

#80



Hillsborough County  
Florida

Office of the County Administrator  
Patricia G. Bean

BOARD OF COUNTY COMMISSIONERS

Brian Blair  
Rose V. Ferlita  
Ken Hagan  
Al Higginbotham  
Jim Norman  
Mark Sharpe  
Kevin White

Deputy County Administrator  
Wally Hill

Assistant County Administrators  
Kenneth C. Griffin  
Carl S. Harness  
Manus J. O'Donnell

May 5, 2008

Ms. Lisa M. Lannon  
Permitting Engineer  
Mosaic Fertilizer, LLC  
Lonesome Office  
PO Box 2000 Mulberry FL 33860-1100

RE: Big Four Mine, Development of Regional Impact #80  
Build Out Date Extension

Dear Ms. Lannon:

Staff has reviewed the documentation dated April 18, 2008 you provided to demonstrate that the Big Four Mine Development of Regional Impact (DRI) was under active construction on July 1, 2007 and therefore eligible for the 3 year build out date extension authorized by s.380.06(19)(c) *Florida Statutes*. This letter is to confirm that, based upon the information submitted, the project was under active construction on July 1, 2007. Therefore, the project's build out date is extended by three (3) years to May 4, 2011.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: Hugh Marthinsen, Saxon-Gilmore.  
John Meyer, Tampa Bay Regional Planning Council  
Michael Stevenson, Hillsborough County  
Jane Rose, County Attorney's Office

Richard Ake  
Clerk of the Circuit Court  
Hillsborough County, Florida



#80

Clerk to Board of  
County Commissioners  
County Center, 12th Floor  
601 E. Kennedy Blvd.  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 276-8100, ext. 6730

May 2, 2001

JOHN MEYER DRI COORDINATOR  
TAMPA BAY REGIONAL PLANNING COUNCIL  
9455 KOGER BOULEVARD SUITE 219  
ST PETERSBURG FL 33702

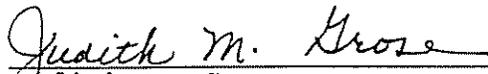
Re: Resolution No. R01-089 - Amending the Development Order for  
Big Four Mine (DRI #50 & #80)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which  
was adopted by the Hillsborough County Board of County  
Commissioners on April 24, 2001.

We are providing this original for your files.

Sincerely,

  
Judith M. Grose,  
Manager, BOCC Records

md

Attachment

Certified Mail 7000 0600 0029 5053 8513

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs

Dave Forziano, Esq., Salem Saxon, P.A.

Margaret Courtney, Assistant County Attorney

John Healy, Senior Planner, Planning & Growth Management

Beth Novak, County Attorney's Office

BIG FOUR MINE  
DRI DEVELOPMENT ORDER AND  
OPERATING PERMIT AMENDMENT

RESOLUTION NO. . R01-089

HILLSBOROUGH COUNTY, FLORIDA

WHEREAS, the Hillsborough County Board of County Commissioners is the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes; and

WHEREAS, on May 19, 1976, the Board of County Commissioners of Hillsborough County approved a Development Order Resolution No. 75-13-DRI, Mine Operating Permit 75-Mine-3 and Rezoning Petition 75-189 for the **BIG FOUR MINE** Development of Regional Impact (DRI #50) (The "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on April 14, 1982, the Board of County Commissioners of Hillsborough County amended Operating Permit 75-Mine-3 and Development Order 75-13-DRI, approving a Substantial Deviation resolved as DRI #80; and

WHEREAS, on September 23, 1992, the Board of County Commissioners of Hillsborough County determined that certain amendments were not a substantial deviation and approved Resolutions No. R92-0243 and No. R92-0244 amending the Development Order 75-13-DRI and Operating Permit 75-Mine-3 respectively; and

WHEREAS, on June 28, 1996 IMC ("IMCA") became owner of the Big Four Mine; and

WHEREAS, on October 8, 1996, the Board of County Commissioners of Hillsborough County approved an amendment to: (1) transfer ownership of the Big Four Mine to IMCA and to recognize IMCA as the developer of the Big Four Mine; (2) to allow the interconnection with other adjacent IMC Mines, and (3) change the date and period of the Annual Report; and

WHEREAS, effective on June 26, 2000, IMC-Agrico changed its name to IMC Phosphates Company (IMC).

WHEREAS, on December 19, 2000 IMC filed an application of amendment through the Notice of Proposed Change (NOPC) process to extend the life of the Development Order by 7

years to May 4, 2008 and update the mine and reclamation plans; and

WHEREAS, a copy of the NOPC was provided to Tampa Bay Regional Planning Council and Florida Department of Community Affairs, and they were afforded the opportunity to participate in the review of this proposed change; and

WHEREAS, the Board of County Commissioners of Hillsborough County held a duly noticed public hearing on said application on April 24, 2001 as required by Section 380.06, Florida Statutes; and

WHEREAS, IMC, other units of Government, local agencies and interested citizens were afforded the opportunity to participate in the proceedings before the Board relating to the NOPC and were provided the opportunity to present witnesses, evidence and argument on all issues, conduct cross examination and submit rebuttal evidence.

NOW, THEREFORE BE IT RESOLVED THIS 24TH DAY OF APRIL, 2001, BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THAT THE PROPOSED CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION AS DEFINED BY SUBSECTION 380.06(19), FLORIDA STATUTES, AND THAT THE DEVELOPMENT ORDER AND OPERATING PERMIT FOR THE BIG FOUR MINE DRI IS HEREBY AMENDED BY ADDING THE FOLLOWING FINDINGS OF FACT AND CONDITIONS, WITH THE BALANCE OF THE ADOPTED DEVELOPMENT ORDERS AND OPERATING PERMIT REMAINING IN EFFECT IN THEIR ENTIRETY.

I. FINDINGS OF FACT:

- A. The real property which is the subject of this NOPC is known as the Big Four Mine DRI, and described as set forth in the attached legal description at Attachment A.
- B. 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 and is consistent with such plan.
- C. The proposed changes to the Big Four Mine DRI are consistent with Hillsborough County's local land development regulations and with the adopted Hillsborough County Comprehensive Plan.
- D. The property is owned by IMC.
- E. The authorized agent for IMC is Mr. Robert H. Kinsey, Director, Operations

Support, IMC Phosphates Co., P.O. Box 2000, Mulberry, Florida 33860.

- F. The proposed changes in the mine will not increase any impact to the mine site.
- G. The presumption that certain changes requested in the NOPC constitute a Substantial Deviation, as required by Section 380.06(19)(e)3 and (19) (c), Florida Statutes, has been rebutted by clear and convincing evidence.

II. CONCLUSIONS OF LAW/CONDITIONS:

- A. All applicable conditions of the existing Development Orders and Operating Permits shall remain in effect, except as superseded by this amendment.

III. ADMINISTRATION:

- A. This Resolution shall become effective upon the rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.
- B. Upon adoption, this resolution shall be transmitted by the Ex Officio clerk to the Board of County Commissioners, by Certified Mail, to the State Land Planning Agency, to the Tampa Bay Regional Planning Council, and to IMC .
- C. IMC shall record a Notice of Adoption of this Development Order Amendment in accordance with the provisions of Section 380.06(15)(f), Florida Statutes.
- D. In order to reasonably reflect the time for completing development, as already extended in 1992 (Resolution No. 92-0243), Section 1, Paragraph 3 of the May 19, 1976 Development Order is hereby amended to state: This Development Order shall remain in effect through May 4, 2008, provided that this effective period may be extended by this Board upon a finding of excusable delay in any proposed development activity.
- E. During the life of this Development Order, this DRI will not be subject to Down-Zoning or intensity reduction.

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, Richard Ake, 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 April 24, 2001 as the same appears of record in Minute Book 299 of the Public records of Hillsborough County, Florida.

Witness my hand and official seal this 2nd day of May, 2001.

RICHARD AKE, CLERK



By: Mildred K. Dittm  
(Deputy Clerk)

Approved as to form and  
legal sufficiency:

[Signature]  
County Attorney

Attachment A

BIG FOUR MINE

LEGAL DESCRIPTION

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

Section 23: The S  $\frac{3}{4}$  LESS the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$

Section 24: The S  $\frac{3}{4}$  of the W  $\frac{3}{4}$

Section 25: The S  $\frac{3}{4}$  and the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$

Section 26: All

Section 27: The E  $\frac{1}{4}$

Section 34: The E  $\frac{1}{2}$

Section 35: All

Section 36: All

IN TOWNSHIP 32 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA:

Section 1: The N  $\frac{1}{2}$ , and the SW  $\frac{1}{4}$ , and the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ .

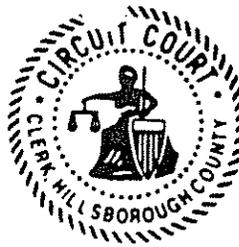
Section 2: All

Section 3: The E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$

Section 11: All

Section 12: The NW  $\frac{1}{4}$ , and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , and the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ .

Above being approximately 5940 acres.



80

Clerk to Board of  
County Commissioners  
County Center, 12th Floor  
601 E. Kennedy Blvd.  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 276-2029, ext. 6730

October 18, 1996

TIM BUTTS DRI COORDINATOR  
TAMPA BAY REGIONAL PLANNING COUNCIL  
9455 KOGER BOULEVARD, SUITE 219  
ST. PETERSBURG, FL 33702

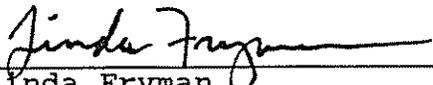
Re: Resolution No. R96-256 - Amending the Development Order for  
the Big Four Mine (DRI #75-13, As Amended by DRI #80)

Dear Mr Butts:

Attached is a certified copy of referenced resolution, which was  
adopted by the Hillsborough County Board of County Commissioners on  
October 8, 1996.

We are providing this copy for your files.

Sincerely,

  
\_\_\_\_\_  
Linda Fryman  
Senior Manager, BOCC Records

LF:ADF

Attachment

Certified Mail

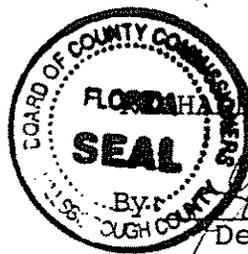
cc: Board files (orig.)

Marina Pennington, Florida Department of Community Affairs  
Susan Fernandez, Assistant County Attorney  
IMC-Agrico Company via County Attorney's Office  
David Glicksburg, Planning & Growth Management  
Joe Egozcue, County Attorney's Office

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, 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 Resolution No. R96-256 Amending Development Order for Big Four Mine (DRI #75-13 As Amended by DRI #80) approved by the Board in its regular meeting of October 8, 1996, as the same appears of record in MINUTE BOOK 245 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 18th day of October, 1996.



AKE, CLERK

Deputy Clerk

BIG FOUR MINE  
DRI DEVELOPMENT ORDER AMENDMENT

RESOLUTION NO. 96-256

HILLSBOROUGH COUNTY, FLORIDA

Upon motion by Commissioner Chillura, seconded by Commissioner Busansky, the following resolution was adopted by a vote of 6 to 0:

WHEREAS, the Hillsborough County Board of County Commissioners is the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes; and

WHEREAS, on May 19, 1976, the Board of County Commissioners of Hillsborough County approved a Development Order Resolution No. 75-13-DRI, Mine Operating Permit 75-Mine-3 and Rezoning Petition 75-189 for the **BIG FOUR MINE** Development of Regional Impact (DRI) (The "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on April 14, 1982, the Board of County Commissioners of Hillsborough County amended Operating Permit 75-Mine-3 and Development Order 75-13-DRI, approving a Substantial Deviation resolved as DRI #80; and

WHEREAS, on September 23, 1992, the Board of County Commissioners of Hillsborough County determined that certain amendments were not a substantial deviation and approved Resolutions No. R92-0243 and No. R92-0244 amending the Development Order 75-13-DRI and Operating Permit 75-Mine-3 respectively; and

WHEREAS, on June 28, 1996 IMC-Agrico Company ("IMCA") became owner of the Big Four Mine; and

WHEREAS, on July 22, 1996, IMCA filed a Notice of Proposed Change to the Development Order ("NOPC") to: (1) transfer ownership of the Big Four Mine to IMCA and to recognize IMCA as the developer of the Big Four Mine; (2) allow utilization of certain equipment within the Big Four Mine DRI for processing raw materials originating outside the Big Four Mine DRI, and (3) to link the Big Four Mine with IMCA's mines proximate to the Big Four Mine DRI located such that ore from nearby IMCA mines can be transported for processing at the Big Four Washer, and resulting clays can be deposited at Big Four clay settling areas, and (4) change the date and period of the Annual Report; and

WHEREAS, a copy of the NOPC was provided to Tampa Bay Regional Planning Council and Florida Department of Community Affairs, and they were afforded the opportunity to participate in the review of this proposed change; and

WHEREAS, the Board held a duly noticed public hearing on said application on October 8, 1996 as required by Section 380.06, Florida Statutes; and

WHEREAS, IMC-Agrico Co., other units of Government, local agencies and interested citizens were afforded the opportunity to participate in the proceedings before the Board relating to the NOPC and were provided the opportunity to present witnesses, evidence and argument on all issues.

NOW, THEREFORE BE IT RESOLVED THIS 8th DAY OF October, 1996, BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THAT THE PROPOSED CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION AS DEFINED BY SUBSECTION 380.06(19), FLORIDA STATUTES, AND THAT THE DEVELOPMENT ORDER FOR THE BIG FOUR MINE DRI IS AMENDED BY ADDING THE FOLLOWING FINDINGS OF FACT AND CONDITIONS, WITH THE BALANCE OF THE ADOPTED DEVELOPMENT ORDERS REMAINING IN EFFECT IN THEIR ENTIRETY.

**I. FINDINGS OF FACT:**

- A. The real property which is the subject of this NOPC is known as the Big Four Mine DRI, and described as set forth in the attached legal description at Attachment A.
- B. 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 and is consistent with such plan.
- C. The proposed changes to the Big Four Mine DRI are consistent with Hillsborough County's local land development regulations and with the adopted Hillsborough County Comprehensive Plan.
- D. The property is owned and controlled by IMC-Agrico Company.
- E. The authorized agent for IMC-Agrico Company is Mr. Lee Thurner, Vice President and Technical Manager, IMC-Agrico Company, P.O. Box 2000, Mulberry, Florida 33860.
- F. The proposed changes in the mine will not increase any impact to the mine site.
- G. The presumption that certain changes requested in the NOPC constitute a Substantial Deviation, as required by Section 380.06(19)(e)3., Fla. Stat., has been rebutted by clear and convincing evidence.

## II. CONCLUSIONS OF LAW/CONDITIONS:

- A. IMCA is hereby recognized as the owner and developer of the Big Four Mine DRI, with rights and responsibilities as defined in this development order amendment and all provisions of prior development orders currently in effect except that, pursuant to an action taken by this Board of County Commissioners on May 21, 1996, all financial responsibility requirements for the Big Four Mine shall remain the responsibility of Mobil Oil Corporation, until the transfer of the Operating Permit for the Big Four Mine.
- B. Requirements for annual reporting are hereby changed, such that an Annual Report shall be filed by July 31 of each year starting in 1997, each such Annual Report addressing the preceding 12 month period running from July 1 to June 30.
- C. The developer is authorized to transfer raw materials to, and utilize the washer located within the Big Four Mine DRI, to process those raw materials originating both within the Big Four Mine DRI and originating outside the Big Four Mine DRI.
- D. All applicable conditions of the existing Development Orders and Operating Permits shall remain in effect, except as superseded by this amendment.

## III. ADMINISTRATION:

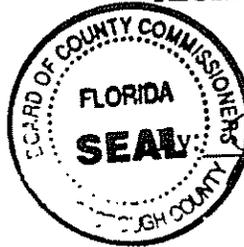
- A. This Resolution shall become effective upon the rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.
- B. Upon adoption, this resolution shall be transmitted by the Ex Officio clerk to the Board of County Commissioners, by Certified Mail, to the State Land Planning Agency, to the Tampa Bay Regional Planning Council, and to IMC-Agrico.
- C. IMC-Agrico shall record a Notice of Adoption of this Development Order Amendment in accordance with the provisions of Section 380.06(15)(f), Florida Statutes.
- D. During the life of this Development Order, this DRI will not be subject to Down-Zoning or intensity reduction.

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, Richard Ake, 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 October 8, 1996 as the same appears of record in Minute Book 245 of the Public records of Hillsborough County, Florida.

Witness my hand and official seal this 18th day of October, 1996.

RICHARD AKE, CLERK



*[Handwritten Signature]*  
(Deputy Clerk)

Approved as to form and  
correctness:

*[Handwritten Signature]*  
County Attorney

Attachment A

BIG FOUR MINE

LEGAL DESCRIPTION

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

Section 23: The S  $\frac{3}{4}$  LESS the W  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$

Section 24: The S  $\frac{3}{4}$  of the W  $\frac{3}{4}$

Section 25: The S  $\frac{3}{4}$  and the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$

Section 26: All

Section 27: The E  $\frac{1}{4}$

Section 34: The E  $\frac{1}{2}$

Section 35: All

Section 36: All

IN TOWNSHIP 32 SOUTH, RANGE 22 EAST, HILLSBOROUGH COUNTY, FLORIDA:

Section 1: The N  $\frac{1}{2}$ , and the SW  $\frac{1}{4}$ , and the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ .

Section 2: All

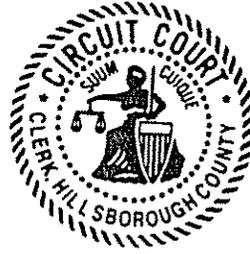
Section 3: The E  $\frac{1}{2}$  of the NE  $\frac{1}{4}$

Section 11: All

Section 12: The NW  $\frac{1}{4}$ , and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , and the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ .

Above being approximately 5940 acres.

Richard Ake  
Clerk of the Circuit Court  
Hillsborough County, Florida



Clerk to Board of  
County Commissioners  
Room # 214-F  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 272-5845

November 20, 1992

Suzanne Cooper, DRI Coordinator  
Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
Suite 219  
St. Petersburg, FL 33702

Re: Scrivener's Error - Resolution No. R92-0243 Amending #75-13-DRI,  
as Amended by Development Order DRI #80, Big Four Mine

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on September 23, 1992. This copy corrects a scrivener's error on page 7 of the copy which was transmitted to you on October 22, 1992.

We are providing this copy for your files.

Sincerely,

RICHARD AKE  
CLERK OF CIRCUIT COURT

By: *Linda Fryman*  
Linda Fryman  
Manager, BOCC Records

mailed 11/20/92  
received 11/23/92

LF:ADF  
Attachment  
Certified Mail

cc: Board files (1 orig.)  
Frank L. Stanonis, III, Esquire - Fowler, White, Gillen,  
Boggs, Villareal and Banker, P.A.  
J. Thomas Beck, Florida Department of Community Affairs  
Jeanie E. Hanna, Assistant County Attorney  
Gene Boles, Director, Planning and Development Management  
Joe Egozcue, County Attorney's Office

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, 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 \_\_\_\_\_  
Resolution No. 92-0243 Amending the Development Order for  
Big Four Mine (#75-13 DRI, as Amended by Development Order  
DRI #80)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

approved by the Board in its \_\_\_\_\_ regular meeting  
of \_\_\_\_\_ September 23 \_\_\_\_\_, 1992 \_\_\_\_\_, as the same  
appears of record in MINUTE BOOK \_\_\_\_\_ 196 \_\_\_\_\_ of the  
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this \_\_\_\_\_ 20th  
day of \_\_\_\_\_ November \_\_\_\_\_, 1992 \_\_\_\_\_.

RICHARD AKE, CLERK

By: *Lincoln Lyman*  
Deputy Clerk

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA  
AMENDING #75-13-DRI, AS AMENDED BY DEVELOPMENT ORDER DRI #80  
BIG FOUR MINE

Upon motion of Commissioner Selvey, seconded by Commissioner Chillura, the following Resolution was adopted on this 23rd day of September, 1992. VOTE: 4 to 0.

WHEREAS, on May 19, 1976, the Board of County Commissioners of Hillsborough County approved a Development Order Resolution No. 75-13-DRI, Mine Operating Permit 75-Mine-3 and Rezoning Petition 75-189 for the BIG FOUR MINE Development of Regional Impact (DRI) (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on April 14, 1982, the Board of County Commissioners of Hillsborough County amended Operating Permit 75-Mine-3 and Development Order 75-13-DRI, approving a substantial deviation resolved as DRI #80; and

WHEREAS, on March 27, 1992, Mobil Oil Corporation ("Mobil") by and through Rhea F. Law, of Fowler, White, Gillen, Boggs, Villareal & Banker, P.A., Attorneys at Law, filed a Notification of a Proposed Change to a previously approved Development of Regional Impact (DRI) pursuant to Subsection 380.06(19), Florida Statutes, for the BIG FOUR MINE ("Notice of Change"); and

WHEREAS, the Notice of Change proposed an extension of the dates of buildout by less than five (5) years, as more particularly stated in the Notice of Change; and

WHEREAS, Subsection 380.06(19)(e)(2), Florida Statutes, provides that a proposed change which involves an extension of the date of buildout of a development, or any phase thereof, by less than five (5) years is not a substantial deviation and is not subject to a public hearing pursuant to subparagraph 380.06(19)(f)(3)., Florida Statutes, or a determination pursuant to subparagraph 380.06(19)(f)(5)., Florida Statutes; nor individual public notice as required by Hillsborough County for public hearings; and

WHEREAS, the Notice of Proposed Change proposed that an additional 80 acres be included within the legal description of the Development Order and that 60 acres approved for mining be deleted from said Order; and

WHEREAS, DRI #80 (1982) states that additional lands mined under that Development Order shall be mined in accordance therewith; and

WHEREAS, this addition of 80 acres is within contemplation of said "additional lands" clause; and

WHEREAS, the Board of County Commissioners of Hillsborough County as the governing body of local government having jurisdiction pursuant to Section 380.06, F.S. is authorized and empowered to consider and ordain this application for amendment to the Development Order; and

WHEREAS, pursuant to Section 380.06(15)(b), F.S. and Hillsborough County Phosphate Mining Ordinances 74-6, 77-6, 87-27 and 90-4, Mobil has submitted for review an amendment to its Mine Operating Permit, 75-Mine-3, as amended in 1982, so as to include the addition of 80 acres including an individual public notice list of property owners within 400 feet in every direction from the proposed additional acreage; and

WHEREAS, the Board of County Commissioners of Hillsborough County has on September 23, 1992, held a duly noticed public hearing on that portion of a Notice of Proposed Change to 75-13-DRI as amended by DRI #80 which proposes to add 80 acres to the development, delete 60 acres from the development, and on amendments to Mine Operating Permit 75-MINE-3, as amended; and held a duly noticed public meeting to extend the date of buildout by less than five (5) years,

WHEREAS, Mobil Oil Corporation operates the Big Four Mine through Mobil Mining and Minerals Company;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

#### I. FINDINGS OF FACT

A. That Mobil Oil Corporation hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, a document described as:

1. AN APPLICATION TO AMEND 75-13-DRI, AS AMENDED BY DRI #80, IN THE FORM OF A NOTICE OF PROPOSED CHANGE.

in which said Notice of Proposed Change requested an extension of the date of buildout by four (4) years, eleven (11) months and fifteen (15) days, requested an addition of 80 acres to the legal description of the development known as the Big Four Mine and the deletion of 60 acres from said legal description. The Notice of Proposed Change is attached as Composite Exhibit A.

B. That on the 14th day of April, 1982, the Board of County Commissioners ("BOCC") of Hillsborough County approved an amendment to Development Order 75-13-DRI to wit; DRI #80. A copy of the resolution constituting the foregoing Approvals is attached hereto as Composite Exhibit B.

C. That on the 19th day of May 1976, the Board of County Commissioners of Hillsborough County approved Development Order 75-13-DRI. A copy of the Resolutions constituting the foregoing approval is attached hereto as Composite Exhibit C.

D. That the real property which is the subject of this Notice of Proposed Change is legally described as set forth in Composite Exhibit A, Attachments #1(a), #1(b) and #2. Attachment #1(a) describes the 80 acre addition to the D.O.; Attachment #1(b) describes the 60 acre deletion, and Schedule "A" of the Deed contained in Attachment #2 constitutes the legal description of the Big Four Mine, pursuant to the changes resolved herein.

II. THE FOLLOWING SPECIFIC FINDINGS OF FACT ARE MADE:

A. In accordance with Subsection 380.06(19)(e)(2), Florida Statutes, the extension of time is not a substantial deviation and is not subject to a public hearing pursuant to Subparagraph 380.06(19)(f)(3), Florida Statutes, or a determination pursuant to Subparagraph 380.06(19)(f)(5), Florida Statutes.

B. The Big Four Mine precedent to this change encompassed 5920 acres. Five percent of this area equals 296 acres. The addition of 80 acres coupled with the deletion of 60 acres equals a net increase in size of twenty (20) acres which neither exceeds 5 percent of the current mine size (5% = 296 acres) or 750 acres, whichever is less, pursuant to 380.06(19)(b)(5), Florida Statutes.

C. Pursuant to 380.06(19)(b)(5), 40 percent of 5 percent of the size of the Big Four Mine before this proposed change is 118.4 acres [40% of 296 acres].

D. Subsection 380.06(19)(e)(2), Florida Statutes, provides that cumulative changes of less than 40 percent of the criteria in 380.06(19)(b)(5) do not require a public hearing under 380.06(19)(f)(3) if they do not exceed any other criterion. Therefore, the gross 80 acre addition (net 20 acre addition) does not exceed 118.4 acres.

E. DRI #80 contemplated the addition of acreage to the Development Order.

F. On August 13, 1991, Hillsborough County approved a Vested Rights Special Use Permit ("VRSUP") for the 80 acres which are the subject of this amendment. Said approval vests the 80 acres against the Hillsborough County Comprehensive Plan and land development regulations implementing the Plan to extent set forth in the VRSUP. Attachment #4.

G. All statutory procedures have been adhered to.

### III. CONCLUSIONS OF LAW.

A. Based upon the compliance with the terms and conditions of this Development Order, the reports, recommendations and testimony heard and considered by the Board of County Commissioners of Hillsborough County, it is concluded that:

1. The changes described herein will not unreasonably interfere with the achievement of objectives of the adopted state land development plan; and
2. The development is consistent with the State Comprehensive Plan; and
3. The development as changed herein is consistent with the local land development regulations and the adopted local comprehensive plan; and

4. The development as changed herein is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Hillsborough County Environmental Protection Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, F.S., within the terms and conditions of this Development Order.

C. The Development Order 75-13-DRI as amended by DRI #80 is hereby amended to extend the dates of buildout of the development by a period of four (4) years, eleven (11) months and fifteen (15) days, thereby extending the life of this Development Order to May 4, 2001.

D. The Development Order 75-13-DRI, as amended by DRI #80, is amended to include an addition of 80 acres and a deletion of 60 acres, more or less, as described in Composite Exhibit A, Attachments #1(a) and #1(b) respectively, for purposes inclusive of but not limited to phosphate mining, mining related activity and reclamation.

E. The Development Order 75-13-DRI, and Development Order DRI #80, remain in effect except as amended by this Resolution.

F. During the life of this Development Order, this DRI will not be subject to down-zoning or intensity reduction.

#### IV. GENERAL CONDITIONS

A. This Development Order supersedes the conditions of 75-13-DRI and DRI #80, only to the extent of any applicable requirements necessary to include the addition of 80 acres, the deletion of 60 acres and extend the life of the Development Order to May 4, 2001, an extension of less than 5 years, provided however:

(1) The Developer, its successors, affiliates, licensees, transferees or assigns shall be prohibited from leasing, licensing, contracting or arranging in any manner with any third party to lease, occupy or use any portion of the deleted 60-acre tract for the purpose of or in connection with mining or any mining-related activity;

(2) Mining and all mining-related activity shall be prohibited from occurring within or disturbing the 8.5-acre area of hardwood swamp and wetlands located contiguous to the 25-year flood plain as described on the attached maps A and B.

B. The terms and conditions contained in this Resolution shall in no way be considered a waiver of or exception to the terms and conditions contained in any other statute, rule, regulation, ordinance or administrative order affected the phosphate mining operation described herein.

C. To the extent that information supplied the Board of County Commissioners of Hillsborough County in the annual Development Order Report meets the annual report requirements contained in Hillsborough County Mining Ordinance 74-6, 77-6, 87-27 or 90-4, ("Ordinance") the Developer is not required to submit a duplicate document to satisfy the annual report provisions contained in Hillsborough County Mining Ordinances, as amended. However, to the extent that the annual report mandated in the referenced Ordinance requires the submittal of additional information, the Developer is required to supply said information in accordance with the terms of said Ordinance, as amended. This provision in no way relieves the Developer of the obligation to supply the number of copies of the annual report required by the terms of said Ordinance.

#### V. SPECIFIC CONDITIONS

A. The Developer's Certification, attached hereto, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

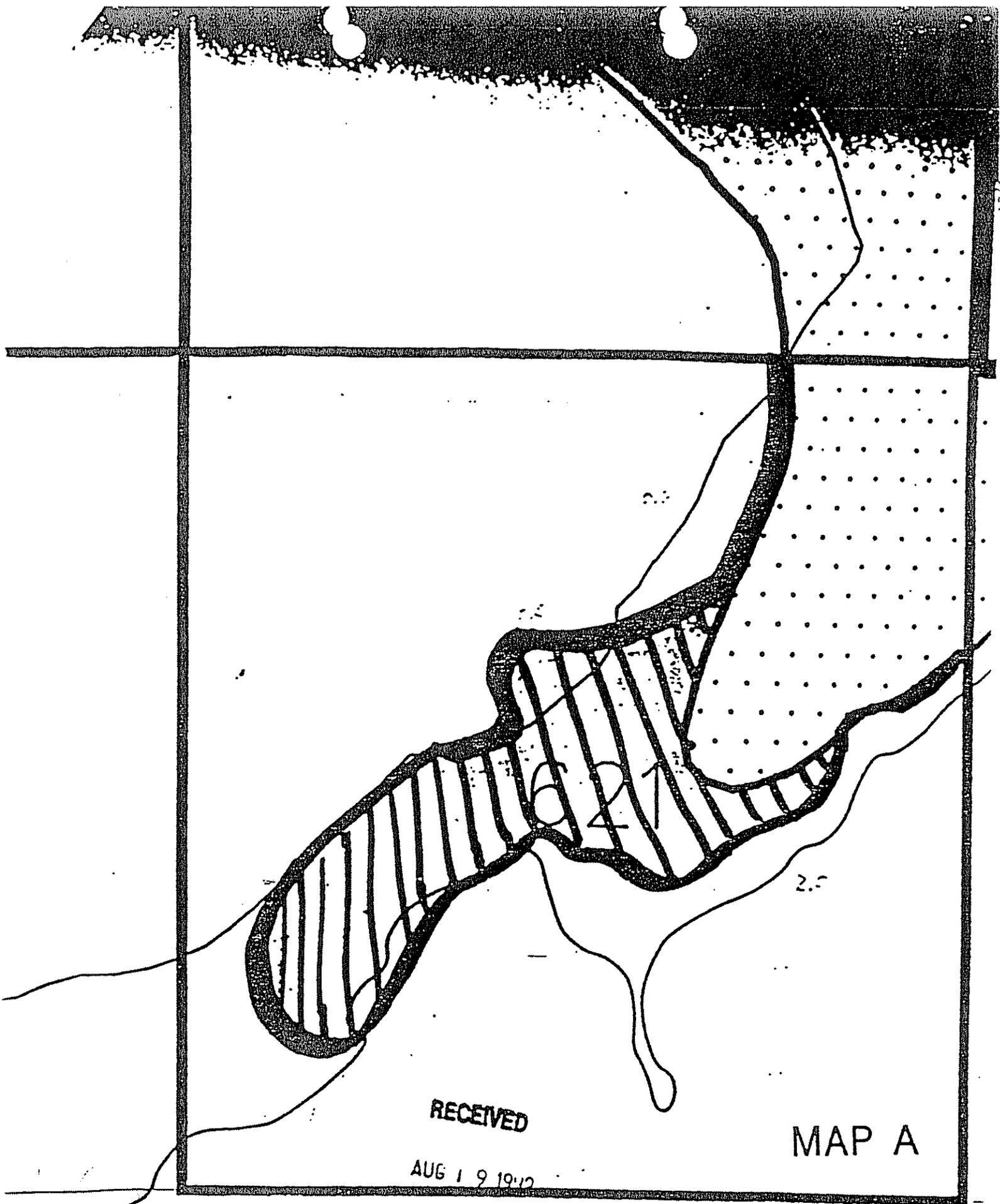
B. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County Department or Agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such non-compliance to the Developer and if the deviation is not corrected

within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice by certified mail of any such hearing.

C. This Resolution shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

D. Annual Reports shall be submitted on May 30th of each year, as resolved by the Board of County Commissioners on March 26, 1991.

E. Within thirty (30) days of the effective date of this Resolution, the County shall officially render and transmit said copies of the Order to Developer Mobil Oil Corporation, the Department of Community Affairs and the Tampa Bay Regional Planning Council, as provided by Chapter 9J-2.025(4), F.A.C.

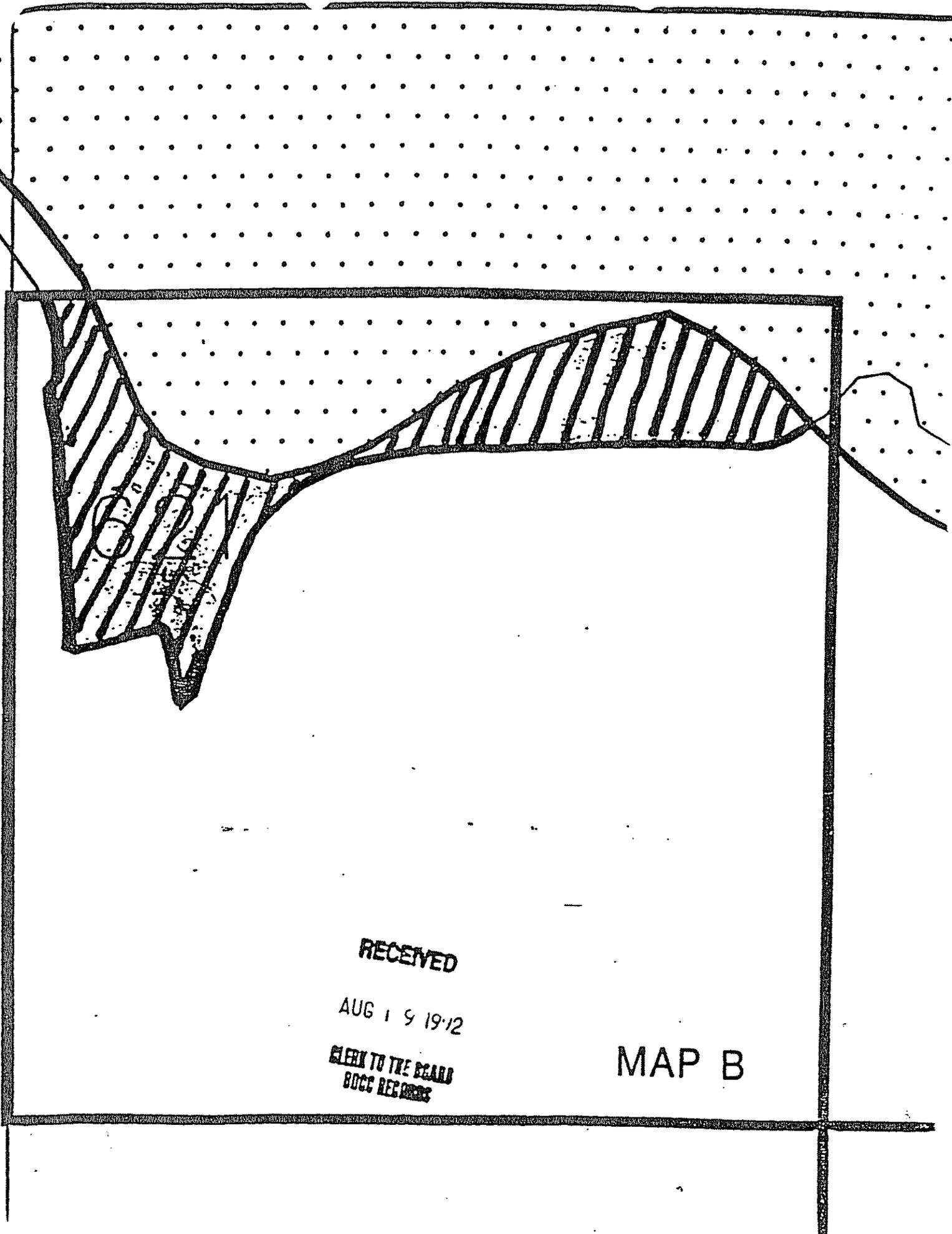


RECEIVED

AUG 19 1942

CLERK TO THE BOARD  
OFFICE RECORDS

MAP A



RECEIVED

AUG 19 1912

CLERK TO THE BOARD  
BOCC RECORDS

MAP B

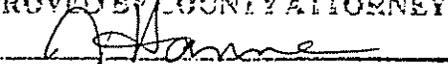
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, Richard Ake 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 September 23, 1992, as the same appears of record in Minute Book 196 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of October,  
19 92.

RICHARD AKE, CLERK

By:   
GARY J. KLUNK  
Deputy Clerk

APPROVED BY COUNTY ATTORNEY  
BY   
Approved As To Form And  
Legal Sufficiency.

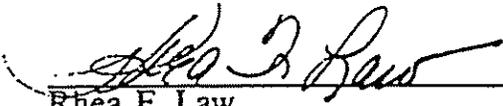
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgements, personally appeared Rhea F. Law as attorney for Mobil Oil Corporation ("Mobil") the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Big Four Mine DRI 75-13-DRI as amended by DRI #80 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Mobil filed the Notice of Change on March 27, 1992.
2. The Notice of Change was filed with all persons as required by law.

  
 \_\_\_\_\_  
 Rhea F. Law  
 Attorney for  
 Mobil Oil Corporation

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1992, by Rhea F. Law who is personally known to me or who has produced \_\_\_\_\_ as identification and ~~who did~~ (did not) taken an oath.

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Name of Notary, typed, printed or stamped)

(Notarial Seal)



OFFICIAL SEAL  
 MARY H. REINHARD  
 My Commission Expires  
 Feb. 25, 1996  
 Comm. No. CC 181080

Richard Ake  
Clerk of the Circuit Court  
Hillsborough County, Florida



Clerk to Board of  
County Commissioners  
Room # 214-F  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 272-5845

October 22, 1992

Suzanne Cooper, DRI Coordinator  
Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
Suite 219  
St. Petersburg, FL 33702

Re: Resolution No. R92-0243 Amending #75-13-DRI, as Amended by Development  
Order DRI #80, Big Four Mine;  
Resolution No. R92-0244 Amending Operating Permit 75-Mine-3, as  
Amended

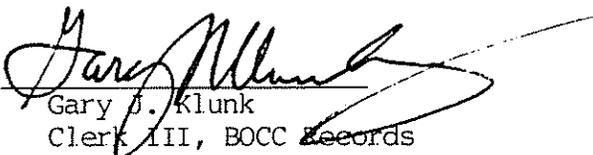
Dear Ms. Cooper:

Attached is a certified copy of referenced resolutions, which were adopted  
by the Hillsborough County Board of County Commissioners on  
September 23, 1992.

We are providing the copies for your files

Sincerely,

RICHARD AKE  
CLERK OF CIRCUIT COURT

By:   
Gary J. Klunk  
Clerk III, BOCC Records

mailed 10/23/92  
received 10/26/92

GJK:ADF

Attachments

Certified Mail

cc: Board files (1 orig.)

J. Thomas Beck, Florida Department of Community Affairs  
Rhea F. Law, Esquire - Fowler, White, Gillen, Boggs, Villareal  
and Banker, P.A. (excluding attachments and exhibits)

Jeanie E. Hanna, Assistant County Attorney (excluding attachments  
and exhibits)

Gene Boles, Director, Planning and Development Management (excluding  
attachments and exhibits)

Composite Exhibits A, B and C to  
Resolution No. R92-0243 in  
Files.

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, 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 \_\_\_\_\_  
Resolution #R92-0243 Amending #75-13-DRI, as Amended by Development  
Order DRI #80, Big Four Mine

\_\_\_\_\_

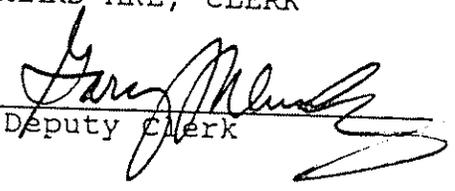
\_\_\_\_\_

\_\_\_\_\_

approved by the Board in its \_\_\_\_\_ regular meeting  
of \_\_\_\_\_ September 23 \_\_\_\_\_, 1992, as the same  
appears of record in MINUTE BOOK \_\_\_\_\_ 196 \_\_\_\_\_ of the  
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd  
day of \_\_\_\_\_ October \_\_\_\_\_, 1992.

RICHARD AKE, CLERK

By:   
Deputy Clerk

Resolution No. R92-0243

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA  
AMENDING #75-13-DRI, AS AMENDED BY DEVELOPMENT ORDER DRI #80  
BIG FOUR MINE

Upon motion of Commissioner Selvey, seconded by Commissioner Chillura, the following Resolution was adopted on this 23rd day of September, 1992. VOTE: 4 to 0.

WHEREAS, on May 19, 1976, the Board of County Commissioners of Hillsborough County approved a Development Order Resolution No. 75-13-DRI, Mine Operating Permit 75-Mine-3 and Rezoning Petition 75-189 for the BIG FOUR MINE Development of Regional Impact (DRI) (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on April 14, 1982, the Board of County Commissioners of Hillsborough County amended Operating Permit 75-Mine-3 and Development Order 75-13-DRI, approving a substantial deviation resolved as DRI #80; and

WHEREAS, on March 27, 1992, Mobil Oil Corporation ("Mobil") by and through Rhea F. Law, of Fowler, White, Gillen, Boggs, Villareal & Banker, P.A., Attorneys at Law, filed a Notification of a Proposed Change to a previously approved Development of Regional Impact (DRI) pursuant to Subsection 380.06(19), Florida Statutes, for the BIG FOUR MINE ("Notice of Change"); and

WHEREAS, the Notice of Change proposed an extension of the dates of buildout by less than five (5) years, as more particularly stated in the Notice of Change; and

WHEREAS, Subsection 380.06(19)(e)(2), Florida Statutes, provides that a proposed change which involves an extension of the date of buildout of a development, or any phase thereof, by less than five (5) years is not a substantial deviation and is not subject to a public hearing pursuant to subparagraph 380.06(19)(f)(3), Florida Statutes, or a determination pursuant to subparagraph 380.06(19)(f)(5), Florida Statutes; nor individual public notice as required by Hillsborough County for public hearings; and

WHEREAS, the Notice of Proposed Change proposed that an additional 80 acres be included within the legal description of the Development Order and that 60 acres approved for mining be deleted from said Order; and

WHEREAS, DRI #80 (1982) states that additional lands mined under that Development Order shall be mined in accordance therewith; and

WHEREAS, this addition of 80 acres is within contemplation of said "additional lands" clause; and

WHEREAS, the Board of County Commissioners of Hillsborough County as the governing body of local government having jurisdiction pursuant to Section 380.06, F.S. is authorized and empowered to consider and ordain this application for amendment to the Development Order; and

WHEREAS, pursuant to Section 380.06(15)(b), F.S. and Hillsborough County Phosphate Mining Ordinances 74-6, 77-6, 87-27 and 90-4, Mobil has submitted for review an amendment to its Mine Operating Permit, 75-Mine-3, as amended in 1982, so as to include the addition of 80 acres including an individual public notice list of property owners within 400 feet in every direction from the proposed additional acreage; and

WHEREAS, the Board of County Commissioners of Hillsborough County has on September 23 , 19 92, held a duly noticed public hearing on that portion of a Notice of Proposed Change to 75-13-DRI as amended by DRI #80 which proposes to add 80 acres to the development, delete 60 acres from the development, and on amendments to Mine Operating Permit 75-MINE-3, as amended; and held a duly noticed public meeting to extend the date of buildout by less than five (5) years,

WHEREAS, Mobil Oil Corporation operates the Big Four Mine through Mobil Mining and Minerals Company;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

#### I. FINDINGS OF FACT

A. That Mobil Oil Corporation hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, a document described as:

1. AN APPLICATION TO AMEND 75-13-DRI, AS AMENDED BY DRI #80, IN THE FORM OF A NOTICE OF PROPOSED CHANGE.

in which said Notice of Proposed Change requested an extension of the date of buildout by four (4) years, eleven (11) months and fifteen (15) days, requested an addition of 80 acres to the legal description of the development known as the Big Four Mine and the deletion of 60 acres from said legal description. The Notice of Proposed Change is attached as Composite Exhibit A.

B. That on the 14th day of April, 1982, the Board of County Commissioners ("BOCC") of Hillsborough County approved an amendment to Development Order 75-13-DRI to wit; DRI #80. A copy of the resolution constituting the foregoing Approvals is attached hereto as Composite Exhibit B.

C. That on the 19th day of May 1976, the Board of County Commissioners of Hillsborough County approved Development Order 75-13-DRI. A copy of the Resolutions constituting the foregoing approval is attached hereto as Composite Exhibit C.

D. That the real property which is the subject of this Notice of Proposed Change is legally described as set forth in Composite Exhibit A, Attachments #1(a), #1(b) and #2. Attachment #1(a) describes the 80 acre addition to the D.O.; Attachment #1(b) describes the 60 acre deletion, and Schedule "A" of the Deed contained in Attachment #2 constitutes the legal description of the Big Four Mine, pursuant to the changes resolved herein.

II. THE FOLLOWING SPECIFIC FINDINGS OF FACT ARE MADE:

A. In accordance with Subsection 380.06(19)(e)(2), Florida Statutes, the extension of time is not a substantial deviation and is not subject to a public hearing pursuant to Subparagraph 380.06(19)(f)(3), Florida Statutes, or a determination pursuant to Subparagraph 380.06(19)(f)(5), Florida Statutes.

B. The Big Four Mine precedent to this change encompassed 5920 acres. Five percent of this area equals 296 acres. The addition of 80 acres coupled with the deletion of 60 acres equals a net increase in size of twenty (20) acres which neither exceeds 5 percent of the current mine size (5% = 296 acres) or 750 acres, whichever is less, pursuant to 380.06(19)(b)(5), Florida Statutes.

C. Pursuant to 380.06(19)(b)(5), 40 percent of 5 percent of the size of the Big Four Mine before this proposed change is 118.4 acres [40% of 296 acres].

D. Subsection 380.06(19)(e)(2), Florida Statutes, provides that cumulative changes of less than 40 percent of the criteria in 380.06(19)(b)(5) do not require a public hearing under 380.06(19)(f)(3) if they do not exceed any other criterion. Therefore, the gross 80 acre addition (net 20 acre addition) does not exceed 118.4 acres.

E. DRI #80 contemplated the addition of acreage to the Development Order.

F. On August 13, 1991, Hillsborough County approved a Vested Rights Special Use Permit ("VRSUP") for the 80 acres which are the subject of this amendment. Said approval vests the 80 acres against the Hillsborough County Comprehensive Plan and land development regulations implementing the Plan to extent set forth in the VRSUP. Attachment #4.

G. All statutory procedures have been adhered to.

### III. CONCLUSIONS OF LAW.

A. Based upon the compliance with the terms and conditions of this Development Order, the reports, recommendations and testimony heard and considered by the Board of County Commissioners of Hillsborough County, it is concluded that:

1. The changes described herein will not unreasonably interfere with the achievement of objectives of the adopted state land development plan; and
2. The development is consistent with the State Comprehensive Plan; and
3. The development as changed herein is consistent with the local land development regulations and the adopted local comprehensive plan; and

4. The development as changed herein is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Hillsborough County Environmental Protection Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, F.S., within the terms and conditions of this Development Order.

C. The Development Order 75-13-DRI as amended by DRI #80 is hereby amended to extend the dates of buildout of the development by a period of four (4) years, eleven (11) months and fifteen (15) days, thereby extending the life of this Development Order to May 4, 2001.

D. The Development Order 75-13-DRI, as amended by DRI #80, is amended to include an addition of 80 acres and a deletion of 60 acres, more or less, as described in Composite Exhibit A, Attachments #1(a) and #1(b) respectively, for purposes inclusive of but not limited to phosphate mining, mining related activity and reclamation.

E. The Development Order 75-13-DRI, and Development Order DRI #80, remain in effect except as amended by this Resolution.

F. During the life of this Development Order, this DRI will not be subject to down-zoning or intensity reduction.

#### IV. GENERAL CONDITIONS

A. This Development Order supersedes the conditions of 75-13-DRI and DRI #80, only to the extent of any applicable requirements necessary to include the addition of 80 acres, the deletion of 60 acres and extend the life of the Development Order to May 4, 2001, an extension of less than 5 years.

B. The terms and conditions contained in this Resolution shall in no way be considered a waiver of or exception to the terms and conditions contained in any other statute, rule, regulation, ordinance or administrative order affecting the phosphate mining operation described herein.

C. To the extent that information supplied the Board of County Commissioners of Hillsborough County in the annual Development Order Report meets the annual report requirements contained in Hillsborough County Mining Ordinance 74-6, 77-6, 87-27 or 90-4, ("Ordinance") the Developer is not required to submit a duplicate document to satisfy the annual report provisions contained in Hillsborough County Mining Ordinances, as amended. However, to the extent that the annual report mandated in the referenced Ordinance requires the submittal of additional information, the Developer is required to supply said information in accordance with the terms of said Ordinance, as amended. This provision in no way relieves the Developer of the obligation to supply the number of copies of the annual report required by the terms of said Ordinance.

## V. SPECIFIC CONDITIONS

A. The Developer's Certification, attached hereto, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

B. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County Department or Agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such non-compliance to the Developer and if the deviation is not corrected within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice by certified mail of any such hearing.

C. This Resolution shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

D. Annual Reports shall be submitted on May 30th of each year, as resolved by the Board of County Commissioners on March 26, 1991.

E. Within thirty (30) days of the effective date of this resolution, the County shall officially render and transmit said copies of the Order to Developer Mobil Oil Corporation, the Department of Community Affairs and the Tampa Bay Regional Planning Council, as provided by Chapter 9J-2.025(4), F.A.C.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

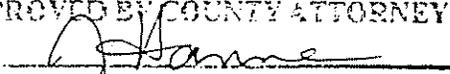
I, Richard Ake Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of September 23, 1992, as the same appears of record in Minute Book 196 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of October,  
19 92.

RICHARD AKE, CLERK

By:   
GARY J. KLUNK  
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY   
Approved As To Form And  
Legal Sufficiency.

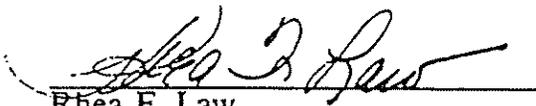
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgements, personally appeared Rhea F. Law as attorney for Mobil Oil Corporation ("Mobil") the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Big Four Mine DRI 75-13-DRI as amended by DRI #80 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Mobil filed the Notice of Change on March 27, 1992.
2. The Notice of Change was filed with all persons as required by law.

  
 Rhea F. Law  
 Attorney for  
 Mobil Oil Corporation

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 1992, by Rhea F. Law who is personally known to me or who has produced \_\_\_\_\_ as identification and ~~who did~~ (did not) taken an oath.

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Name of Notary, typed, printed or stamped)

(Notarial Seal)



OFFICIAL SEAL  
MARY H. REINHARD  
My Commission Expires  
Feb. 25, 1996  
Comm. No. CC 181080

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, 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 \_\_\_\_\_  
Resolution #92-0244 Amending Operating Permit 75-Mine-3, as Amended

\_\_\_\_\_

\_\_\_\_\_

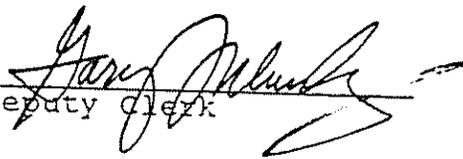
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approved by the Board in its \_\_\_\_\_ its regular meeting  
of \_\_\_\_\_ September 23 \_\_\_\_\_, 1992 \_\_\_\_\_, as the same  
appears of record in MINUTE BOOK \_\_\_\_\_ 196 \_\_\_\_\_ of the  
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this \_\_\_\_\_ 22nd  
day of \_\_\_\_\_ October \_\_\_\_\_, 1992 \_\_\_\_\_.

RICHARD AKE, CLERK

By:   
Deputy Clerk

AMENDMENTS TO OPERATING PERMIT  
75-MINE-3, AS AMENDED

RESOLUTION R92-0244

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
OF HILLSBOROUGH COUNTY, FLORIDA,  
AMENDING OPERATING PERMIT 75-MINE-3, AS AMENDED

Upon motion by Commissioner Selvey, seconded by Commissioner Guillura, the following Resolution was adopted this 23rd day of Sept., 1992;  
VOTE: 4 to 0.

WHEREAS, on the 19th day May, 1976, the Board of County Commissioners of Hillsborough County approved Development Order 75-13-DRI, Operating Permit 75-MINE-3, and Rezoning Petition 75-189 for the Big Four Mine located in Hillsborough County; and,

WHEREAS, on April 14, 1982, the Board of County Commissioners of Hillsborough County approved amendments to 75-Mine-3 and amended 75-13-DRI (DRI #80) which included an increased rate of mining and a size increase of 200 additional acres; and

WHEREAS, on March 27, 1992, Mobil Oil Corporation submitted to Hillsborough County an application to amend Operating Permit 75-MINE-3, as amended, so as to include an additional 80 acres and delete 60 acres from the legal description of the Big Four Mine; and

WHEREAS, on March 27, 1992 Mobil Oil Corporation submitted a Notice of Proposed Change to 75-13-DRI, as amended by DRI #80 so as to include said additional 80 acres, delete 60 acres and to extend the life of the Big Four Mine Development Order by 4 years, 11 months and 15 days; and

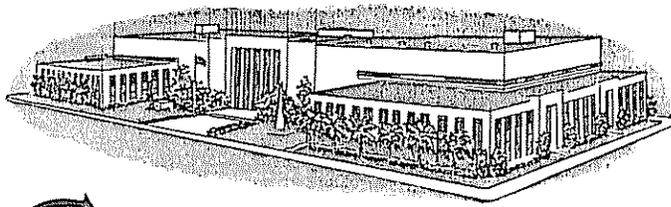
WHEREAS, Hillsborough County Ordinances 74-6, 77-6, 87-27 and 90-4, require that proposed amendments to operating permits undergo a thorough review by appropriate agencies; and,

WHEREAS, Hillsborough County Ordinances 74-6, 77-6, 87-27 and 90-4, require that proposed amendments be considered by the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners of Hillsborough County has received and considered the report and recommendations of all affected agencies; and,

WHEREAS, the Board of County Commissioners of Hillsborough County has solicited, received and considered reports, comments, and recommendations from interested citizens as well as the review and reports of the Hillsborough County Administration;

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



COUNTY of HILLSBOROUGH  
*Tampa, Florida 33601*



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

IN RESPONSE REFER TO:

April 16, 1982

Mr. Bill Ockunzzi  
Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
St. Petersburg, Florida 33702

Re: AMAX Phosphate DRI/Substantial Deviation

Dear Mr. Ockunzzi:

Enclosed please find copies of the Development Order and Amended Mining Permit approved by the Board of County Commissioners on April 14, 1982. I have not included copies of the technical documents referenced in the Exhibits. It is my understanding that you already have this information. If this is not the case, please contact Mr. Richard Davis, Assistant County Attorney (813/272-5670), and he will assist you in obtaining copies of the documents.

Should you have any questions concerning these documents, please feel free to contact my office.

Sincerely,

  
J. Ed Smith  
Chief Deputy Clerk

JES:RED:dm

Enclosures

990 1  
An Affirmative Action - Equal Opportunity Employer

reg.  
P.O. Box 1110

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
HILLSBOROUGH COUNTY, FLORIDA  
DRI # 80

A DEVELOPMENT ORDER APPROVING  
CHANGES CONSTITUTING A SUBSTANTIAL DEVIATION

Upon motion of Commissioner Bowmer , seconded by  
Commissioner Anderson , the following Resolution was adopted this  
14th day of April, 1982:

WHEREAS, on the 19th day of May, 1976, the Board of County  
Commissioners of Hillsborough County approved Development Order  
75-13-DRI, Operating Permit 75-MINE-3, and Rezoning Petition 75-189  
for the Big Four Phosphate Mine located in Hillsborough County; and,

WHEREAS, AMAX Phosphate, Inc. began to study the feasibility  
of expanding production at the Big Four Mine after purchasing the  
mine from Borden, Inc. in July, 1980; and,

WHEREAS, AMAX Phosphate, Inc. apprised Hillsborough County of  
its intentions in a letter describing the proposed expansion dated  
December 22, 1980 and requested a determination whether the changes  
relating to expansion constituted a substantial deviation from the  
approved Big Four Mine Development of Regional Impact. In addition,  
AMAX Phosphate, Inc. stated its desire to receive County approval  
to mine an additional two hundred (200) acres purchased between  
1977 and 1980; and,

WHEREAS, on March 4, 1981, the Board of County Commissioners  
of Hillsborough County passed a resolution which declared that the  
increase in the rate of mining was a substantial deviation from  
the original approvals contained in the Big Four Mine Development  
of Regional Impact; and,

1           WHEREAS, AMAX Phosphate, Inc. has also proposed changes to the  
2 existing operating permit for the purposes of:

- 3           a.   Accommodating the expanded mining rate;  
4           b.   Establishing standards for the excava-  
5               tion of the additional two hundred (200)  
6               acres referenced above, which area was  
7               rezoned for mining on February 25, 1982;  
8           c.   Incorporating changes not related to the  
9               proposed increase in production; and,  
10          d.   Updating the existing Mining and Reclama-  
11               tion Plan;

12 which changes shall be addressed in the Amended Operating Permit;  
13 and,

14           WHEREAS, Section 380.06, F.S. requires that a substantial  
15 deviation undergo a process of review commensurate to that required  
16 for the initial review of a development of regional impact; and,

17           WHEREAS, AMAX Phosphate, Inc. filed an application with the  
18 Board of County Commissioners of Hillsborough County pursuant to  
19 Section 380.06, F.S. requesting development approval for the changes  
20 constituting the substantial deviation; and,

21           WHEREAS, AMAX Phosphate, Inc. filed an application with the  
22 Board of County Commissioners of Hillsborough County pursuant to  
23 Hillsborough County Mining Ordinance 74-6, as amended, requesting  
24 certain amendments to the existing operating permit; and,

25           WHEREAS, the Board of County Commissioners of Hillsborough  
26 County as the governing body of local government having jurisdiction  
27 pursuant to Section 380.06, F.S., is authorized and empowered to  
28 consider this application for a substantial deviation; and,

29           WHEREAS, the public notice requirements of Section 380.06, F.S.,  
30 have been satisfied; and,

31           WHEREAS, the Board of County Commissioners of Hillsborough  
County has on March 22, 1982, and April 14, 1982 held a duly noticed

1 public hearing on said application for approval of the substantial  
2 deviation and has heard and considered testimony and documents  
3 received thereon; and,

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

7 WHEREAS, the Board of County Commissioners of Hillsborough  
8 County has solicited, received and considered reports, comments  
9 and recommendations from interested citizens, state and local  
10 agencies.

11 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
12 COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

13 I. FINDINGS OF FACT

14 A. That AMAX Phosphate, Inc., hereinafter referred to as  
15 "Developer", submitted to Hillsborough County, Florida, a series  
16 of documents described as:

- 17 1. AMAX BIG FOUR MINE ADA/DRI SUBSTANTIAL  
18 DEVIATION SCOPING DOCUMENT,
- 19 2. APPLICATION TO AMEND HILLSBOROUGH COUNTY  
20 MINE OPERATING PERMIT 75-MINE-3 FOR THE  
21 AMAX PHOSPHATE BIG FOUR MINE,
- 22 3. AMAX BIG FOUR MINE EXPANSION ADA/DRI,
- 23 4. SUPPLEMENTAL INFORMATION DOCUMENT AMAX  
24 PHOSPHATE, INC. BIG FOUR MINE DRI AND  
25 OPERATING PERMIT AMENDMENT,
- 26 5. GRAPHIC DEPICTION OF THE LOCATION OF  
27 RIVER CROSSINGS, AS INCLUDED IN THE SUP-  
28 PLEMENTAL INFORMATION DOCUMENT REFERENCED  
29 ABOVE,

30 which documents are attached hereto as Composite Exhibit A and  
31 incorporated herein by reference.

32 B. That on the 19th day of May, 1976, the Board of County  
33 Commissioners of Hillsborough County approved Development Order 75-  
34 13-DRI, Operating Permit 75-MINE-3, and Rezoning Petition 75-189 for  
35

1 the Big Four Phosphate Mine located in Hillsborough County, a copy  
2 of the Resolution constituting the foregoing approvals is attached  
3 hereto as Composite Exhibit B and incorporated herein by reference.

4 C. That the real property that is the subject of this appli-  
5 cation for approval of the substantial deviation is legally de-  
6 scribed as set forth in Composite Exhibits A and B.

7 D. That the development described herein is not an area of  
8 critical state concern as designated pursuant to Section 380.05, F.S.

9 E. That a comprehensive review of the impact generated by  
10 the proposed expansion described herein has been conducted by the  
11 Hillsborough County Administration, the Hillsborough County Environ-  
12 mental Protection Commission, the Hillsborough County City-County  
13 Planning Commission, and the Tampa Bay Regional Planning Council.

## 14 II. CONCLUSIONS OF LAW

15 A. Based upon the compliance with the terms and conditions  
16 of this Development Order, the reports, recommendations, and testi-  
17 mony heard and considered by the Board of County Commissioners of  
18 Hillsborough County, it is concluded that: -

- 19 1. The phosphate mining operation  
20 described herein will not un-  
21 reasonably interfere with the  
22 achievement of the objectives  
of the adopted State Land De-  
velopment Plan applicable to  
the area; and,
- 23 2. The phosphate mining operation  
24 described herein is consistent  
25 with the local land development  
regulations; and
- 26 3. The phosphate mining operation  
27 described herein is consistent  
28 with the report and recommenda-  
tions of the Tampa Bay Regional  
Planning Council

29 B. The provisions of this Development Order shall not be  
30 construed as a waiver of or exception to any rule, regulation, or  
31

1 ordinance of Hillsborough County, its agencies or commissions and  
2 to the extent that further review is provided for in this Develop-  
3 ment Order, said review shall be subject to all applicable rules,  
4 regulations and ordinances in effect at the time of the review.

5 C. The review by Hillsborough County, the Hillsborough  
6 County City-County Planning Commission, the Hillsborough County  
7 Environmental Protection Commission, the Tampa Bay Regional Plan-  
8 ning Council, and other participating agencies and interested  
9 citizens indicates that impacts are adequately addressed pursuant  
10 to the requirements of Section 380.06, F.S., within the terms and  
11 conditions of this Development Order.

12 D. The application for approval of the substantial deviation  
13 is hereby approved subject to all the terms and conditions of this  
14 Development Order.

### 15 III. CONDITIONS

#### 16 A. General Conditions

17 1. All terms and conditions contained within those  
18 documents described as Composite Exhibit A and those documents  
19 described as Composite Exhibit B shall be considered conditions of  
20 this Development Order unless inconsistent with the terms and con-  
21 ditions of this Development Order, in which case the terms and con-  
22 ditions of this Development Order shall control.

23 2. To the extent there is an inconsistency or conflict  
24 existing between the terms and conditions contained in those docu-  
25 ments described as Composite Exhibit A and those terms and condi-  
26 tions contained in the documents described as Composite Exhibit B,  
27 the terms and conditions contained in those documents described as  
28 Composite Exhibit A shall control. To the extent that there is an  
29 inconsistency between the individual documents described as Com-  
30 posite Exhibit A, the latter submittal on a particular issue shall  
31 control the former.

1           3.    The terms and conditions contained in this Develop-  
2 ment Order shall in no way constitute a waiver of or exception to  
3 the terms and conditions contained in any other statute, rule, regu-  
4 lation, ordinance or administrative order affecting the phosphate  
5 mining operation described herein.

6           4.    The Developer shall file an annual report in accor-  
7 dance with Section 380.06(16), F.S. Such report shall be due within  
8 thirty (30) days following the anniversary of the effective date of  
9 this Development Order for each following year until and including  
10 such time as all terms and conditions of this Development Order are  
11 satisfied. (The requirement for the annual report contained herein  
12 does not relieve the Developer of its responsibility to submit the  
13 annual report required to be submitted in May 1982.) Such report  
14 shall be submitted to the County Administrator who shall, after  
15 appropriate review, submit it for receipt by the Board of County  
16 Commissioners of Hillsborough County. The Board of County Commis-  
17 sioners of Hillsborough County shall review the report for compli-  
18 ance with the terms and conditions of this Development Order and  
19 may issue such further orders and conditions as are necessary to  
20 insure compliance with the terms and conditions of this Development  
21 Order. The Board of County Commissioners of Hillsborough County  
22 reserves the right, subject to the terms of Section 380.06, F.S., to  
23 amend the Development Order based upon the information contained in  
24 the annual report. The Developer shall be notified of any hearings  
25 wherein such report is to be reviewed by the Board of County Com-  
26 missioners of Hillsborough County. Provided, however, the receipt  
27 and review by the Board of County Commissioners of Hillsborough  
28 County shall not be considered a substitute or a waiver of any terms  
29 or conditions of this Development Order. Said report shall review  
30 mining operations and reclamation progress during the preceeding re-  
31 porting year and respectively identify lands expected to be mined,

1 placed in settling ponds or planned for reclamation for the current  
2 year, together with any anticipated amendments to the Development  
3 Order. It is the intent herein that the foregoing requirements  
4 for submittal of the annual report shall be in addition to  
5 and not in lieu of any submittal requirements for annual report as  
6 promulgated by the State Land Planning Agency.

7 B. Specific Conditions

8 1. No mining shall be permitted pursuant to this  
9 Development Order within the 25 year floodplain of the Alafia River  
10 and its tributaries. This Development Order does not authorize  
11 mining in the areas currently being studied in and around the tri-  
12 butaries of the Alafia River, nor does it prohibit mining in areas  
13 above the 25 year floodplain.

14 2. The methods and conditions described and committed  
15 to in the documents described as Composite Exhibit A are incor-  
16 porated herein as conditions of this Development Order, and speci-  
17 fically include, without being limited to, the following:

- 18 a. Use of the best available erosion -  
19 control methods in all phases of  
20 development;
- 21 b. Use of the best management practices  
22 and reclamation techniques in all  
23 phases of development;
- 24 c. Implementation of the energy con-  
25 servation techniques committed to  
26 in the above documents;
- 27 d. Implementation of the relative time  
28 schedule committed to in the above  
29 documents.  
30  
31

1           3. Any proposed changes in the number or location of  
2 the dragline river crossings, the method of product shipment and the  
3 total volume requirements of settling ponds or volume requirements  
4 of the Consumptive Use Permit if requested by the Developer from  
5 that referenced in the documents described as Composite Exhibit A  
6 shall be considered to be a substantial deviation pursuant to Chap-  
7 ter 380.06, F.S.

8           4. Dust control techniques and reclamation processes  
9 shall begin as soon as possible after mining is completed.

10          5. The post-mining drainage system shall be designed  
11 to protect the integrity and function of the natural wetlands pre-  
12 served from disturbance.

13          6. Mining of additional acreage shall take place in  
14 strict accordance with the terms and conditions contained in the  
15 Amended Operating Permit and this Development Order.

16          C. Conditions Appropriate for the Amended Operating Permit

17          The nature of the conditions described below mandate their  
18 inclusion in the Amended Operating Permit. Therefore, it is the  
19 intent of the Board of County Commissioners of Hillsborough County  
20 that the described conditions be made part of the Amended Operating  
21 Permit and thereafter be implemented or amended in accordance with  
22 the terms of Hillsborough County Ordinance 74-6, as amended.

23          1. Detailed construction drawings and hydraulic calcu-  
24 lations for the dragline crossings shall be submitted to Hills-  
25 borough County for review and approval prior to implementation.

1           2.    The following minimum setbacks shall be maintained  
2 from the recirculation ditch of Settling Pond BF-4:

3           a.    300 feet from the edge of the 25  
4                year Floodplain in Section 34,  
              Township 31S, Range 22E;

5           b.    100 feet from the edge of the 25  
6                year Floodplain in Section 26 and  
              35, Township 31S, Range 22E.

7           3.    Developer shall relocate the upstream South Prong  
8 Alafia River water quality monitoring station to the eastern pro-  
9 perty boundary, so as to adequately monitor the additional 200  
10 acres. A map indicating the location of the new sampling site shall  
11 be submitted to the Hillsborough County Environmental Protection  
12 Commission and the Tampa Bay Regional Planning Council.

13           4.    Viability of the stream systems shall be the respon-  
14 sibility of the Developer. Reclamation of all areas adjacent to  
15 the tributaries, including contouring and revegetation, shall be  
16 completed within one year after cessation of mining of those areas,  
17 as required in the Hillsborough County Mining Ordinance 74-6, as  
18 amended.

19           5.    No recharge wells shall be placed on the southeast  
20 side of Settling Pond BF-4. Seepage from the pond shall be per-  
21 mitted to drain into the adjacent stream system.

22           6.    Restoration of all river or tributary crossings shall  
23 begin immediately after completion of final crossings of each site.

24           7.    For the life of the mine, all wetlands disturbed  
25 by mining activities shall be mitigated by wetland reclamation of  
26 at least an equal amount.

27           8.    Amended Post Reclamation Maps (including Tables 7,  
28 8, 9; and figures 12, 17, 18, 19, 20, 21 and 22, which documents are  
29 included in the APPLICATION TO AMEND HILLSBOROUGH COUNTY MINE  
30 OPERATING PERMIT 75-MINE-3 FOR AMAX PHOSPHATE BIG FOUR MINE) shall be  
31

1 submitted to Hillsborough County by June 1, 1982. The Amendments  
2 shall reduce the number of lakes currently proposed to a total of  
3 twelve and increase the number of marsh habitats, so as to be con-  
4 sistent with the Conceptual Reclamation Plan attached. The Developer  
5 shall submit these amendments to the Florida Department of Natural  
6 Resources for inclusion in the currently pending Conceptual Applica-  
7 tion and Special Application.

8 9. Developer shall provide substantiation for flood  
9 elevation determination to the Southwest Florida Water Management  
10 District and Hillsborough County within one year of the date of  
11 approval of the Development Order. Until such a determination is  
12 made, the 25 year floodplain map contained in Exhibit 2 of the 1976  
13 Development Order (Planning Commission Staff Report) shall consti-  
14 tute the 25 year floodplain of the South Prong Alafia River and its  
15 tributaries on the property.

#### 16 IV. GENERAL PROVISIONS

17 A. The legal descriptions set forth in Composite Exhibits A  
18 and B are hereby incorporated into and by reference made a part of  
19 this Development Order.

20 B. This Resolution shall constitute the Development Order  
21 of Hillsborough County in response to the application for approval  
22 of the substantial deviation filed by the Developer.

23 C. The definitions contained in Chapter 380, F.S. shall  
24 govern and apply to this Development Order.

25 D. This Development Order shall be binding upon the Developer  
26 and its heirs, assignees, or successors in interest including any  
27 entity which may assume any of the responsibilities imposed on the  
28 Developer by this Development Order. It is understood that any  
29 reference herein to any governmental agency shall be construed to  
30 mean any future instrumentality which may be created or designated  
31

1 as successors in interest to, or which otherwise possesses any of  
2 the powers and duties of, any branch of government or governmental  
3 agency.

4 E. In the event that any portion or section of this Develop-  
5 ment Order is determined to be invalid, illegal or unconstitutional  
6 by a court of competent jurisdiction, such decision shall in no  
7 manner affect the remaining portions or sections of this Development  
8 Order which shall remain in full force and effect.

9 F. Whenever this Development Order provides for or otherwise  
10 necessitates reviews or determinations of any kind subsequent to its  
11 issuance, the right to review shall include all government agencies  
12 and departments as are or may be designated by the Board of County  
13 Commissioners of Hillsborough County to review development of re-  
14 gional impact applications as well as all governmental agencies and  
15 departments set forth under applicable laws and rules governing  
16 developments of regional impact.

17 G. Development activity constituting a substantial deviation  
18 from the terms or conditions of this Development Order or other  
19 changes to the approved development plans which create a reasonable  
20 likelihood of additional adverse regional impact, or any other  
21 regional impact not previously reviewed by the Regional Planning  
22 Council may result in Hillsborough County making a substantial de-  
23 viation determination pursuant to the provisions of Section 380.06  
24 (17), F.S. and ordering a termination of such development activity  
25 pending review pursuant to Section 380.06(17), F.S.

1 H. The County Administrator of Hillsborough County shall be  
2 responsible for monitoring all terms and conditions of this Develop-  
3 ment Order. For purposes of this condition, the County Administra-  
4 tor may rely upon or utilize information supplied by any Hills-  
5 borough County department or agency having particular responsibility  
6 over the area or subject involved. The County Administrator shall  
7 report to the Board of County Commissioners any findings of devia-  
8 tion from the terms and conditions of this Development Order. The  
9 County Administrator shall issue a notice of such non-compliance  
10 to the Developer and if the deviation is not corrected within a  
11 reasonable amount of time shall recommend that the Board of County  
12 Commissioners establish a hearing to consider such deviations. The  
13 Developer shall be given notice of any such hearing.

14 I. This Development Order shall become effective upon adop-  
15 tion by the Board of County Commissioners of Hillsborough County  
16 in accordance with Section 380.06, F.S.

17 J. Upon adoption, this Development Order shall be transmitted  
18 by the Ex Officio Clerk to the Board of County Commissioners, by  
19 certified mail to the State Land Planning Agency, the Tampa Bay  
20 Regional Planning Council and the Developer.

21 STATE OF FLORIDA )  
22 COUNTY OF HILLSBOROUGH )

23 I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex  
24 Officio Clerk to the Board of County Commissioners of Hillsborough  
25 County, Florida, do hereby certify that the above and foregoing is  
26 a true and correct copy of a development order adopted by the Board  
27 at a duly convened public hearing on April 14 , 1982, as the same  
28 appears of record in Minute Book 82 of the Public Records of Hills-  
29 borough County, Florida.

30 WITNESS my hand and official seal this 20 day of April, 1982.

31 JAMES F. TAYLOR, JR., CLERK

APPROVED BY COUNTY ATTORNEY  
BY   
Approved As To Form And  
Legal Sufficiency.

By:   
Deputy Clerk

-12-

BOARD OF COUNTY COMMISSIONERS  
HILLSBOROUGH COUNTY, FLORIDA

DOCUMENT NO. 82-315

1  
2  
3 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS  
4 OF HILLSBOROUGH COUNTY, FLORIDA,  
5 AMENDING OPERATING PERMIT 75-MINE-3.

6 Upon motion by Commissioner Bowmer , seconded by  
7 Commissioner Kotvas , the following Resolution was adopted  
8 this 14th day of April, 1982:

9 WHEREAS, on the 19th day of May, 1976, the Board of County  
10 Commissioners of Hillsborough County approved Development Order  
11 75-13-DRI, Operating Permit 75-MINE-3, and Rezoning Petition 75-189  
12 for the Big Four Phosphate Mine located in Hillsborough County; and,

13 WHEREAS, AMAX Phosphate, Inc. began to study the feasibility of  
14 expanding production at the Big Four Mine after purchasing the mine  
15 from Borden, Inc. in July, 1980; and,

16 WHEREAS, AMAX Phosphate, Inc. apprised Hillsborough County of  
17 its intentions in a letter describing the proposed expansion dated  
18 December 22, 1980 and requested a determination whether the changes  
19 relating to expansion constituted a substantial deviation from the  
20 approved Big Four Mine Development of Regional Impact. In addition,  
21 AMAX Phosphate, Inc. stated its desire to receive County approval to  
22 mine an additional two hundred (200) acres purchased between 1977  
23 and 1980; and,

24 WHEREAS, on March 4, 1981, the Board of County Commissioners of  
25 Hillsborough County passed a Resolution which declared that the in-  
26 crease in the rate of mining was a substantial deviation from the  
27 original approvals contained in the Big Four Mine Development of  
28 Regional Impact; and,

29 WHEREAS, AMAX Phosphate, Inc. has also proposed changes to the  
30 existing Operating Permit for the purpose of:

- 31 a. Accommodating the expanded mining rate;

- 1           b.   Establishing standards for the excava-  
2           tion of the additional two hundred (200)  
3           acres referenced above, which area was  
4           rezoned for mining on February 25, 1982;  
5           c.   Incorporating changes not related to the  
6           proposed increase in production; and,  
7           d.   Updating the existing Mining and Recla-  
8           mation Plan,

9           which changes shall be addressed in the Amended Operating Permit;  
10          and,

11          WHEREAS, AMAX Phosphate, Inc. filed an application with the  
12          Board of County Commissioners of Hillsborough County pursuant to  
13          Hillsborough County Mining Ordinance 74-6, as amended, requesting  
14          certain amendments to the existing Operating Permit; and,

15          WHEREAS, Hillsborough County Ordinance 74-6, as amended, re-  
16          quires that proposed amendments to operating permits undergo a  
17          thorough review by appropriate agencies; and,

18          WHEREAS, Hillsborough County Ordinance 74-6, as amended, re-  
19          quires that proposed amendments be considered by the Board of County  
20          Commissioners within the context of an advertised public hearing;  
21          and,

22          WHEREAS, the Board of County Commissioners of Hillsborough  
23          County has on March 22, 1982 and April 14, 1982 held a duly  
24          noticed public hearing on said application for amendments; and,

25          WHEREAS, the Board of County Commissioners of Hillsborough  
26          County has received and considered the report and recommendations  
27          of all affected agencies; and,

28          WHEREAS, the Board of County Commissioners of Hillsborough  
29          County has solicited, received and considered reports, comments, and  
30          recommendations from interested citizens as well as the review and  
31          reports of the Hillsborough County Administration.

          NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-  
          SIONERS OF HILLSBOROUGH COUNTY, FLORIDA:



1 rules and regulations and ordinances in effect at the time of the  
2 review.

3 B. This Resolution shall become effective upon adoption by the  
4 Board of County Commissioners of Hillsborough County.

5 C. The application for approval of amendments to the Operating  
6 Permit is hereby approved subject to all the terms and conditions  
7 of this Resolution.

8 III. GENERAL CONDITIONS

9 A. The terms and conditions contained within those documents  
10 described as Composite Exhibits A and B shall be considered con-  
11 ditions of this Resolution unless inconsistent with the terms and  
12 conditions of this Resolution, in which case the terms and condi-  
13 tions of this Resolution shall control. To the extent that there  
14 is an inconsistency between the individual documents described as  
15 Composite Exhibit A, the latter submittal on a particular issue shall  
16 control the former. To the extent there is an inconsistency or con-  
17 flict between the terms and conditions contained in those documents  
18 described as Composite Exhibit A and those documents described as  
19 Composite Exhibit B, the terms and conditions contained in those  
20 documents described as Composite Exhibit A shall control.

21 B. The terms and conditions contained in Development Order  
22 80 enacted by the Board of County Commissioners of Hillsborough  
23 County the 14th day of April, 1982, which Development Order is  
24 attached hereto as Exhibit C, shall be incorporated into and become  
25 a part of this Resolution. The Developer shall be required as a  
26 condition of this Resolution to strictly comply with the terms and  
27 conditions contained in said Development Order.

28 C. The terms and conditions contained in this Resolution shall  
29 in no way be considered a waiver of or exception to the terms and  
30 conditions contained in any other statute, rule, regulation, ordi-  
31 nance or administrative order affecting the phosphate mining opera-  
32 tion described herein.

33 D. To the extent that information supplied the Board of County  
34 Commissioners of Hillsborough County in the annual Development Order  
35 Report meets the annual report requirements contained in Hills-

1 borough County Mining Ordinance 74-6, as amended, the Developer is  
2 not required to submit a duplicate document to satisfy the annual  
3 report provisions contained in Hillsborough County Mining Ordinance  
4 74-6, as amended. However, to the extent that the annual report  
5 mandated in the referenced Ordinance requires the submittal of  
6 additional information, the Developer is required to supply said  
7 information in accordance with the terms of said Ordinance, as  
8 amended. This provision in no way relieves the Developer of the  
9 obligation to supply the number of copies of the annual report  
10 required by the terms of said Ordinance.

11 IV. SPECIFIC CONDITIONS

12 1. Detailed construction drawings and hydraulic calculations  
13 for the dragline crossings shall be submitted to Hillsborough County  
14 for review and approval prior to implementation.

15 2. The following minimum setbacks shall be maintained from the  
16 recirculation ditch of Settling Pond BF-4:

17 a. 300 feet from the edge of the 25 year  
18 Floodplain in Section 34, Township 31S,  
Range 22E;

19 b. 100 feet from the edge of the 25 year  
20 Floodplain in Section 26 and 35, Township  
31S, Range 22E.

21 3. Developer shall relocate the upstream South Prong Alafia  
22 River water quality monitoring station to the eastern property  
23 boundary, so as to adequately monitor the additional 200 acres.  
24 A map indicating the location of the new sampling site shall be  
25 submitted to the Hillsborough County Environmental Protection Com-  
26 mission and the Tampa Bay Regional Planning Council.

27 4. Viability of the stream systems shall be the responsibility  
28 of the Developer. Reclamation of all areas adjacent to the tribu-  
29 taries, including contouring and revegetation, shall be completed  
30 within one year after cessation of mining those areas, as required  
31 in the Hillsborough County Mining Ordinance 74-6, as amended.

5. No recharge wells shall be placed on the southeast side of  
Settling Pond BF-4. Seepage from the pond shall be permitted to

1 Officio Clerk to the Board of County Commissioners of Hillsborough  
2 County, Florida, do hereby certify that the above and foregoing is  
3 a true and correct copy of a resolution adopted by the Board at a  
4 duly convened public hearing held on April 14 ,  
5 1982, as the same appears of record in Minute Book 82 of  
6 the Public Records of Hillsborough County, Florida.

7 WITNESS my hand and official seal this 20 day of  
8 April, 1982.

11 JAMES F. TAYLOR, JR., CLERK

12  
13 BY: James S. Austin  
14 Deputy Clerk

27  
28 APPROVED BY COUNTY ATTORNEY  
29 BY [Signature]  
30 Approved As To Form And  
31 Legal Sufficiency.

1 drain into the adjacent stream system.

2 6. Restoration of all river or tributary crossings shall begin  
3 immediately after completion of final crossings of each site.

4 7. For the life of the mine, all wetlands disturbed by mining  
5 activities shall be mitigated by wetland reclamation of at least  
6 an equal amount.

7 8. Amended Post Reclamation Maps (including tables 7, 8, 9;  
8 and figures 12, 17, 18, 19, 20, 21 and 22, which documents are in-  
9 cluded in APPLICATION TO AMEND HILLSBOROUGH COUNTY MINE OPERATING  
10 PERMIT 75-MINE-3 FOR THE AMAX PHOSPHATE BIG FOUR MINE) shall be  
11 submitted to Hillsborough by June 1, 1982. The Amendments shall  
12 reduce the number of lakes currently proposed to a total of twelve  
13 and increase the number of marsh habitats, so as to be consistent  
14 with the Conceptual Reclamation Plan attached. The Developer shall  
15 submit these amendments to the Florida Department of Natural Re-  
16 sources for inclusion in the currently pending Conceptual Applica-  
17 tion and Special Application.

18 9. Developer shall provide substantiation for flood elevation  
19 determination to Southwest Florida Water Management District and  
20 Hillsborough County within one year of the date of approval of the  
21 Development Order 80. Until such a determination is made, the  
22 25 year floodplain map contained in Exhibit 2 of the 1976 Develop-  
23 ment Order (Planning Commission Staff Report) shall constitute the  
24 25 year floodplain of the South Prong Alafia River and its tribu-  
25 taries on the property.

26 10. Mining of additional acreage shall take place in  
27 strict accordance with the terms and conditions contained  
28 in Development Order 80, and this Resolution.

29  
30 STATE OF FLORIDA )  
31 COUNTY OF HILLSBOROUGH )

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex