

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 372-5845

June 6, 1991

RECEIVED

JUN 10 1991

Tampa Bay Regional
Planning Council

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

Re: Resolution No. R91-0088 - Amendment to Development Order
for the Lonesome Mine (DRI #73-1)

Dear Ms. Cooper:

Attached is a certified executed copy of the referenced
resolution, which was adopted by the Hillsborough County Board
of County Commissioners on May 7, 1991.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Judith M. Nichols

Judith M. Nichols
Manager, BOCC Records

mailed June 7, 1991

JMN:CS

Attachment

Certified Mail

cc: Board files (1 orig.)

James H. Shimberg, Jr., Esquire

J. Thomas Beck, State Department of Community Affairs

Paula Harvey, Acting Director, Planning and Zoning

John Dixon Wall, Chief Assistant County Attorney

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 _____
H.C. Resolution No. R91-0088 - Amending DRI 73-1 Development
Order for the Lonesome Mine

adopted by the Board in its regular meeting of
May 7, 1991, as the same appears of
record in MINUTE BOOK 180 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 6th day
of June, 1991.

RICHARD AKE, CLERK

BY: Judith M. Nichols
Deputy Clerk

RESOLUTION NO. R91-0088

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI 73-1 DEVELOPMENT ORDER
FOR THE LONESOME MINE

Upon motion of Commissioner James Selvey, seconded by Commissioner Ed Turanchik, the following Resolution was adopted by a vote of 6 to 0, with Commissioner(s) _____ voting "No."

WHEREAS, on March 21, 1974, the Board of County Commissioners issued Development Order 73-1 for the Lonesome Mine, a Development of Regional Impact; and

WHEREAS, on August 15, 1974, the Board of County Commissioners approved the Lonesome Mine Master Mining and Reclamation Plan for Brewster Phosphate; and

WHEREAS, on November 8, 1974, Operating Permit No. 74-Mine-2 was granted to Brewster Phosphate, which incorporated the Lonesome Mine Master Mining and Reclamation Plan; and

WHEREAS, on February 21, 1984, the Board of County Commissioners approved amendments to Development Order 73-1 relating to the addition of certain land and identification of river crossings; and

WHEREAS, on January 9, 1990, the Board of County Commissioners approved amendments to Development Order 73-1 relating to the addition of a 125 acre access corridor between the Lonesome and Four Corner Mines and a modification to allow the pumping of matrix from the Lonesome Mine to the Four Corners Mine (DRI 75-14, as amended) and determined that the amendments did not constitute a substantial deviation to the Development Order for the Lonesome Mine; and

WHEREAS, on September 25, 1990, the Board of County Commissioners approved an amendment to Development Order 73-1 relating to the addition of 200 acres to the Lonesome Mine and determined that the amendment did not constitute a substantial deviation to the Development Order for the Lonesome Mine; and

WHEREAS, on August 1, 1990, IMC Fertilizer, Inc. filed with Hillsborough County a Notification of Proposed Change to a Previously Approved Development of Regional Impact in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notification of Proposed Change was also submitted to the Florida Department of Community Affairs and the Tampa Bay Regional Planning Council; and

WHEREAS, the Notification of Proposed Change proposed the relocation of the "GL" clay settling area about one mile to the west and to rename it "L-1."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING, DULY ASSEMBLED THIS 7th DAY OF May, 1991 AS FOLLOWS:

1. That the following findings of fact are made:

a. The amendment to the Development Order, as reflected on the Notification of Proposed Change to a Previously Approved Development of Regional Impact (attached hereto as Exhibit A) does not create a change to a previously approved DRI constituting a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes (1988).

b. All statutory procedures have been adhered to.

2. That the relocation of the GL clay settling area about one mile to the west as shown on the map included with Exhibit A and the renaming of it as L-1 is hereby approved with the condition that the western boundary of the toe of the clay settling area dam must be at least 2,000 feet east of the centerline of County Road 39.

3. IMC Fertilizer, Inc. shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

4. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1988).

5. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by Certified Mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute of rules.

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 May 7, 1991, as the same appears of record in Minute Book 180 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 6th day of _____
June, 1991.

RICHARD AKE, CLERK

BY: Judith M. Nichols
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY: John Dixon Wall
Approved as to Form and
Legal Sufficiency



August 1, 1990

Ms. Lucia Garsys
 Planning and Zoning Division
 Hillsborough County
 800 E. Twiggs Street, Room 201
 Tampa, Florida 33602

Re: Lonesome Mine DRI

Dear Ms. Garsys:

Attached is a notification of a proposed change to a previously approved Development of Regional Impact (DRI) for our Lonesome Mine DRI, and check No. 071629 in the amount of \$ 495.00 for the filing fee. This change proposes to relocate the GL clay settling area and rename it L-1. Copies of the proposal have been sent to Ms. Suzanne Cooper of the Tampa Bay Regional Planning Council and Teria Johnson of the Department of Community Affairs.

I appreciate your time to review this proposal and look forward to hearing from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "T. A. Smith".

T. A. Smith
 Senior Project Engineer

TAS/
 LNFC7-90/9

Attachments

cc Teria Johnson, DCA
 Suzanne Cooper, TBRPC
 Rick Davis, H&K
 J. N. Allen, Jr.
 J. V. Burleson
 L. F. Thurner
 D. M. Smith

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06 (19), FLORIDA STATUTES

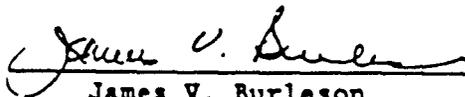
Subsection 380-06 (19), Florida Statutes (1985), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. Statement of Intent

I, James V. Burleson, the undersigned authorized representative of IMC Fertilizer, Inc., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Lonesome Mine which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the Hillsborough County Planning Division, the Tampa Bay Regional Planning Council, and the Bureau of Resource Management, Department of Community Affairs.

7-30-90

(Date)



James V. Burleson
Vice President and General Manager

2. Applicant (Name, Address, Phone)

IMC Fertilizer, Inc.
P. O. Box 867
Noralyne Mine Road
Bartow, Florida 33830
Phone: (813) 533-1121

3. Authorized Agent (Name, Address, Phone)

James V. Burleson
Vice President and General Manager
IMC Fertilizer, Inc.
P. O. Box 867
Bartow, Florida 33830
Phone: (813) 533-1121

PROPOSED CHANGE TO LONESOME MINE DRI - L-1 Location:
August 1, 1990

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Approved DRI Location: Section 1-4 Twn. 32S, Rng. 21E, Sections 3-10 Twn. 32S, Rng. 22E, and Sections 7-10, 14-22, 27-34 Twn. 31S, Rng. 22E, Hillsborough County.

Proposed Change Location: Sections 4, 5, 6, 7, 8 and 9, Twn. 32S, Rng. 22 E.

5. Describe and indicate on a project master site plan map or other maps all individual changes previously made to the development. Please describe all changes previously made in representations contained in the Application for Development Approval (ADA) since the DRI first received approval.

- . On February 21, 1984, the Hillsborough County Board of Commissioners approved the amendment to the DRI DO to add 483 acres and approved the river crossings, through the process of the Substantial Deviation ADA/DRI review process.
- . On January 9, 1990, the Hillsborough County Board of Commissioners approved the amendment to the DRI to add 125 acres to the Lonesome mine for an access corridor, after determining that this addition did not constitute a substantial deviation.

On April 20 1990, IMC filed a Notice of Proposed Change to add 200 acres to the Lonesome Mine. This subject is currently scheduled to be reviewed by the Hillsborough County Commission on August 21, 1990. A copy of the map showing the requested revised site map is attached for reference (Figure 1a).

6. Describe and indicate on a project master site plan map all currently proposed changes to the development. Please describe in detail all proposed changes to the last approved plan of development, phasing, build-out date, or to the representations contained in the last approved Application for Development Approval (ADA). Additionally, supply information for appropriate portions of the chart below, indicating the proposed project changes:

Mining Operations	.	Acreage mined (year)
	.	Water Withdrawal (Gal/day)
	.	Size of Mine (Acres), including drainage, ROW, easements, etc.
	.	Site Location Changes
	.	Number of External Vehicle Trips

This change does not propose to change the mine boundary, mining area, mining rate, water withdrawal or use, drainage, ROW, easements, transportation etc.

The proposed change is the relocation of the clay settling area GL, by about 1 mile to the West, and renaming that area L-1. A copy of the currently approved location of GL is attached for reference. This map is from the March 22, 1983 application to amend the Mining and Reclamation Plan for Lonesome Mine. The requested location of L-1 is shown on Figure 1. The approved size of GL is 846 acres at dam centerline, whereas the proposed L-1 size is approximately 700 acres (at dam centerline).

7. Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued?

There has been no change in local government jurisdiction.

8. Describe any lands purchased or optioned within one mile of the original DRI site subsequent to the original approval or issuance of the DRI development order.

There have been several parcels purchased in the area. These parcels include Sections 33, 34, 35 and portions of Section 36 in Twn. 31S, Rng. 21E, Section 4 and Portions of Sections 13, 14, 15 and 16, in Twn. 32S, Rng. 21E, Section 17 and portions of Section 18 in Twn. 32S, Rng. 22E. These parcels are included in the Hillsborough County Mines DRI #231 that IMCF submitted on June 29, 1990 and which is currently under review.

9. Briefly describe whether and the extent to which:

- a. The proposed change may be inconsistent with any objectives or policies of the adopted state land development plan (or, in its absence, the adopted state comprehensive plan) applicable to the area; and
- b. The proposed change may be inconsistent with any local land development regulations or the adopted local comprehensive plan.

The proposed change is consistent with the Hillsborough County Comprehensive Plan which permits mining and related activities in the land use designation applicable to this area.

Providing local government determines that the proposed change does not require further development-of regional-impact review. Provide the following for incorporation into an amended development order ... (per BRM-08-86).

10. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

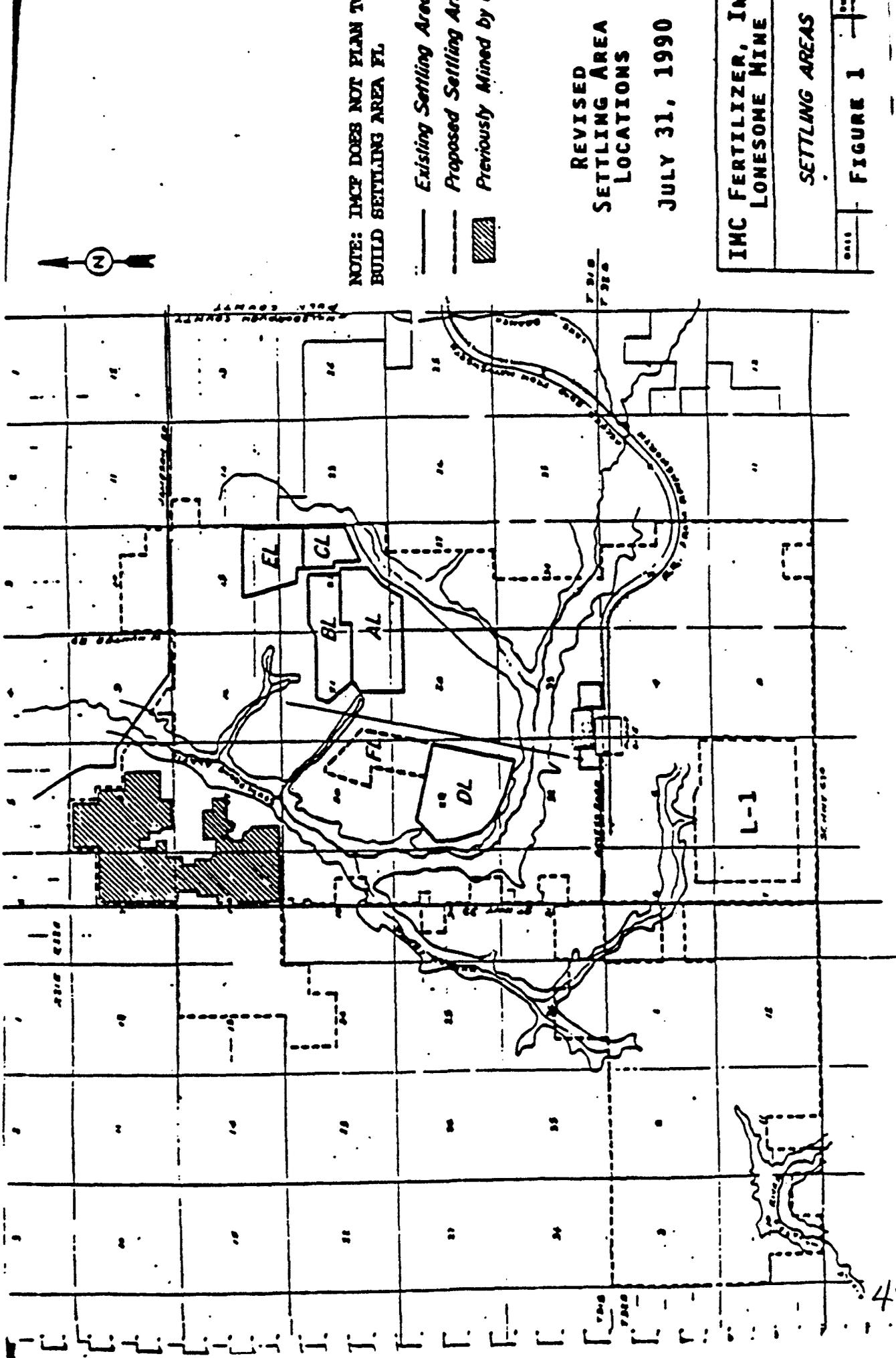
Attached is Figure 1 showing the revised clay settling area location.

11. Pursuant to Subsection 380.06 (f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.

The proposed change will not have any effect on the existing wording in the approved Development Order. The location of L-1 is noted by the general reference to the application documentation.

tas/

LNPC7-90/9



NOTE: IMCF DOES NOT PLAN TO BUILD SETTLING AREA FL

- Existing Settling Area
- - - Proposed Settling Area
- ▨ Previously Mined by C

REVISED
SETTLING AREA
LOCATIONS

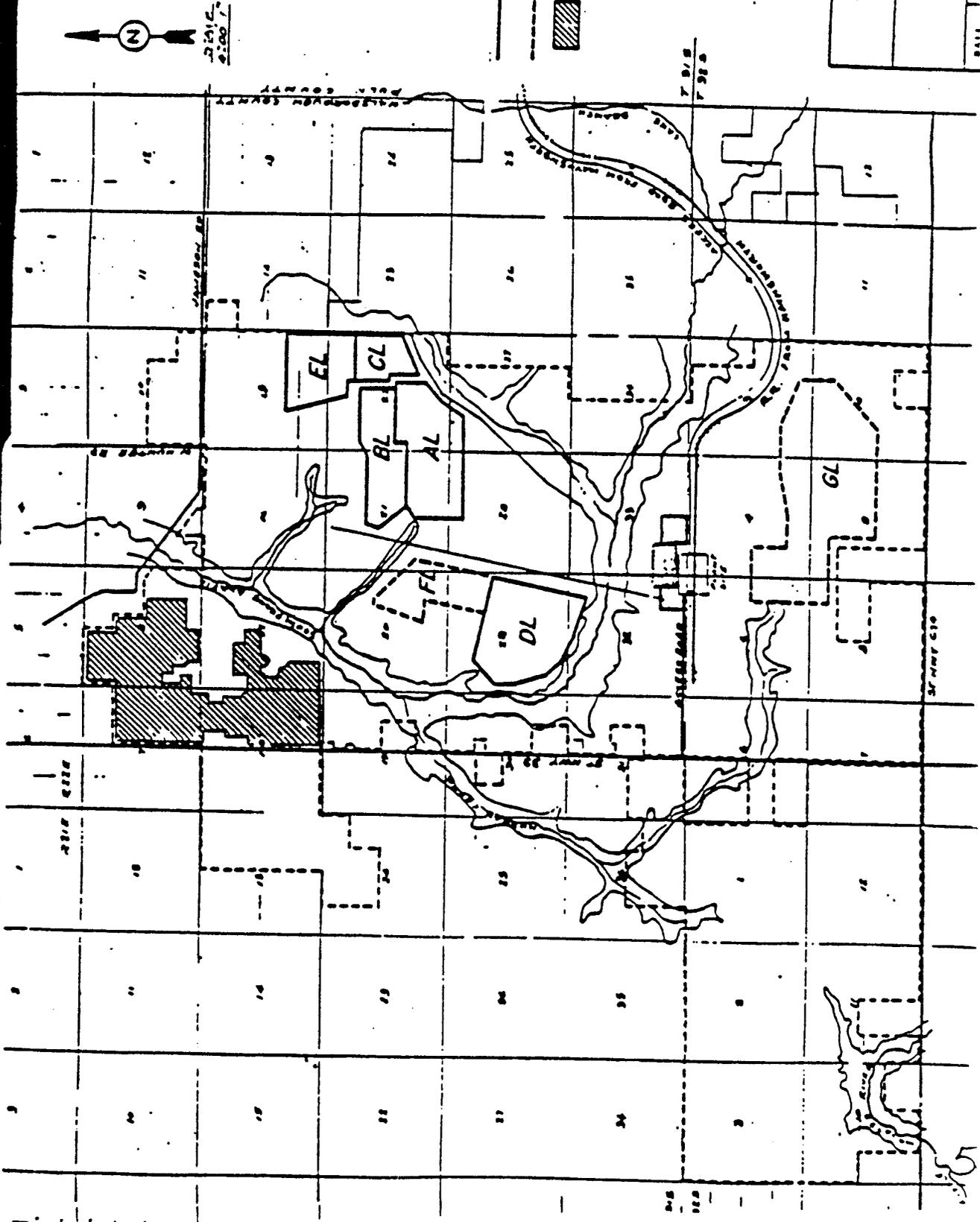
JULY 31, 1990

IMC FERTILIZER, INC.
LONESOME MINE

SETTLING AREAS

FIGURE 1

CURRENTLY APPROVED
FROM 3-22-1962 APPLICATION



BREWSTER PHOSPHATES
LONESOME MINE

SETTLING AREAS

DATE

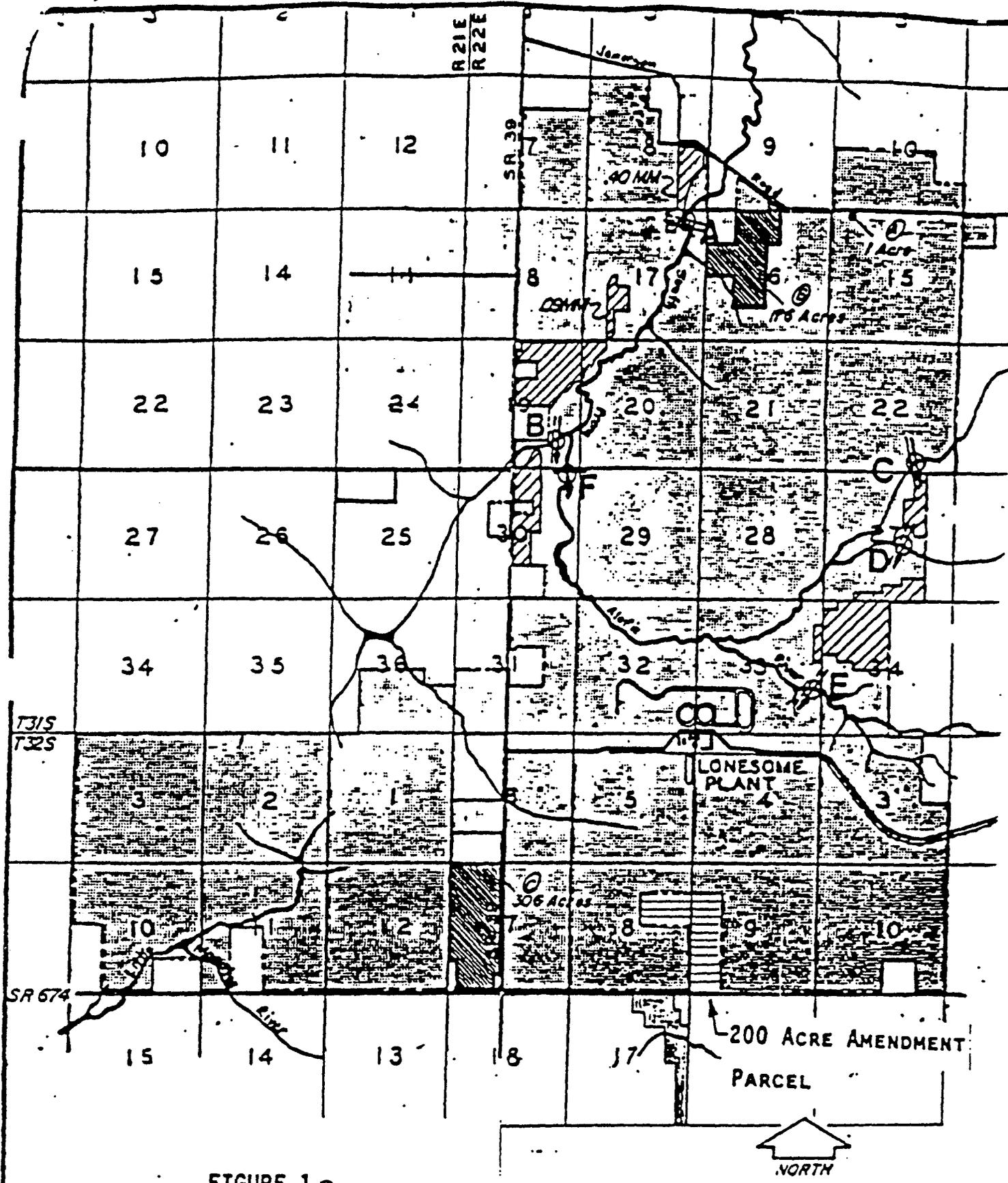
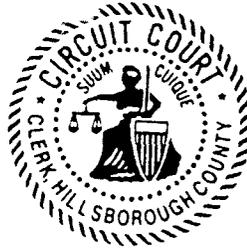


FIGURE 1a
PARCEL LOCATION MAP

LONESOME MINE
IMC FERTILIZER INC.

Amendment to Hillsborough
County Mine and Reclamation Plan
April 20, 1990

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

October 25, 1990

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

Re: Resolution No. R90-0199 - Amendment to Development Order for the Lonesome Mine (DRI 73-1)

Dear Ms. Cooper:

Attached is a certified executed copy of the referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on September 25, 1990.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Judith M. Nichols
Judith M. Nichols
Manager, BOCC Records

JMN:CS

Attachment

Certified Mail

cc: Board files (1 orig.)

J. Thomas Beck, State Department of Community Affairs
Lucia Garsys, Contracts Manager, Planning & Zoning
James H. Shimberg, Jr., Esquire, Holland & Knight
John Dixon Wall, Assistant County Attorney

mailed 10/25/90
received 10/26/90

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. R90-0199 - Amendment to Development Order for the
Lonesome Mine (DRI 73-1)

adopted by the Board in its regular meeting of
September 25, 1990, as the same appears of
record in MINUTE BOOK 172 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 25th
day of October, 1990.

RICHARD AKE, CLERK

By: Jedick M. Nichols
Deputy Clerk

RESOLUTION NO. R90-0199
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI 73-1 DEVELOPMENT ORDER
FOR THE LONESOME MINE

Upon motion of Commissioner Rodney Colson, seconded by Commissioner Haven Poe, the following Resolution was adopted this 25th day of September, 1990.

WHEREAS, on March 21, 1974, the Board of County Commissioners issued Development Order 73-1 for the Lonesome Mine Development of Regional Impact; and

WHEREAS, on August 15, 1974, the Board of County Commissioners approved the Lonesome Mine Master Mining and Reclamation Plan for Brewster Phosphate; and

WHEREAS, on November 8, 1974, Operating Permit No. 74-Mine-2 was granted to Brewster Phosphate, which incorporated the Lonesome Mine Master Mining and Reclamation Plan; and

WHEREAS, on February 21, 1984, the Board of County Commissioners approved amendments to Development Order 73-1 relating to the addition of certain land and identification of river crossings; and

WHEREAS, on the 9th day of January, 1990, the Board of County Commissioners approved amendments to Development Order 73-1 relating to the addition of a 125 acre access corridor between the Lonesome and Four Corner Mines and a modification to allow the pumping of matrix from the Lonesome Mine to the Four Corners Mine (DRI 75-14, as amended) and determined that the amendments did not constitute a substantial deviation to the Development Order for the Lonesome Mine; and

WHEREAS, on the 20th day of April, 1990, IMC Fertilizer, Inc. filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact in accordance with Section 380.6(19), Florida Statutes; and

WHEREAS, the Notice of Proposed Change proposed the addition of a 200 acre parcel to the Lonesome Mine.

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

1. That the following finds of fact are made:
 - a. The amendment to the Development Order, as reflected on the Notification of Proposed Change to a Previously Approved Development of Regional Impact (attached hereto as Exhibit A) does not create a change to a previously approved DRI constituting a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes (1988).
 - b. All statutory procedures have been adhered to.
2. That the boundary of the mine as described in the Development Order be amended to include the 200 acre parcel described in Exhibit B.
3. IMC Fertilizer, Inc. shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.
4. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1988).

5. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by Certified Mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 25, 1990, as the same appears of record in Minute Book 172 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25th day of October, 1990.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

Approved by the
County Attorney

A handwritten signature in cursive script, appearing to read "John P. ...", written over a horizontal line.

9988 2res73:126

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF RESOURCE MANAGEMENT
2751 Executive Center Circle, East
Tallahassee, Florida 32301-8244
(904) 488-4925

BRM-08-86

EXHIBIT A

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06 (19), FLORIDA STATUTES

Subsection 380-06 (19), Florida Statutes (1985), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. Statement of Intent

I, James V. Burlison, the undersigned authorized representative of IMC Fertilizer, Inc., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Lonesome Mine which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the Hillsborough County Planning Division, the Tampa Bay Regional Planning Council, and the Bureau of Resource Management, Department of Community Affairs.

4-20-90

(Date)

James V. Burlison

James V. Burlison
Vice President and General Manager

2. Applicant (Name, Address, Phone)

IMC Fertilizer, Inc.
P. O. Box 867
Noralyne Mine Road
Bartow, Florida 33830
Phone: (813) 533-1121

3. Authorized Agent (Name, Address, Phone)

James V. Burlison
Vice President and General Manager
IMC Fertilizer, Inc.
P. O. Box 867
Bartow, Florida 33830
Phone: (813) 533-1121

PROPOSED CHANGE TO LONESOME MINE DRI:

April 20, 1990

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Approved DRI Location: Section 1-4 Twn. 32S, Rng. 21E, Sections 3-10 Twn. 32S, Rng. 22E, and Sections 7-10, 14-22, 27-34 Twn. 31S, Rng. 22E, Hillsborough County.

Proposed Change Location: Approximately 200 acres in Section 8 and 9, Twn. 32S, Rng. 22 E. The legal description of the additional land to be added to the mine site is as follows:

In Township 32 South, Range 22 East,
Section 8, The S 1/2 of the NE 1/4
Section 9, The W 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4,
totaling approximately 200 acres.

This parcel is shown on Figure 1L, attached.

5. Describe and indicate on a project master site plan map or other maps all individual changes previously made to the development. Please describe all changes previously made in representations contained in the Application for Development Approval (ADA) since the DRI first received approval.

On February 21, 1984, the Hillsborough County Board of Commissioners approved the amendment to the DRI DO to add 483 acres and approved the river crossings, through the process of the Substantial Deviation ADA/DRI review process.

On January 9, 1990, the Hillsborough County Board of Commissioners approved the amendment to the DRI to add 125 acres to the Lonesome mine for an access cooridor, after determining that this addition did not constitute a substantial deviation.

The combined addition of the 200 acres and the previous 125 acres amounts to 325 acres, which is 1.7% of the total 18,840 acres.

PROPOSED CHANGE TO LONESOME MINE DRI:

April 20, 1990

6. Describe and indicate on a project master site plan map all currently proposed changes to the development. Please describe in detail all proposed changes to the last approved plan of development, phasing, build-out date, or to the representations contained in the last approved Application for Development Approval (ADA). Additionally, supply information for appropriate portions of the chart below, indicating the proposed project changes:

Mining Operations	.	Acreage mined (year)
	.	Water Withdrawal (Gal/day)
	.	Size of Mine (Acres), including drainage, ROW, easements, etc.
	.	Site Location Changes
	.	Number of External Vehicle Trips

This change does not propose to change any of the water withdrawal or use, drainage, ROW, easements, transportation etc. Attached is a Figure 1L showing the location of the 200 acres addition. The size of the mine will be increased by 200 acres, and the mining area will be increased by 197 acres.

7. Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued?

There has been no change in local government jurisdiction.

8. Describe any lands purchased or optioned within one mile of the original DRI site subsequent to the original approval or issuance of the DRI development order.

There have been several parcels purchased in the area. These parcels include Sections 33, 34, 35 and portions of Section 36 in Twn. 31S, Rng. 21E, Section 4 and Portions of Sections 13, 14, 15 and 16, in Twn. 32S, Rng. 21E, Section 17 and portions of Section 18 in Twn. 32S, Rng. 22E. These parcels will be included in the upcoming Hillsborough County Mines DRI that IMCF is currently working on for ADA submission scheduled July 1, 1990.

PROPOSED CHANGE TO LONESOME MINE DRI:

April 20, 1990

9. Briefly describe whether and the extent to which:

- a. The proposed change may be inconsistent with any objectives or policies of the adopted state land development plan (or, in its absence, the adopted state comprehensive plan) applicable to the area; and
- b. The proposed change may be inconsistent with any local land development regulations or the adopted local comprehensive plan.

The proposed change is consistent with the Hillsborough County Comprehensive Plan which permits mining and related activities in the land use designation applicable to this area.

Providing local government determines that the proposed change does not require further development-of regional-impact review ...Provide the following for incorporation into an amended development order ...(per BRM-08-86).

10. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

Attached is Figure 1L showing the revised mine site boundary.

11. Pursuant to Subsection 380.06 (f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.

The proposed change will not have any effect on the existing wording in the approved Development Order, however the legal description should be changed to include the 200 acres parcel.

tas/

LDRIMO2/8

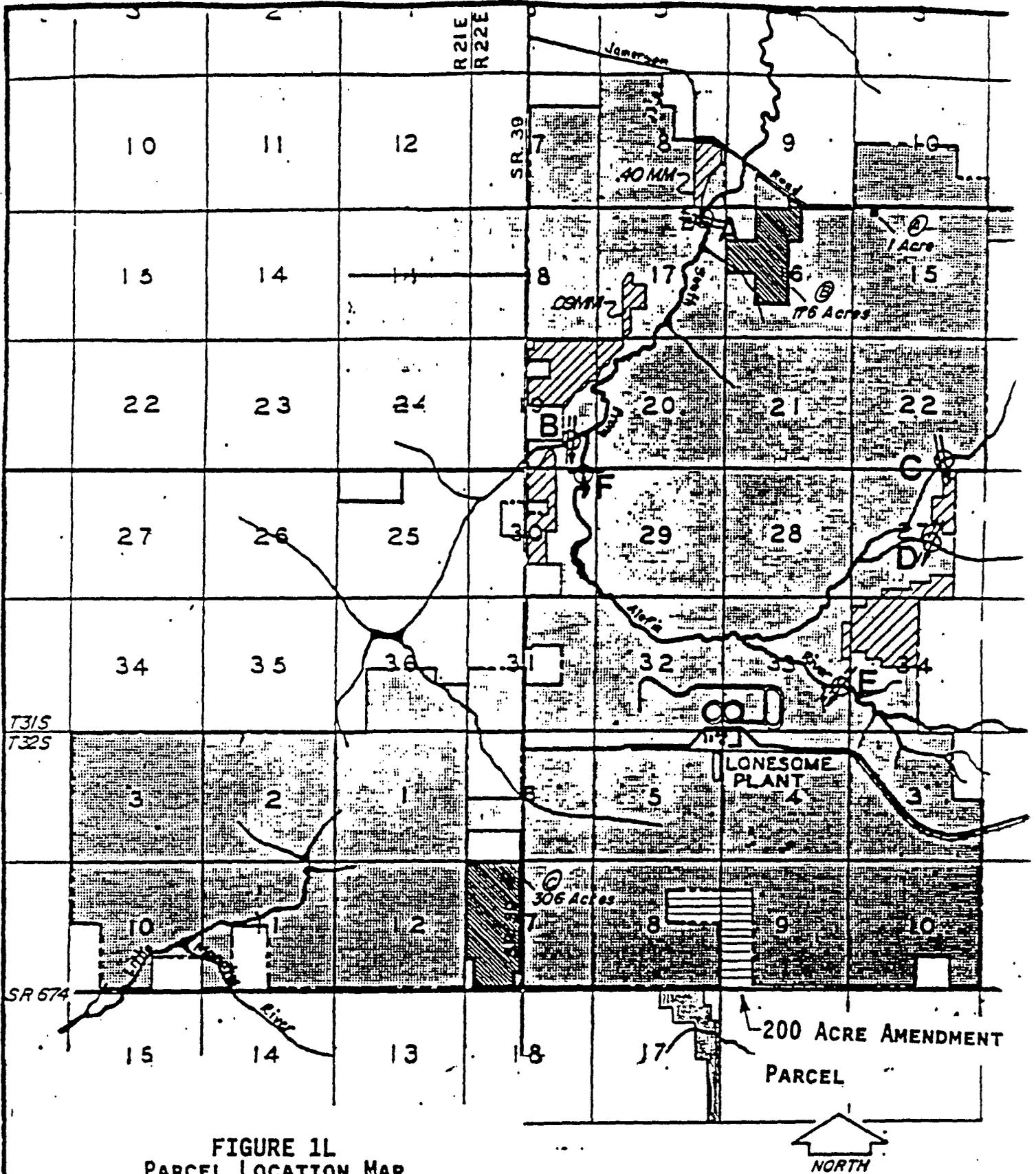


FIGURE 1L
PARCEL LOCATION MAP

LONESOME MINE
IMC FERTILIZER INC.

Notice of Proposed change
To the Lonesome Mine
April 20, 1990

Township 32 South, Range 22 East

EXHIBIT B

Legal description of 200 acres to be added to the Lonesome
Mine D. R. I.:

Parcel 1 94315.0000

S 1/2 of NE 1/4 Section 8, Township
32 South, Range 22 East (80 acres)

Parcel 2 94317.0000

S 3/4 of W 1/4 less R/W, Section 9,
Township 32 South, Range 22 East
(120 acres)

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



CERTIFIED MAIL

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

January 18, 1990

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

Attn: Suzanne Cooper
DRI Coordinator

Re: Resolution No. R90-0008 Amending DRI 73-1 Development
Order for the Lonesome Mine - IMC Fertilizer, Inc.

Dear Ms Cooper:

Enclosed please find an executed certified copy of the
referenced resolution, adopted by the Hillsborough County
Board of County Commissioners on January 9, 1990.

We are providing this certified copy for your official
files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Edna L. Fitzpatrick / gm.
Edna L. Fitzpatrick
Director, BOCC Records

Rendered 1/23/90

Received 1/25/90

ELF:LT

cc: Board files (orig.)
Ed Lehman, Florida Department of Community Affairs
James Shimberg, Attorney for IMC Fertilizer, Inc.
Sylvia Harvey, Acting Manager, South Area, Planning
and Zoning
John Dixon Wall, Assistant County Attorney

Enclosure

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, document number R90-0008, amending DRI 73-1~~
~~Development Order for IMC Fertilizer, Inc. Lonesome Mine~~

adopted by the Board in _____ its regular meeting _____ of
_____ January 9 _____, 19⁹⁰, as the same appears of
record in MINUTE BOOK 164 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 18th
day of January, 19⁹⁰.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

RESOLUTION NO. R90-0008
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI 73-1 DEVELOPMENT ORDER
FOR THE LONESOME MINE

Upon motion of Commissioner Poe, seconded by Commissioner Colson, the following Resolution was adopted this 9th day of January, 1990.

WHEREAS, on March 21, 1974, the Board of County Commissioners of Hillsborough County issued Development Order 73-1 for the Lonesome Mine Development of Regional Impact; and

WHEREAS, on August 15, 1974, the Board of County Commissioners approved the Lonesome Mine Master Mining and Reclamation Plan for Brewster Phosphate; and

WHEREAS, on November 8, 1974, Operating Permit No. 74-Mine-2 was granted to Brewster Phosphate, which incorporated the Lonesome Mine Master Mining and Reclamation Plan; and

WHEREAS, on February 21, 1984, the Board of County Commissioners of Hillsborough County approved amendments to Development Order 73-1 relating to the addition of certain land and identification of river crossings.

WHEREAS, on the 9th day of November, 1989, IMC Fertilizer, Inc. filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact in accordance with Section 380.06(19), Florida Statutes.

WHEREAS, the Notice of Change proposed the addition of a 125 acre access corridor between the Lonesome and Four Corner Mines and a modification to allow the pumping of matrix from the Lonesome Mine to the Four Corners Mine (DRI 75-14, as amended).

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

1. That the following finds of fact are made:

a. The amendment to the Development Order, as reflected on the Notification of Proposed Change to a Previously Approved Development of Regional Impact (attached hereto as Exhibit A) does not create a change to a previously approved DRI constituting a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes (1988).

b. All statutory procedures have been adhered to.

2. That the Development Order is hereby amended to include the following language:

IMC Fertilizer, Inc. is authorized to pump matrix from the Lonesome Mine to the Four Corners Mine. Processing of the matrix and disposal of tailings and waste clay will occur at the Four Corners Mine. All other terms, conditions and restrictions of the Development Order shall remain in full force and effect.

3. That the boundary of the mine as described in the Development Order be amended to include the 125 acre parcel described in Exhibit B. This parcel shall be used as an access corridor between the Lonesome and Four Corners Mine.

4. That IMC Fertilizer, Inc. intends to seek DRI approval from the Department of Community Affairs, Tampa Bay Regional Planning Council and the County for phosphate mining and related

activities on approximately 18,000 acres described as the Southeast Hillsborough Tract. IMC Fertilizer, Inc. also proposes to integrate the mining, waste disposal and reclamation plans for the Four Corners, Kingsford and Lonesome Mines. In order to establish time frames for the submittal of the Amended Application for Development Approval for the addition of the Southeast Hillsborough Tract and the changes to the approved plans for Four Corners, Kingsford and Lonesome, IMC Fertilizer, Inc. shall file an Amended Application for Development Approval for addition of the Southeast Hillsborough Tract and consolidation of the Development Orders for the Four Corners, Kingsford and Lonesome Mines. A preapplication conference shall be held within three (3) months after the effective date of this Resolution. The ADA shall thereafter be filed within twelve (12) months from the date of the preapplication conference.

5. IMC Fertilizer, Inc. shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

6. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1988).

7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by Certified Mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 January 9, 1990, as the same appears of record in Minute Book 164 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 17th day of January, 1990.

RICHARD AKE, CLERK

By: Judith M. Tschala
Deputy Clerk

9988 res73:126

APPROVED BY COUNTY ATTORNEY
BY [Signature]
Attorney at Law
Legal Services

STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 DIVISION OF RESOURCE PLANNING AND MANAGEMENT
 BUREAU OF RESOURCE MANAGEMENT
 2751 Executive Center Circle, East
 Tallahassee, Florida 32301-8244
 (904) 488-4925

BRM-08-86

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
 DEVELOPMENT OF REGIONAL IMPACT (DRI)
 SUBSECTION 380.06 (19), FLORIDA STATUTES

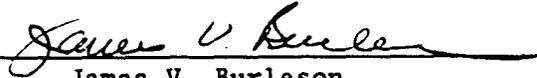
Subsection 380-06 (19), Florida Statutes (1985), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. Statement of Intent

I, *James V. Burleson*, the undersigned authorized representative of *IMC Fertilizer, Inc.*, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the *Lonesome Mine* which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the *Hillsborough County Planning Division*, the *Tampa Bay Regional Planning Council*, and the Bureau of Resource Management, Department of Community Affairs.

11-9-89

(Date)


 James V. Burleson
 Vice President and General Manager

2. Applicant (Name, Address, Phone)

IMC Fertilizer, Inc.
P. O. Box 867
Noralyn Mine Road
Bartow, Florida 33830
Phone: (813) 533-1121

3. Authorized Agent (Name, Address, Phone)

James V. Burleson
Vice President and General Manager
IMC Fertilizer, Inc.
P. O. Box 867
Bartow, Florida 33830
Phone: (813) 533-1121

PROPOSED CHANGE TO LONESOME MINE DRI:

November 9, 1989

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Approved DRI Location: Section 1-4 Twn. 32S, Rng. 21E, Sections 3-10 Twn. 32S, Rng. 22E, and Sections 7-10, 14-22, 27-34 Twn. 31S, Rng. 22E, Hillsborough County.

Proposed Change Location: Approximately 125 acres in Section 17, Twn. 32S, Rng. 22 E. The legal description of the additional land to be added to the mine site is as follows:

In Section 17, Township 32 South, Range 22 East,
The W 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4, and
the SW 1/4 of the NE 1/4 of the NE 1/4, and
the N 1/2 and SE 1/4 of the NW 1/4 of the NE 1/4, and
the SE 1/4 of the NE 1/4, and
the E 1/4 of the SE 1/4, totaling approximately 125 acres.

This amendment is to allow the pumping of matrix from Mining Unit 13 at the Lonesome mine to the Four Corners Plant for processing. In order to do this approximately 125 acres of land is being added to the Lonesome Mine site for an access corridor. No mining of the access corridor parcel area is proposed. This access corridor parcel consists of primarily open pasture land with a crossing of the Little Manatee River at a previously disturbed agricultural crossing site. The permits required for this crossing have been obtained from FDER, COE, and SWFWMD. Hillsborough County EPC has also reviewed and approved this crossing site.

The net change to the current plans is the addition of the access corridor and the processing of the Mining Unit 13 matrix at Four Corners, rather than at the Lonesome plant.

5. Describe and indicate on a project master site plan map or other maps all individual changes previously made to the development. Please describe all changes previously made in representations contained in the Application for Development Approval (ADA) since the DRI first received approval.

On February 21, 1984, the Hillsborough County Board of Commissioners approved the amendment to the DRI DO to add 483 acres and approved the river crossings, through the process of the Substantial Deviation ADA/DRI review process. Attached is a copy of the site map from that application showing the change locations.

PROPOSED CHANGE TO LONESOME MINE DRI:

November 9, 1989

6. Describe and indicate on a project master site plan map all currently proposed changes to the development. Please describe in detail all proposed changes to the last approved plan of development, phasing, build-out date, or to the representations contained in the last approved Application for Development Approval (ADA). Additionally, supply information for appropriate portions of the chart below, indicating the proposed project changes:

Mining Operations	.	Acreage mined (year)
	.	Water Withdrawal (Gal/day)
	.	Size of Mine (Acres), including drainage, ROW, easements, etc.
	.	Site Location Changes
	.	Number of External Vehicle Trips

This change does not propose to change any of the mining plans, water withdrawal or use, drainage, ROW, easements, transportation etc. Attached is a Map showing the location of the 125 acre access corridor parcel location.

7. Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued?

There has been no change in local government jurisdiction.

8. Describe any lands purchased or optioned within one mile of the original DRI site subsequent to the original approval or issuance of the DRI development order.

There have been several parcels purchased in the area. These parcels include Sections 33, 34, 35 and portions of Section 36 in Twn. 31S, Rng. 21E, Section 4 and Portions of Sections 13, 14, 15 and 16, in Twn. 32S, Rng. 21E, Section 17 and portions of Sections 8, 9 and 18 in Twn. 32S, Rng. 22E. These parcels will be included in the upcoming Hillsborough County Mines DRI that IMCF is currently working on for ADA submission scheduled July 1, 1990.

PROPOSED CHANGE TO LONESOME MINE DRI:

November 9, 1989

9. Briefly describe whether and the extent to which:

- a. The proposed change may be inconsistent with any objectives or policies of the adopted state land development plan (or, in its absence, the adopted state comprehensive plan) applicable to the area; and
- b. The proposed change may be inconsistent with any local land development regulations or the adopted local comprehensive plan.

The proposed change is consistent with the Hillsborough County Comprehensive Plan which permits mining and related activities in the land use designation applicable to this area.

Providing local government determines that the proposed change does not require further development-of regional-impact review ...Provide the following for incorporation into an amended development order ...(per BRM-08-86).

10. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

Attached is a maps showing the revised mine site boundary.

11. Pursuant to Subsection 380.06 (f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.

The proposed change will not have any effect on the existing wording in the approved Development Order, however the legal description should be changed to include the 125 acres access corridor parcel. An additional paragraph should be added to allow the pumping to and processing of the matrix at another plant, rather than the Lonesome Plant.

tas/

LONDRIMO/7

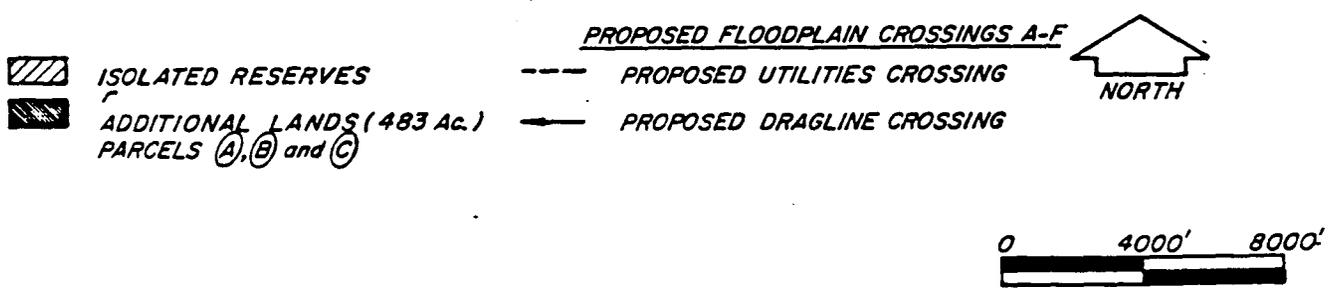
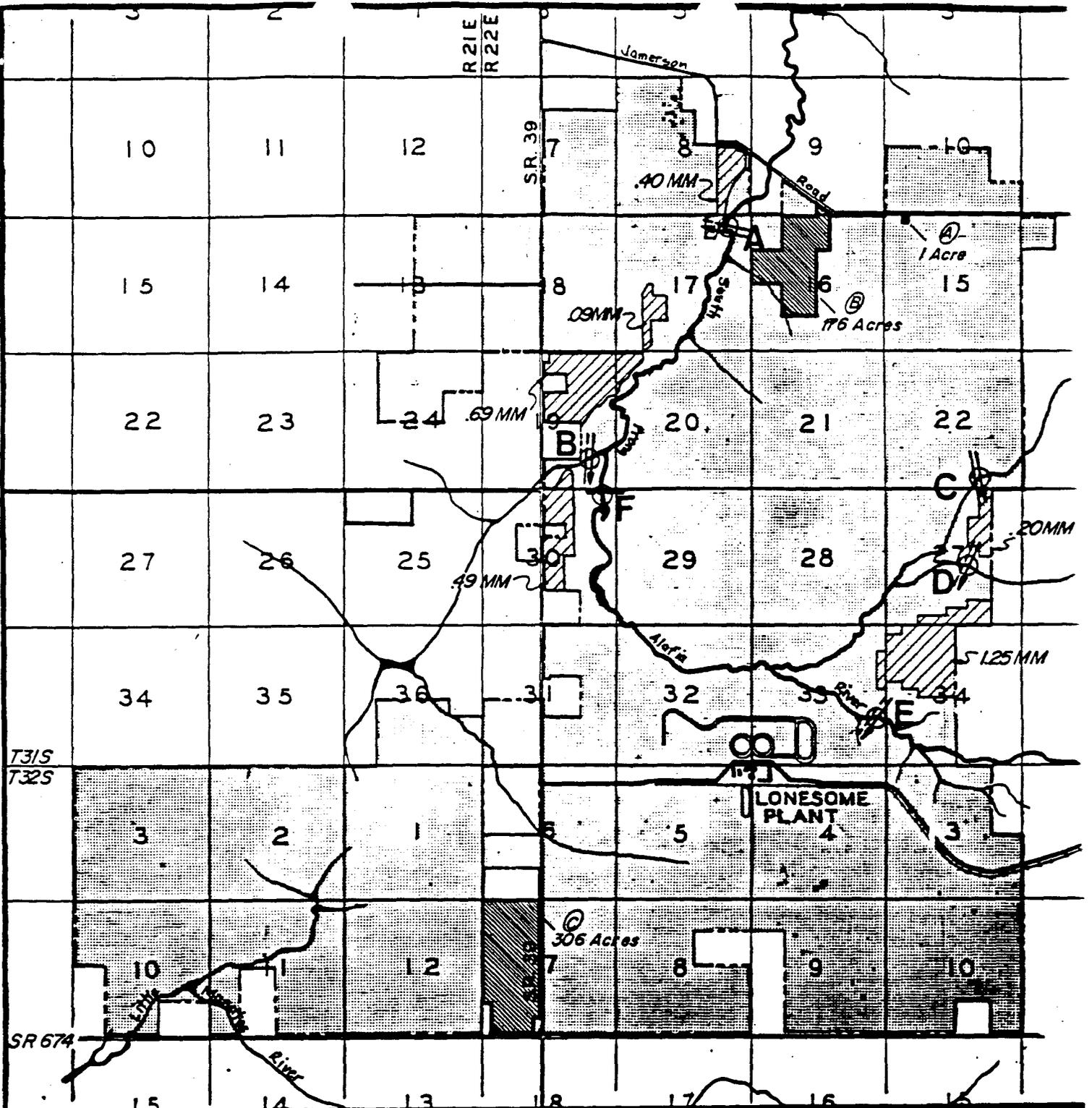
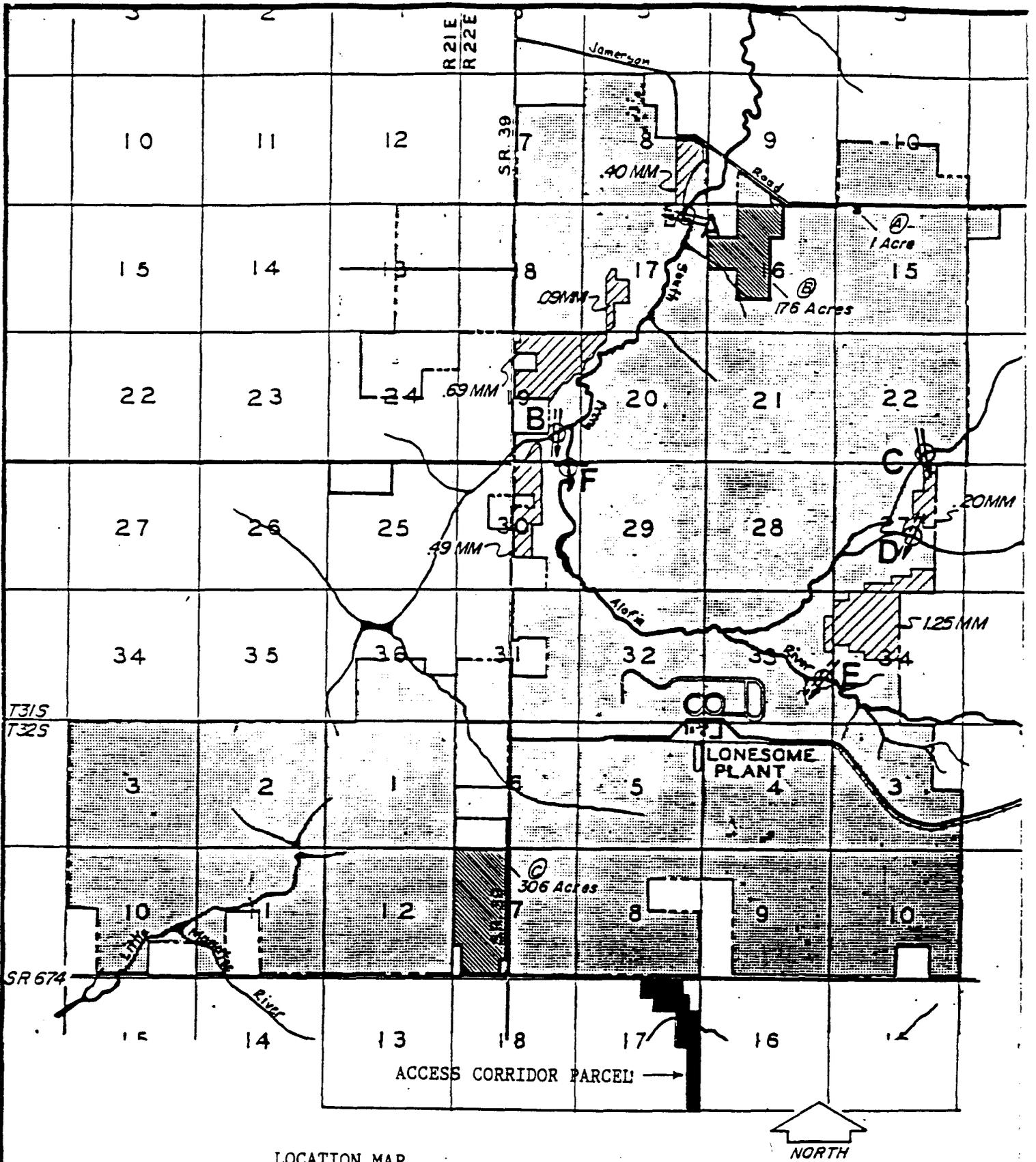


Figure A-12.2 Composite Map (Proposed Items)



LOCATION MAP

IMC Fertilizer Inc.
LONESOME MINE

Amendment to Hillsborough County Mine and Reclamation
Plan November 9, 1989

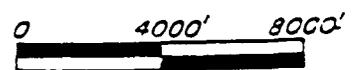


EXHIBIT B

Legal description of 125 acre parcel to be added to Lonesome Mine D.R.I.

The W 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4, and the SW 1/4 of the NE 1/4 of the NE 1/4, and the N 1/2 and SE 1/4 of the NW 1/4 of the NE 1/4, and the SE 1/4 of the NE 1/4, and the E 1/4 of the SE 1/4 of Section 17, Township 32 South, Range 22 East, Hillsborough County, Florida.

RESOLUTION FINDING NO SUBSTANTIAL
DEVIATION TO BREWSTER PHOSPHATES
DEVELOPMENT OF REGIONAL IMPACT

Upon Motion made by Commissioner JOHN PAULK, seconded by Commissioner RODNEY COLSON, the following Resolution was adopted by a 4-1 vote this 6th day of February, 1985.

WHEREAS, on March 21, 1974, the Board of County Commissioners issued Development Order #73-1 for the Brewster Phosphates Development of Regional Impact; and

WHEREAS, on August 15, 1974, the Board of County Commissioners approved the Lonesome Mine Master Mining and Reclamation Plan for Brewster Phosphates; and

WHEREAS, on November 8, 1974, Operating Permit No. 74-MINE-2 was granted to Brewster Phosphates, which incorporated the Lonesome Mine Master Mining and Reclamation Plan; and

WHEREAS, on February 21, 1984 Development Order #73-1 was amended by Resolutions 84-0024, 84-0025 and 84-0026, copies of which are attached hereto as composite Exhibit A and incorporated herein; and

WHEREAS, on November 14, 1984, Brewster Phosphates submitted an application to the Florida Department of Environmental Regulation for a Dredge and Fill Permit for a dragline crossing of an unnamed tributary of McMullen Branch; and

WHEREAS, on January 28, 1984, the A-95 Clearing House Review Committee of the Tampa Bay Regional Planning Council upon review of the above application recommended that the Board of County Commissioners make a finding as to whether or not the proposed crossing constituted a substantial deviation of the Amended Development Order for the Brewster Phosphates Development of Regional Impact; and

WHEREAS, staff of the Department of Development Coordination and the Hillsborough County Environmental Protection Commission have reviewed the proposed dragline walkpath crossing request; and

WHEREAS, the Board of County Commissioners having reviewed the request and reports from staff and agencies, declares the proposed concept of a dragline walkpath across an unnamed tributary of McMullen Branch does not constitute a substantial deviation from the terms of either Development Order 73-1 or amendments thereto,

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

1. The foregoing recitation of findings of fact is hereby incorporated into this Resolution.
2. It is the determination of the Board of County Commissioners that the construction of the proposed dragline walkpath across an unnamed tributary of McMullen Branch does not constitute a substantial deviation from Brewster Phosphates Development of Regional Impact pursuant to the terms of Florida Statutes 380.06(17).
3. Relevant conditions listed in the Development Order approved by the Board of County Commissioners on February 21, 1984 shall apply to the proposed dragline walkpath.
4. Brewster Phosphates' proposed dragline walkpath shall not exceed 175 feet in width nor encompass more than 1.51 acres within the Environmental Protection Commission's jurisdictional area.

5. Brewster Phosphates shall submit a new proposal for the restoration and revegetation of the 18.3 acre wetland of the unnamed tributary of McMullen Branch.

6. Nothing contained herein shall be construed as a waiver of or exception to any applicable land development regulations, and to the extent that further review is provided for in all relevant development orders, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review

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

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit 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 February 6, 1985, as the same appears of record in Minute Book 105 , of the Public Records of Hillsborough County, Florida.

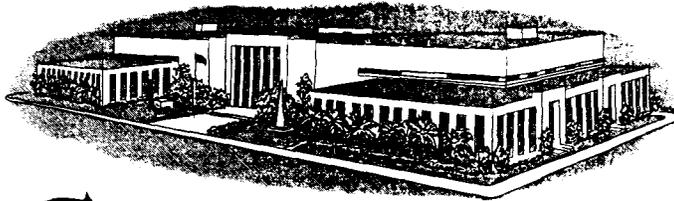
WITNESS, my hand and official seal this 19th day of March, 1985.

JAMES F. TAYLOR, JR., CLERK

BY: Edna G. Fitzpatrick
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
BY: [Signature]
Approved As To Form And
Legal Sufficiency.

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN RESPONSE REFER TO:

February 29, 1984

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

Re: Brewster Phosphates DRI/Substantial Deviation

Dear Mr. Ockunzzi:

Enclosed please find a copy of the Development Order approved by the Board of County Commissioners on February 21, 1984. 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

1 RESOLUTION CONSTITUTING BOARD OF
2 COUNTY COMMISSIONERS APPROVAL OF
3 CHANGES CONSTITUTING A SUBSTANTIAL
4 DEVIATION - DRI #85

5 WHEREAS, on March 21, 1974, the Board of County Commissioners
6 issued Development Order 73-1 for Brewster Phosphates Development
7 of Regional Impact; and,

8 WHEREAS, on August 15, 1974, the Board of County Commissioners
9 approved the Lonesome Mine Master Mining and Reclamation Plan; and,

10 WHEREAS, on November 8, 1974, Operating Permit No, 74-MINE-2 was
11 granted to Brewster Phosphates, which incorporated the Lonesome
12 Mine Master Mining and Reclamation Plan; and,

13 WHEREAS, in 1980, Brewster Phosphates proposed certain amend-
14 ments to the Master Mining and Reclamation Plan, which amendments
15 are described in the resolution attached hereto as Composite Exhibit
16 1 and incorporated herein by reference; and,

17 WHEREAS, on November 26, 1980, the Board of County Commis-
18 sioners declared that the proposed increase in acreage to be devoted
19 to settling areas created a reasonable likelihood of additional
20 adverse regional impact and therefore constituted a substantial
21 deviation, which declaration is attached hereto as Composite Exhibit
22 1; and,

23 WHEREAS, on November 26, 1980, the Board of County Commis-
24 sioners declared that the request for authorization for dragline
25 crossing of the Alafia River and specific tributaries created a
26 reasonable likelihood of additional adverse regional impact and
27 therefore constituted a substantial deviation, which declaration
28 is attached hereto as Composite Exhibit 1; and,

29 WHEREAS, on June 24, 1982, Brewster Phosphates submitted a
30 letter which:
31

APPROVED BY COUNTY ATTORNEY
BY 
Approved as To Form and
Legal Sufficiency.

- 1 a. Requested a reanalysis of the described settling
2 area determination based upon a reduction of the
3 total settling area acres proposed in the 1980
4 request and,
5 b. Proposed a new amendment to the original develop-
6 ment order requesting approval to mine portions
7 of an additional four hundred eighty three (483)
8 acres purchased by Brewster Phosphates; and,

9 WHEREAS, on October 20, 1982, the Board of County Commissioners
10 of Hillsborough County, by resolution, determined that:

- 11 a. The reduction of settling area acreage removed
12 said issue from the scope of the substantial
13 deviation review; and,
14 b. The proposal by Brewster Phosphates to mine
15 portions of an additional four hundred eighty
16 three (483) acres is subject to further review
17 pursuant to Florida Statutes 380.06; and,
18 c. The proposed river crossings found to be a sub-
19 stantial deviation by the Board of County Com-
20 missioners of Hillsborough County on November 26,
21 1980, remained a substantial deviation requiring
22 review subject to Florida Statutes 380.06,

23 which Resolution is attached hereto as Composite Exhibit 1 and in-
24 corporated herein by reference; and,

25 WHEREAS, Section 380.06, Florida Statutes requires that a sub-
26 stantial deviation undergo a process of review commensurate to that
27 required for the initial review of a development of regional impact;
28 and,

29 WHEREAS, Brewster Phosphates filed in March 1983, an application
30 with the Board of County Commissioners of Hillsborough County pur-
31 suant to Section 380.06, Florida Statutes, requesting a development
approval for the changes constituting the substantial deviation,
which application is described as "Supplement to the Development of
Regional Impact Application for Development Approval for Lonesome
Mine" and is attached hereto as Composite Exhibit A and incorporated
herein by reference; and,

WHEREAS, Brewster Phosphates filed in March 1983, an application
entitled "Amendments of the Mining and Reclamation Plan for Lonesome
Mine" with the Board of County Commissioners of Hillsborough County

1 pursuant to Hillsborough County Mining Ordinance 74-6, as amended,
2 which application requested certain amendments to the Mining and
3 Reclamation Plan which, if adopted, would be amendments to the
4 existing Operating Permit, which application is attached hereto as
5 Composite Exhibit D and incorporated herein by reference; and,

6 WHEREAS, the Board of County Commissioners is empowered pur-
7 suant to the terms of Section 380.06, Florida Statutes and Chapter
8 83-416, Laws of Florida (1983) to consider this application for a
9 substantial deviation; and,

10 WHEREAS, the public notice requirements of Section 380.06,
11 Florida Statutes and Chapter 83-416, Laws of Florida (1983) have
12 been satisfied; and,

13 WHEREAS, the Zoning Hearing Master has on January 9, 1984 and
14 January 12, 1984, held a duly noticed public hearing on said appli-
15 cation for approval of the substantial deviation and has heard and
16 considered testimony and documents received thereon; and,

17 WHEREAS, the Board of County Commissioners has on February 14,
18 1984 and February 21, 1984, held a duly noticed public hearing on
19 said application for approval of the substantial deviation and has
20 heard and considered testimony and documents received thereon; and,

21 WHEREAS, the Board of County Commissioners has received and
22 considered the report and recommendations of the Tampa Bay Regional
23 Planning Council; and,

24 WHEREAS, the Board of County Commissioners has solicited, re-
25 ceived and considered reports, comments and recommendations from
26 interested citizens, state and local agencies, and the Zoning Hear-
27 ing Master.

28 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
29 COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

30 I. FINDINGS OF FACT

31 A. Brewster Phosphates, hereinafter referred to as "Developer"

1 submitted to Hillsborough County, Florida, in March 1983 a document
2 described as "Supplement to the Development of Regional Impact
3 Application for Development Approval for Lonesome Mine", which docu-
4 ment is attached hereto as Composite Exhibit A and incorporated
5 herein by reference.

6 B. On March 21, 1974, the Board of County Commissioners
7 issued Development Order 73-1 for Brewster Phosphates Development
8 of Regional Impact, which development order is attached hereto as
9 Composite Exhibit B and incorporated herein by reference.

10 C. On November 8, 1974, the Board of County Commissioners
11 issued Operating Permit #74-MINE-2 to Brewster Phosphates, which
12 operating permit is attached hereto as Composite Exhibit C and
13 incorporated herein by reference.

14 D. The real property that is the subject of this application
15 for approval of the substantial deviation is legally described as
16 set forth in Composite Exhibits A and B.

17 E. The development described herein is not an area of criti-
18 cal state concern as designated pursuant to Section 380.05, Florida
19 Statutes.

20 F. A comprehensive review of the impact generated by the
21 proposed development described herein has been conducted by the
22 Hillsborough County Administration, the Hillsborough County Environ-
23 mental Protection Commission, the Hillsborough County City-County
24 Planning Commission, and the Tampa Bay Regional Planning Council.

25 II. CONCLUSIONS OF LAW

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

- 30 1. The phosphate mining and floodplain
31 crossing operations described herein
32 will not unreasonably interfere with
the achievement of the objectives of
the adopted State Land Development
Plan applicable to the area; and,

1 2. To the extent there is an inconsistency or conflict
2 existing between the terms and conditions contained in those docu-
3 ments described as Composite Exhibit A and those terms and condi-
4 tions contained in the documents described as Composite Exhibits B
5 and C, the terms and conditions contained in those documents de-
6 scribed as Composite Exhibit A shall control.

7 3. The terms and conditions contained in this Amended
8 Development Order shall in no way constitute a waiver of or excep-
9 tion to the terms and conditions contained in any other statute,
10 rule, regulation, resolution, ordinance or administrative order
11 affecting the phosphate mining and river crossing operations de-
12 scribed herein.

13 4. The Developer shall file an annual report in accor-
14 dance with Section 380.06(16), Florida Statutes (1981), and appro-
15 priate rules and regulations. Such report shall be due on or prior
16 to January 31st of each year hereafter until such time as all terms
17 and conditions of this Development Order are satisfied. Such report
18 shall be submitted to the County Administrator who shall after
19 appropriate review, submit it for receipt by the Board of County
20 Commissioners. The Board of County Commissioners shall review the
21 report for compliance with the terms and conditions of this Develop-
22 ment Order and may issue further orders and conditions to insure
23 compliance with the terms and conditions of this Development Order.
24 The Developer shall be notified of any Board of County Commissioners'
25 hearing wherein such report is to be reviewed. Provided, however,
26 that the receipt and review by the Board of County Commissioners
27 shall not be considered a substitute or a waiver of any terms or
28 conditions of this Development Order. This report shall contain:

29 a. The information required by the State Land Plan-
30 ning Agency to be included in the annual report, which information
31 is described in the Rules and Regulations promulgated by the State
32 Land Planning Agency pursuant to Section 380.06 and 120, Florida
33 Statutes.

1 b. A description of all development activities
2 proposed to be conducted under the terms of this Development Order
3 for the year immediately following the submittal of the annual
4 report; and,

5 c. A statement listing all applications for incre-
6 mental review required pursuant to this Development Order or other
7 applicable local regulations which the Developer proposes to submit
8 during the year immediately following submittal of the annual report
9 and,

10 d. A statement setting forth the name(s) and address
11 of any heir, assignee, or successor in interest to this Development
12 Order.

13 B. Specific Conditions Applicable to Floodplain Crossings

14 1. The walking path for the dragline crossings shall
15 not exceed one hundred seventy five feet (175') in width and the
16 length shall be as specifically referenced in the Application for
17 each crossing.

18 2. Dragline crossings at locations A and E shall be
19 scheduled so as not to exceed one crossing in the same twelve month
20 period or until reclamation is declared successful by Hillsborough
21 County whichever period is greater.

22 3. The sediment control measures referenced on pages
23 15-22 and figure H-38.1 through 38.4 of the Application shall be
24 accomplished. There shall be continuous electronic surveillance
25 of slurry pipelines and visual inspections of the pipeline crossings
26 shall occur at least every two (2) hours.

1 4. The period for all activities resulting in the physi-
2 cal alteration of pre-existing in-bank conditions at the dragline
3 crossing sites shall not exceed four days.

4 5. As referenced in Application, no permanent facilities
5 shall be constructed within the 100-year floodplain at the identi-
6 fied river crossings.

7 6. The best available technologies shall be employed to
8 reduce or eliminate backwater effects occurring as result of any
9 approved dragline walking path, utility crossing or other temporary
10 structures crossing the 25-year floodplain at the identified loca-
11 tions.

12 7. The mitigative measures referenced in the Application
13 on page 15-26 including but not limited to; the enclosed slurry
14 pipelines for each crossing, the one hour capacity emergency sump
15 for spillage in the event of an internal pipe breakage, the over-
16 flow transfer capabilities to pump spillage from the sump into the
17 recirculation system, the automated leak-detection system to alert
18 the mine operators of a potential accident, and the routine inspec-
19 tions while the crossings are in use shall be employed to prevent
20 pipeline failures, accidental discharge of matrix, slurry, sand
21 tailings or clays into the floodplain and contiguous streams.

22 8. Pipeline support structures utilized at all utility
23 crossings shall be elevated two feet above the 25-year flood level
24 in accordance with the terms contained in the Application and shall
25 utilize piers without any approach embankments. Verification that
26 the proposed piers can sustain high water flow conditions shall be
27 certified by a professional engineer, under seal, prior to construc-
28 tion.

1 9. Reclamation of the utility corridor sites shall begin
2 immediately upon cessation of mining and reclamation operations for
3 the respective mining unit served by said utility corridor. In the
4 event that the utility corridor is not utilized in the mining unit
5 reclamation process, then reclamation of the utility corridor shall
6 begin immediately upon cessation of mining operations.

7 10. a. For each utility crossing, the Developer shall
8 provide for the programmed maintenance of an established grass cover
9 during operation and for a year following deactivation to mitigate
10 sediment runoff, as referenced on page 15-24 of the Application.

11 b. Immediately upon completion of the dragline
12 crossing event and re-establishment of pre-existing grade condition,
13 the Developer shall provide a temporary grass cover to be replaced
14 by permanent revegetation of the floodplain.

15 11. Each dragline crossing shall require a Department of
16 Environmental Regulation Dredge and Fill Permit which will be re-
17 viewed in detail by the Hillsborough County Environmental Protection
18 Commission's staff at that time.

19 12. During the period of dragline crossing, the Developer
20 shall utilize those measures contained in the Application to miti-
21 gate possible erosion of sediment into the respective river and
22 tributaries.

23 13. The Developer shall submit detailed data in accordance
24 with Section 14(6) of the Hillsborough County Phosphate Mining Ordi-
25 nance when requesting approval for individual crossings. Plans for
26 river crossings should include detailed time schedules for construc-
27 tion, operation and reclamation in order to minimize the impact on
28 the Alafia River system.

29 14. A surface water quality monitoring program shall be
30 conducted by the applicant to monitor any potential impact of the
31 project on the Alafia River and its tributaries. Samples shall be
32 collected as shown in the table below:

<u>PHASE</u>	<u>PARAMETER^A</u>	<u>NO. OF SITES</u>	<u>SAMPLING FREQUENCY</u>	<u>EXPECTED DURATION OF MONITORING</u>
A. Dragline Crossing				
1. Construction & Removal	BOD ₅ , DO, T & SS	2	Daily	2 weeks
2. Early Reclamation (planting)	BOD ₅ , DO, T & SS	2	Weekly Storm Sampling	6 weeks Three consecutive storm events
3. Post-Reclamation	BOD ₅ , DO, T & SS BOD ₅ , DO, T & SS	2 2	Monthly Storm Sampling	9 months One storm event Quarterly (3)
B. Utility Crossing				
1. Construction & Removal	T & SS	2	Daily	2 weeks
2. Early Reclamation (planting)	T & SS	2	Weekly	6 weeks
3. Post-Reclamation	T & SS	2	Storm Sampling	One storm event Quarterly (3)

^AT - Turbidity: SS - Suspended Solids, BOD₅ - Biological Oxygen Demand, DO - Dissolved Oxygen

1 Samples shall be collected at the same time each day. Samples that
2 are collected weekly shall be collected on the same day each week.
3 Samples that are collected on a monthly basis, shall be collected
4 on the same date each month whenever possible. Daily rainfall data
5 from the Lonesome Mine property shall be provided to correlate
6 stream flow with concentrations of specific parameters. During
7 construction and removal for preparation of dragline crossings,
8 reports shall be submitted on a daily basis to the Hillsborough
9 County Environmental Protection Commission, Hillsborough County
10 Department of Development Coordination and to the Tampa Bay Regional
11 Planning Council. During the early reclamation phase, water quality
12 reports shall be submitted on a weekly basis to the same agencies
13 as listed above and during the post-reclamation phase, reports shall
14 be presented to the above agencies on a monthly basis. Storm
15 events as shown on the table above shall be defined as those having
16 rainfall accumulation greater than one-half inch. Samples during
17 the storm event shall be collected as soon as possible after the
18 start of rainfall. Samples shall be collected every 15 minutes
19 until one-hour after rainfall stops. During the early reclamation
20 phases of the dragline crossings, samples shall be taken during the
21 first three consecutive storm events exceeding one-half inch of
22 rainfall. During the post-reclamation phase, one storm event during
23 each of the three calendar quarters following the cessation of the
24 Early Reclamation phase shall be sampled. Each of those rainfall
25 events shall exceed the threshold of one-half inch of rain or
26 greater. Any significant degradation of water quality within the
27 South Prong of the Alafia River as determined by the Hillsborough
28 County Environmental Protection Commission shall result in a cessa-
29 tion of crossing activities until such degradation can be corrected.
30
31

1 Significant degradation shall be defined as any violation of appro-
2 priate water quality standards as set forth in the rules and regu-
3 lations of the Hillsborough County Environmental Protection Commis-
4 sion and the Florida Department of Environmental Regulation.

5 15. a. The Developer shall provide in writing
6 to the Hillsborough County Department of Development Coordination
7 and the Hillsborough County Environmental Protection Commission, a
8 five day notice of its intent to initiate construction activities
9 at all of the tributary and river crossings.

10 b. Based on the condition that Brewster must pro-
11 vide a 5-day notice of all river and tributary crossings, the
12 following criteria shall apply to the permissible timing of the
13 actual dragline crossing event. For purpose of this condition, Day
14 1 shall be defined as the Day on which the 5-day notice is given
15 to Hillsborough County. Brewster shall take the staff gage readings
16 on U.S.G.S. staff on south prong of the Alafia near Lithia at noon
17 on days 1-5. These readings shall be converted to discharge using
18 U.S.G.S. stage/discharge relationship.

19 River crossings shall be permitted when:

- 20 1. No reading on Days 1 through 5
21 exceeds 250 cfs.
- 22 2. The reading on Day 5 cannot exceed
23 reading on Day 4 by more than 10 cfs.
24 If the reading on Day 5 does exceed
25 the reading on Day 4, by more than
26 10 cfs, readings shall be taken on
consecutive days until the difference
in readings is less than 10 cfs. and
the threshold of 250 cfs. has not been
exceeded.

27 Tributary crossing shall be permitted when:

- 28 1. The reading on Day 5 cannot exceed
29 the reading on Day 4 by more than 10
30 cfs. If the reading on Day 5 does not
31 exceed the reading on Day 4 by more
than 10 cfs., readings shall be taken
on consecutive days until the difference
in readings is less than 10 cfs.

1 "Initiate of construction" shall be construed to mean
2 the placement of culverts and filling within the banks of the river
3 or tributary.

4 c. Culverts for all river and tributary crossings
5 shall be sized to accommodate in-bank flow conditions.

6 d. The Hillsborough County Environmental Protec-
7 tion Commission shall conduct unannounced water quality sampling
8 during all river and tributary crossings.

9 e. In the flood plain areas of the South Prong of
10 the Alafia River crossings, a tree survey of all trees greater than
11 4 inches dbh shall be conducted to determine speciation and diver-
12 sity. Reclamation of the floodplain area shall include planting per
13 acre 50 trees (2" - 4" dbh) and 150 trees (1 gal. size) to reflect
14 relative diversity established by the tree survey.

15 In the floodplain areas of the crossings on
16 Hurrah Creek, Boggy Branch and Gully Branch, a minimum of 200 trees/
17 acre (1 gal. size) shall be planted. Diversity of the tree species
18 shall represent speciation which existed prior to any clearing
19 activities.

20 f. Brewster shall monitor weather forecasts five
21 days prior to and during the scheduled dragline walk date to ascer-
22 tain both short and long term rainfall probabilities.

23 g. Brewster shall continue to monitor and report
24 daily rainfall from the Lonesome and Haynsworth Mine rain gauges
25 in order to evaluate antecedent moisture conditions in upland areas.

26 h. Brewster shall expedite the actual crossing
27 sequence so that the placement, compaction, dragline walking time
28 and removal of fill will occur within the shortest possible time.

1 C. Specific Conditions Relating to Mining of Newly Acquired
2 Acreage

3 1. There shall be no mining within the 25-year flood-
4 plain.

5 2. The Developers consumptive use of water shall not
6 exceed the supply under permit from the Southwest Florida Water
7 Management District (SWFWMD).

8 3. Reclamation of mined areas located within the newly
9 acquired acreage shall be completed within three (3) years after
10 the cessation of mining on the identified parcels respectively.

11 4. The Developer shall implement the surface water
12 quality monitoring program for the additional parcels, as referenced
13 in the Application. If the Developer is required by the Department
14 of Environmental Regulation to prepare a Lonesome Mine Groundwater
15 Monitoring Plan, copies of said plan shall be submitted to Hills-
16 borough County, Hillsborough County Environmental Protection Com-
17 mission and the Tampa Bay Regional Planning Council.

18 5. Any historical or archaeological resources discovered
19 shall be reported to the Florida Division of Archives, History, and
20 Records Management and disposition of resources shall then be deter-
21 mined in cooperation with the Division of Archives.

22 6. No mining shall occur in the stream that occurs in
23 the northern half of parcel B.

24 7. Reclamation plans for parcels B and C must be sub-
25 mitted to the Hillsborough County Environmental Protection Com-
26 mission for staff approval.

27 8. Parcels B and C shall be restored after mining to
28 provide for the same drainage basin areas as existed prior to
29 mining to maintain approximately the same surface and groundwater
30 runoff for each drainage basin.

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1 9. The Developer must determine the acreage of the
2 existing sand pine scrub community in parcel B and restore the area
3 acre for acre.

4 10. The littoral zone of the proposed man-made lakes
5 shall be vegetated using mulching techniques, with mulch acquired
6 from the small isolated marshes prepared for mining.

7 11. Brewster shall meet the set-back requirements of
8 Section 14(7) of the Hillsborough County Phosphate Mining Ordinance
9 and any special set-back requirements imposed by Southwest Florida
10 Water Management District under consumptive use permit #200203, which
11 was approved August 4, 1982.

12 12. All existing wells on parcels A, B, and C shall be
13 capped prior to mining activities. Evidence of said activity shall
14 be provided to the Department of Development Coordination prior to
15 the approval of the appropriate Mining Unit.

16 13. The Developer shall implement the mitigative water
17 quality measures referenced in the Application on pages 15-56 through
18 15-58 for parcels A, B, and C.

19 D. Protection of Endangered Species

20 A program to protect rare, endangered or threatened species
21 such as capture-relocation programs and/or recreation of appropriate
22 habitat shall be implemented by the Developer.

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IV. GENERAL PROVISIONS

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

B. This resolution shall constitute the Development Order of the Board of County Commissioners in response to the application for approval of the substantial deviation filed by the Developer.

C. The definitions contained in Chapter 380, Florida Statutes shall govern and apply to this Development Order.

D. This Development Order shall be binding upon the Developer and its heirs, assignees, or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

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

F. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental

1 agencies and departments set forth under applicable laws and rul
2 governing developments of regional impact.

3 G. Development activity constituting a substantial deviat
4 from the terms or conditions of this Development Order or other
5 changes to the approved development plans which create a reasona
6 likelihood of additional adverse regional impact, or any other
7 regional impact not previously reviewed by the Regional Planning
8 Council may result in Hillsborough County making a substantial d
9 viation determination pursuant to the provisions of Section 380.
10 (17), Florida Statutes and ordering a termination of such develo
11 ment activity pending review pursuant to Section 380.06(17),
12 Florida Statutes.

13 H. The County Administrator of Hillsborough County shall b
14 responsible for monitoring all terms and conditions of this Deve
15 ment Order. For purposes of this condition, the County Administ
16 tor may rely upon or utilize information supplied by any Hills-
17 borough County department or agency having particular responsibi
18 over the area or subject involved. The County Administrator sha
19 report to the Board of County Commissioners any findings of devi
20 tion from the terms and conditions of this Development Order. T
21 County Administrator shall issue a notice of such non-compliance
22 to the Developer and if the deviation is not corrected within a
23 reasonable amount of time shall recommend that the Board of Coun
24 Commissioners establish a hearing to consider such deviations.
25 Developer shall be given a notice of such hearing.

26 I. This recommended Development Order shall become effecti
27 upon adoption by the Board of County Commissioners of Hillsborou
28 County in accordance with Section 380.06, Florida Statutes.
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1 J. Upon adoption, this Development Order shall be transmitt
2 by the Ex Officio Clerk to the Board of County Commissioners, by
3 certified mail, to the State Land Planning Agency, the Tampa Bay
4 Regional Planning Council and the Developer.

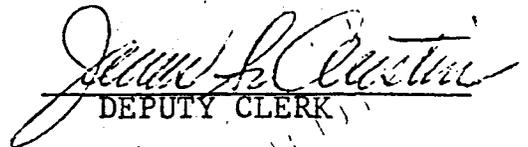
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6 STATE OF FLORIDA)
7 COUNTY OF HILLSBOROUGH)

8 I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex
9 Officio Clerk of the Board of County Commissioners of Hillsboroug
10 County, Florida, do hereby certify that the above and foregoing i
11 a true and correct copy of a development order adopted by the
12 Board of County Commissioners of Hillsborough County, Florida
13 at its regular meeting of February 21, 1984,
14 as the same appears of record in Minute Book 95 of the Public
15 Records of Hillsborough County, Florida.

16 WITNESS my hand and official seal this 29th day of February
17 1984.

18 JAMES F. TAYLOR, JR., CLERK

19
20 By:


DEPUTY CLERK

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DEVELOPMENT ORDER EXHIBITS: REFERENCE

Composite Exhibit A is the Application for Development Approval (Supplement to Development of Regional Impact Application for Lonesome Mine).

Composite Exhibit B is the development order issued to Brewster Phosphates in 1974 (Development Order 73-1).

Composite Exhibit C is the mining permit issued to Brewster Phosphates in 1974 (Mining Permit 74-MINE-2).

Composite Exhibit D is the document constituting the proposed amendments to the Mining and Reclamation Plan For Lonesome Mine.

Composite Exhibit I is a series of Resolutions adopted by the Board of County Commissioners in 1980 and 1982.