Status ¹		Habitat Preference	Potential Habitat Occurrence	Likelihood of Species Occurrence Outside ²
		DCA	USFWS			
<i>Adiantum tenerianum</i>	Birdie maidenhair fern	R	-	Sink walls, groves and limestone ledges	None	Very low
<i>Asclepias curassavica</i>	Curtis' milkweed	R	E	Dry hammocks, scrub, flatwoods	Mixed upland forest	Low
<i>Asplenium erosum</i>	Auriched spleenwort	I	E	Sink walls, groves and limestone ledges & mesic hammock	Trunks of large trees-usually live oak	Very low
<i>Bonania grandiflora</i>	Florida bonania	R	E	Sandy soil, scrub	Mixed upland forest	Very low
<i>Chorizanthe pygmaea</i>	Pygmy fringe-tree	R	E	Scrub, sandhill, xeric hammock	Mixed upland forest	Very low
<i>Chrysopsis floridana</i>	Florida golden aster	CI	E	Scrubby flatwoods; sand pine scrub; xeric hammock	Open wetlands	Moderate
<i>Drosera intermedia</i>	Spoon-leaved sundew	R	-	Seepage slope, wet flatwoods, marsh, sinkhole lake edges	Mixed upland forest	Very low
<i>Eriogonum floridanum</i>	Scrub buckwheat	R	T	Scrubby flatwoods; sand pine scrub; sandhill	Mixed upland forest	Moderate
<i>Glaucularia sempervivens</i>	Tampa mock vervain	CI	E	Flatwoods, hammocks, disturbed sites	Mixed upland forest	Moderate
<i>Lechea cernua</i>	Nodding pinweed	R	T	Scrubby flatwoods; sand pine scrub	Mixed upland forest	Very low
<i>Lechea divaricata</i>	Spreading pinweed	I	E	Dry sandy soil, scrubby flatwoods	Mixed upland forest	Low
<i>Lilium catesbaei</i>	Southern red lily	R	T	Mesic flatwoods, wet prairie, wet flatwoods; seepage slope	Open wetlands, floodplain forests	Moderate
<i>Ophioglossum palmatum</i>	Fisad fern	I	-	Cabbage palm boots in hydric hammocks	Floodplains	Low
<i>Polygala lewisii</i>	Lewis' polygala	I	E	Xeric hammock; sandhill; scrub	Mixed upland forest	Very low
<i>Pteroglossopis crotolaria</i>	Giant orchid	I	T	Sand pine scrub; upland hardwood forest, mesic flatwoods	Mixed upland forest	Moderate
<i>Schwalbea americana</i>	Chaff-seed	CI	E	Scrubby flatwoods; sand pine scrub; xeric hammock	Mixed upland forests	Very low
<i>Tephrosia angustissima</i>	Curtis' hoary-pea	CI	-	Beach dunes & coastal strands	None	Very low
<i>Zephyranthes simpsonii</i>	Simpson's Zephyr lily	R	E	Dune swamp, wet flatwoods, wet pastures	Mixed upland forests & wet pasture	Present

NOTES:

1. State designation for HCDRP status determined by FIDACS.
 2. Probability of occurrence within Hillsborough County derived from: FNAI - Tracking List (Sept. 2004); FIDACS - Notes on Threatened & Endangered Plant Species (4th Edition, 2003); HCDRP Manual (Sec. 4.1.6.1.7); Institute for Systematic Botany (IBS) 2004 Atlas of Florida Vascular Plants; and Listed Status by the Department of Community Affairs (DCA) 91-2.041, Florida Administrative Code (May 1994) and U.S. Fish & Wildlife Service (USFWS) Listed Plants of Florida (2/17/05).
HCDRP = Hillsborough County Development Review Procedures
FNAI = Florida Natural Areas Inventory
FIDACS = Florida Department of Agriculture and Consumer Services
E = Endangered
T = Threatened
R = Rare
I = Impaired
CI = Critically Impaired
2. Very low: preferred habitat does not exist outside.
Low: preferred habitat exists outside but species is very rare in the region.
Moderate: preferred habitat exists outside and the plant is more frequently encountered in the region than the other species listed.
Present: the plant has been observed on the mine site.



Map 1
General Location
2008 Revisions to
Master Mining and
Reclamation Plan (MMRP)
Hillsborough County Mines
Mosaic Fertilizer, L.L.C.
(Revised 05/30/07)

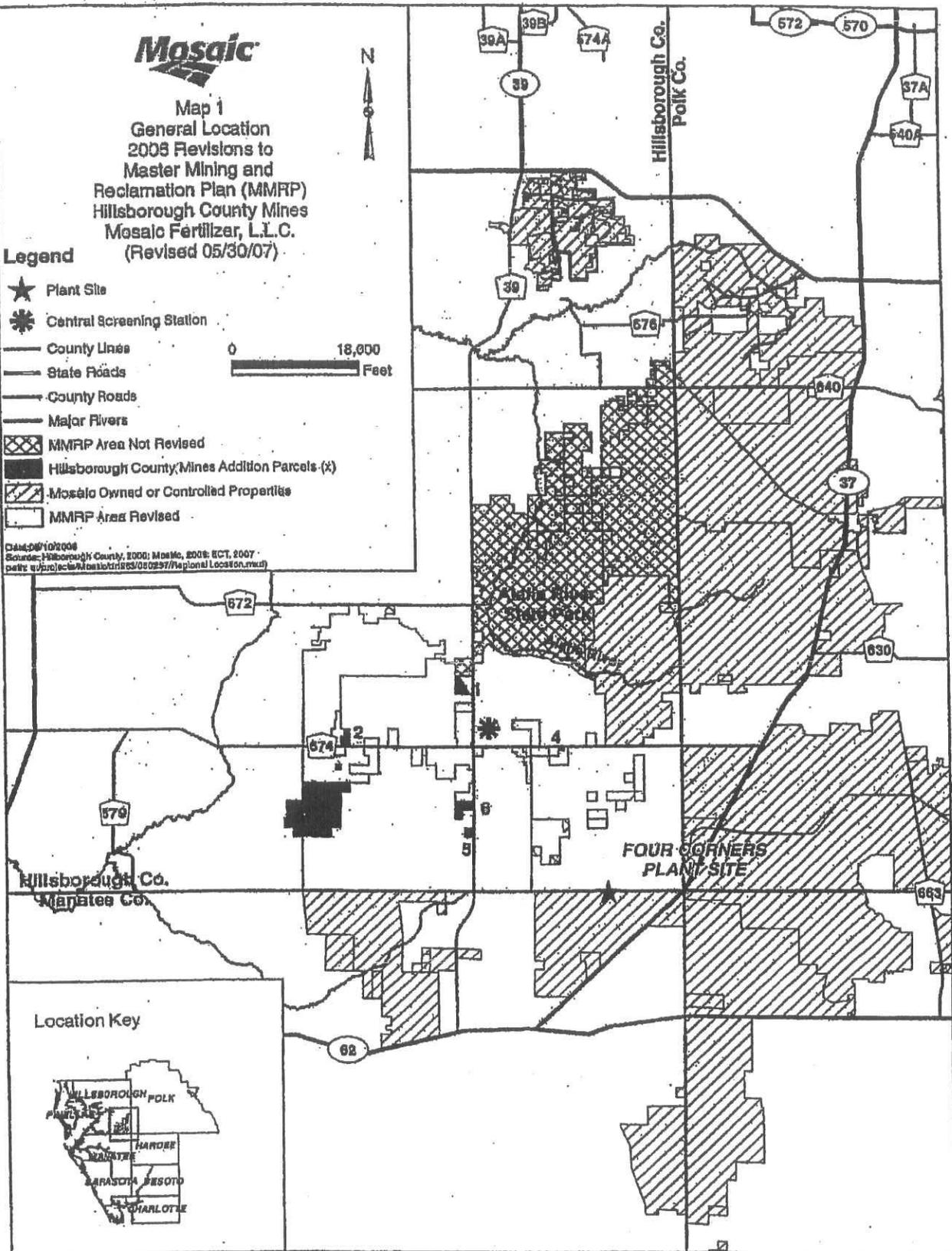


Legend

- ★ Plant Site
- ✱ Central Screening Station
- County Lines
- State Roads
- County Roads
- Major Rivers
- ▨ MMRP Area Not Revised
- Hillsborough County Mines Addition Parcels (x)
- ▧ Mosaic Owned or Controlled Properties
- MMRP Area Revised



Date: 05/10/2008
Source: Hillsborough County, 2008; Mosaic, 2008; ECT, 2007
Path: g:\proj\ecis\miba\to\1863\050207\Regional Location.mxd



Location Key





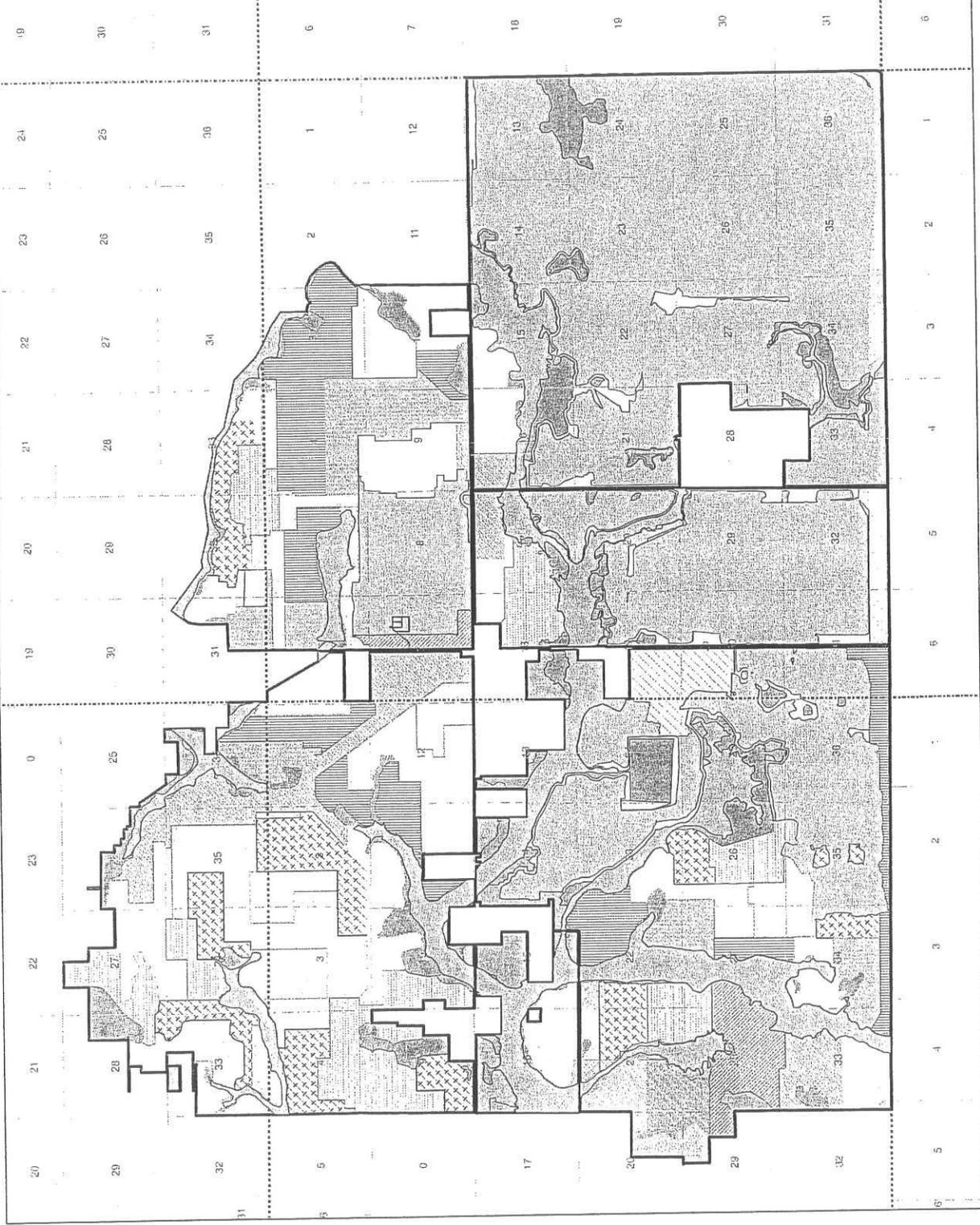
Map H
 Conceptual Mine Plan*
 2006 Revisions to MMRP
 Hillsborough County Mines
 Mosaic Fertilizer, L.L.C.
 (Revised 05/30/07)

- Legend**
- Hillsborough County Mines Boundary
 - Section Lines
 - Subject to Reopening Requirements
 - 25 Year Floodplain
 - Disturbed but not mined
 - Not planned to be mined
 - Township / Range Lines
 - Fiscal Year Mined or Disturbed
 - 05/06
 - 06/07
 - 07/08
 - Mined Prior to 06/30/05
 - Undisturbed Lands

*Best current estimate. Actual mining rate will be influenced by market demand, economics, regulatory constraints, and site-specific geologic conditions. Actual schedule and sequence will be presented in annual reports.



Sources: SVRWMD, Mosaic, 2006; ECT, 2007
 Friday, June 8, 2007 11:28:41 AM
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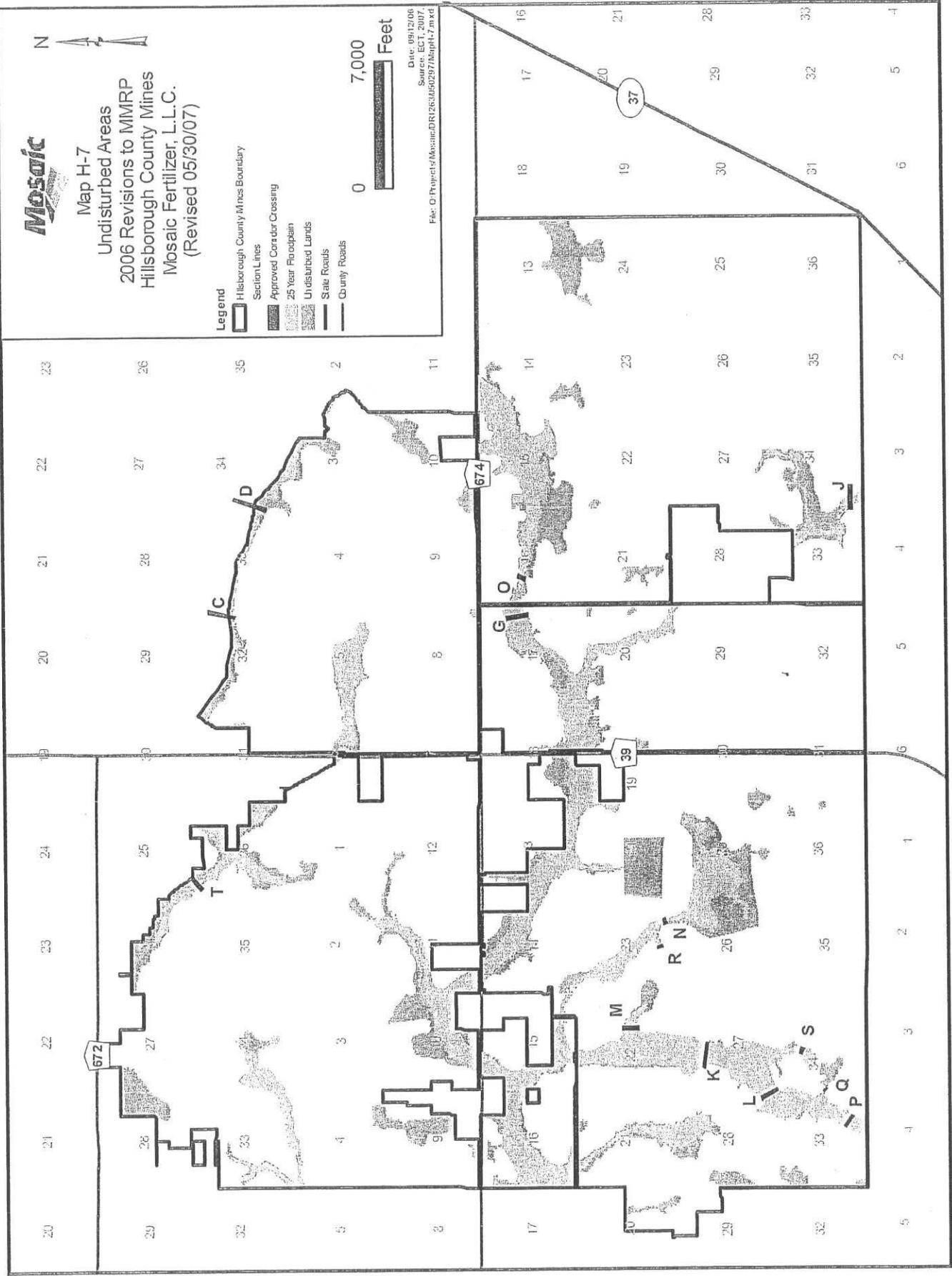


Map H-7
 Undisturbed Areas
 2006 Revisions to MMRP
 Hillsborough County Mines
 Mosaic Fertilizer, L.L.C.
 (Revised 05/30/07)

- Legend**
- Hillsborough County Mines Boundary
 - Section Lines
 - Approved Corridor Crossing
 - 25-Year Floodplain
 - Undisturbed Lands
 - State Roads
 - County Roads



Date: 09/12/06
 Source: ECT, 2007
 File: O:\Project\Mosaic\DR\Z6\J05297\MapH-7.mxd





Map 38-H-4
 Revised Clay Settling Area Locations
 2006 Revisions to MMRP
 Hillsborough County Mines Additions
 Mosaic Fertilizer, L.L.C.
 (Revised 05/30/07)

- Legend**
- Hillsborough County Mines Boundary
 - Section Lines
 - Approved Clay Settling Areas
 - Undrainable Lands
 - 25 Year Floodplain
 - Deeded but not Mined
 - Not Planned to be Mined
 - Township / Range Lines
 - State Roads
 - County Roads

Date: 9/1/06
 Source: Mosaic, 2004
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