



Agenda Item Cover Sheet


Agenda Item N^o. _____

Meeting Date February 9, 2021

Consent Section

Regular Section

Public Hearing

Subject: Mosaic Fertilizer, L.L.C. Consolidated Mines, DRI 263 Spring 2020 request for a written certification of completed reclamation at the FDEP Logical Reclamation Unit IMC-FCL-PC(3)			
Department Name: Environmental Management Division			
Contact Person: Kevin Moran		Contact Phone: (813) 209-3073	
Sign-Off Approvals:			
George B. Cassady 1/29/2021		 Jan. 21, 2021	
Assistant County Administrator		Date	
Kevin Brickey 01/22/2021		Nancy Takemori 01/21/2021	
Management and Budget – Approved as to Financial Impact Accuracy		Department Director	
Date		Date	
Lucia E. Garsys 1/29/2021		County Attorney – Approved as to Legal Sufficiency	
Deputy County Administrator		Date	

01/22/2021

Staff's Recommended Board Motion:
 Approve Mosaic Fertilizer, L.L.C.'s request for a written certification of completed reclamation at the FDEP Logical Reclamation Unit IMC-FCL-PC(3). County staff has reviewed, and field verified the requested release of reclaimed mining areas and determine that Mosaic has met the minimum reclamation requirements. Certification of completed reclamation provides for documentation of Mosaic's progress in reclamation and restoration of mined lands. The County's inspection and approval of reclaimed mined lands is important to protect natural systems, water quality and wildlife habitat. No County funds are required for this item.

Financial Impact Statement:
 No County funds are required for this item.

Background:
 The Hillsborough County Land Development Code (LDC) Section 8.02.08.6.a states:
 6. Certification of Reclamation Release.
 a. When the permittee has met the standards set forth in this section for reclamation of an area, the permittee may apply to the County for a written certification of completed reclamation. Certification shall be given only for completion of contiguous reclamation area based on reclamation type (e.g. upland, herbaceous wetland, forested wetland) and after the permittee has demonstrated that viable native and/or agricultural vegetative cover has been attained at the approved densities.

The attached Reclamation Request has been reviewed by the Environmental Management Division and has been found to constitute satisfactory evidence of Mosaic meeting the minimum reclamation requirements at the FDEP Logical Reclamation Unit IMC-FCL-PC(3) and the Environmental Management Division has provided written certification to the permittee that this Hillsborough County Consolidated Mines reclamation release request has been tentatively approved, in accordance with the requirements of the LDC.

List Attachments: Mosaic Fertilizer, LLC, DRI-263 Hillsborough County Request for Reclamation Acreage Release



PUBLIC UTILITIES

PO Box 1110 Tampa, FL 33601-1110

**BOARD OF COUNTY
COMMISSIONERS**

Ken Hagan
Pat Kemp
Lesley "Les" Miller, Jr.
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Kimberly Overman
Mariella Smith
Stacy R. White

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Bonnie M. Wise

COUNTY ATTORNEY

Christine M. Beck

INTERNAL AUDITOR

Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR
DEVELOPMENT & INFRASTRUCTURE**

Lucia E. Garsys

MEMORANDUM TO FILE

TO: Hillsborough County Phosphate File

THROUGH: Jeffrey Greenwell, P.E., Section Manager
Environmental Services, Public Utilities Department

FROM: John Michael Stevenson, P.G., Senior Hydrogeologist

DATE: November 13, 2020

SUBJECT: June 11, 2020 DRI #263 Restoration Reclamation Release Request Staff Assessment

In accordance with Hillsborough County Land Development Code (LDC) Section 8.02.08.6.a, a permittee may apply for certification of completion of restoration when the standards in the above referenced section have been met, as well as the requirements of the reclamation manual. Certification shall be given only for completion of contiguous reclamation area based on reclamation type (e.g. upland, herbaceous wetland, forested wetland) and after the permittee has demonstrated that viable native and/or agricultural vegetative cover has been attained at the approved densities.

On June 11, 2020, Mosaic formally requested the release of 681.8 acres of mine land at Four Corners – DRI 263. Areas requested for release are listed in Table 1 below. The release total includes 571.7 acres of uplands and 110.1 acres of wetlands (7.4 acres of forested wetlands, 102.7 acres of herbaceous wetlands).

Areas Requested:

LRUID	MUID	Uplands	Forested Wetlands	Herbaceous Wetlands	Grand Total
IMC-FCL- PC(3)	MU 13A	25.5	NA	0.5	26.0
	MU 8	452.5	6.8	94.6	553.9
	MU 8a	93.7	0.6	7.6	101.9
Grand Total		571.7	7.4	102.7	681.8

Subject: June 11, 2020 DRI #263 Restoration Reclamation Release Request Staff Assessment

Date: November 13, 2020

Staff reviewed the above referenced areas for the following:

- Confirmation of release by the Florida Department of Environmental Protection;
- Confirmation of release by the Hillsborough County Environmental Protection Commission; and
- A site inspection for any outstanding issues.

The review found that the above referenced areas have been released in their entirety by both the Florida Department of Environmental Protection and the Hillsborough County Environmental Protection Commission. In addition, the site inspection performed on August 7, 2020 found no outstanding issues. Therefore, the staff found that Mosaic met the minimum reclamation requirements in the above referenced areas and has provided written confirmation to Mosaic that the above referenced areas have met the reclamation requirements and shall be released upon BOCC approval.

RECOMMENDATION

Staff recommends that the Board of County Commissioners (BOCC) approve Mosaic Fertilizer, L.L.C.'s request for a written certification of completed reclamation as provided above



June 11, 2020

Mr. Mike Stevenson, P.G.
 Senior Hydrologist
 Hillsborough County Public Utilities Department
 601 E Kennedy Blvd.
 Tampa, Florida 33601

Re: Mosaic Fertilizer, LLC, DRI 263 - Hillsborough County Request for Reclamation Mining Unit Acreage Release-s

Dear Mr. Stevenson,

Mosaic is formally requesting the release of 681.8 acres of mine land at Four Corners – DRI 263. Areas requested for release are listed in **Table 1** below. The release total includes 571.7 acres of uplands and 110.1 acres of wetlands (7.4 acres of forested wetlands, 102.7 acres of herbaceous wetlands).

Table 1
Areas Requested for Release

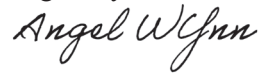
STATUS	LRUID	MUID	Uplands	Wetlands (F)	Wetlands (H)	Grand Total
Areas Requested	IMC-FCL-PC(3)	MU 13A	25.5		0.5	26.0
		MU 8	452.5	6.8	94.6	553.9
		MU 8a	93.7	0.6	7.6	101.9
Grand Total			571.7	7.4	102.7	681.8

All reclaimed areas have been released from FDEP and certificates of completion have been issued by EPCHC for required mitigation. FDEP does not “release” preservation and/or non-disturbed/non-mandatory areas, which are often located within Mining Unit (MU) boundaries, and as such, acreage associated with those areas are not identified in the FDEP release letters. Also attached are maps showing the locations of the requested areas (by FDEP reclamation parcel and mining unit, Maps A and B), post reclamation land use and acreage. Maps depicting prior releases by Hillsborough County are also included. Shapefiles for the requested area, previously released and pending release areas are also being provided to Hillsborough County electronically. Release letters, certificates of completion and associated mapping from FDEP and EPC are included for your reference. Note for FCL-PC(3) there is a 99-acre TLU (temporary land use) associated with the Four Corners (FCO) corridor that is not released and a portion of the released DEP areas that is a dragline corridor that is not being requested for release. These areas are part of a well-defined linear area and are not being requested for release from the County as it is a long term operational corridor.

Per the County’s email on April 14, 2020, Kingsford MU V the Non-Mandatory K-2 Clay Settling Area, has been identified as no approval required as it was never formerly approved as a MU.

Please contact me if you have any questions or need additional information.

Sincerely,
Angel Wynn



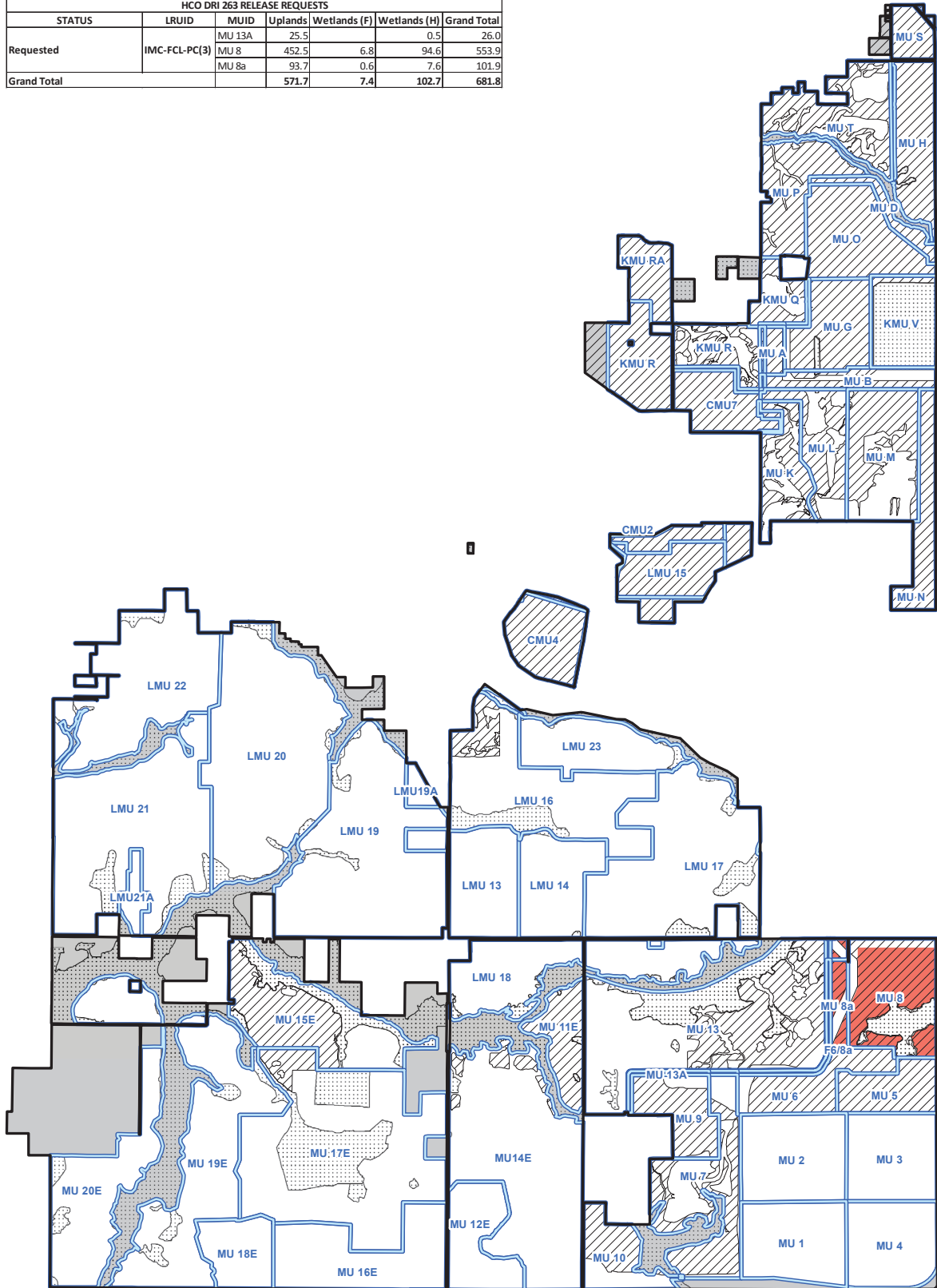
Permitting Specialist

Enclosures: (4) Maps, Associated Release Letters (EPCHC & FDEP), GIS shapefiles provided electronically

Cc: Jeff Greenwell - Hillsborough County (via email)
James Boncz - Hillsborough County (via email)
Jon Faletto - Mosaic (via email)
Russell Schweiss - Mosaic (via email)
Laura Morris - Mosaic (via email)
Gary Blitch - Mosaic (via email)
Lisa Lannon - Mosaic (via email)
Keith Hancock - Mosaic (via email)
Chuck Pons - Mosaic (via email)
Eric Michel - Mosaic (via email)
Bill Brammell - Mosaic (via email)
Sandy Adams - Mosaic (via email)

Maps

HCO DRI 263 RELEASE REQUESTS						
STATUS	LRUID	MUID	Uplands	Wetlands (F)	Wetlands (H)	Grand Total
Requested	IMC-FCL-PC(3)	MU 13A	25.5		0.5	26.0
		MU 8	452.5	6.8	94.6	553.9
		MU 8a	93.7	0.6	7.6	101.9
Grand Total			571.7	7.4	102.7	681.8



- Legend**
- DRI 263 Boundary
 - Mining Unit Boundaries DRI 263
 - Areas Released by FDEP
 - NM / ND Programs
 - Requested
 - Outside of Mining Unit Boundaries



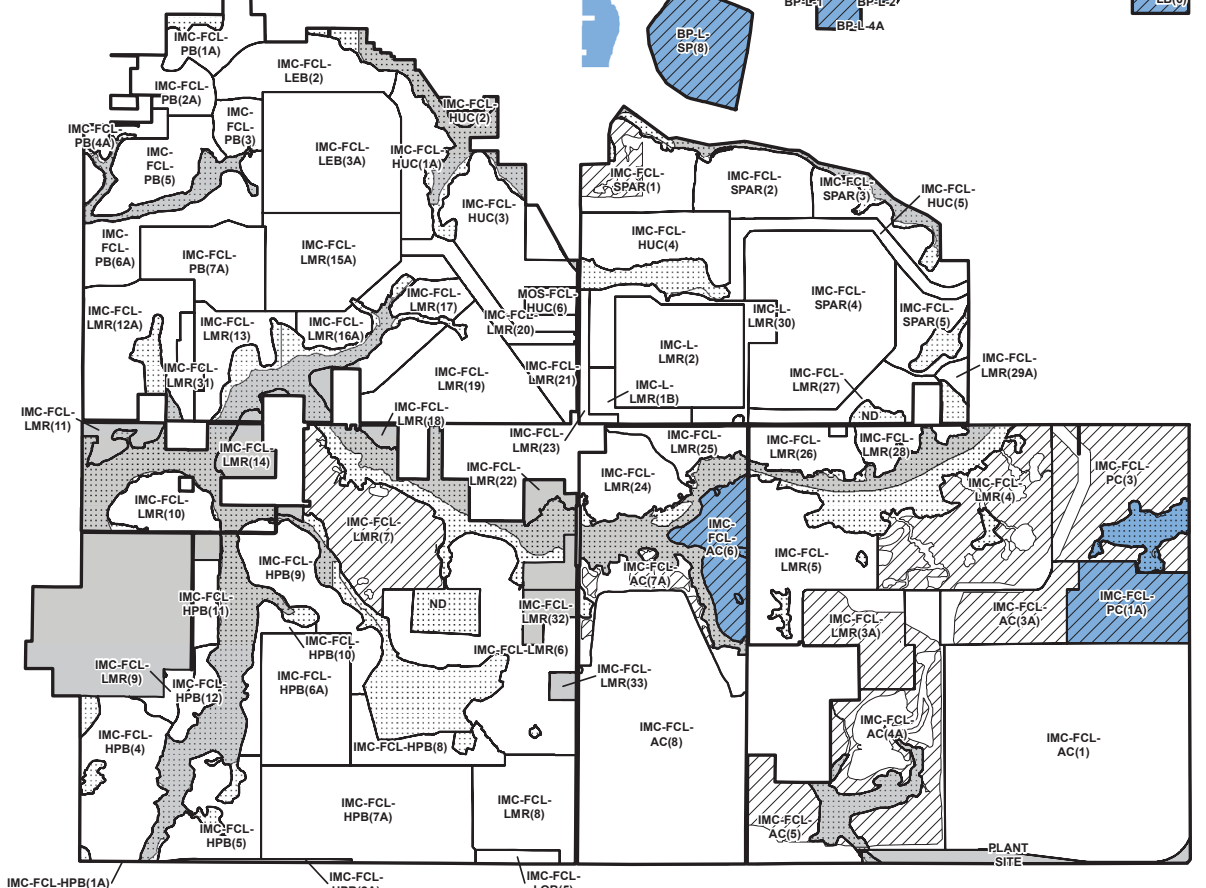
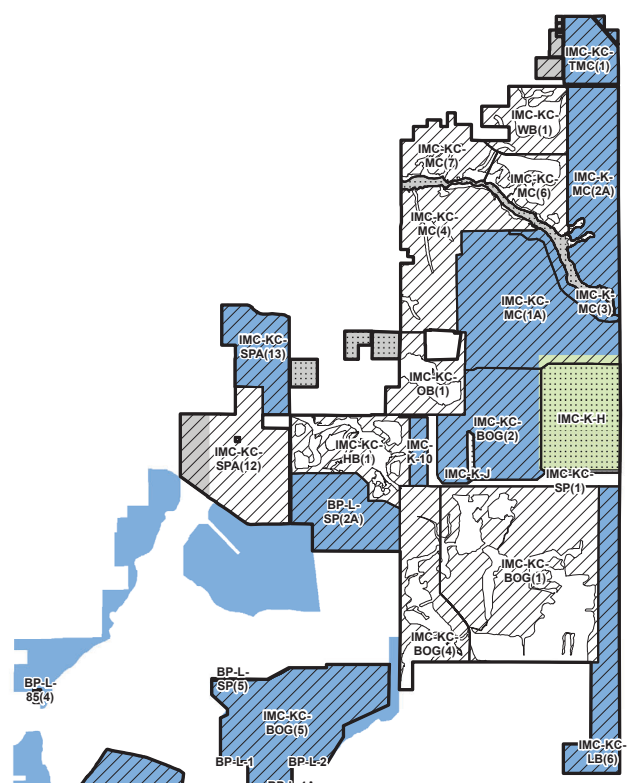
Map B
HCO DRI 263 Release Requests
Mining Unit Boundaries
May 2020



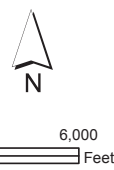
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Feet

User: kbritt Date: 5/21/2020
C:\g_drive\projects\2019\2019_0139\2020 Request
Submittals\DRI 263\maps\DRI 263 Release Requests
Map B.mxd

BOUNDARY	STATUS	HCO DRI 263 RELEASES					
		LRUD	MUC	Uplands	Waters	Wetlands	Gravel
DRI 263	No Approval Needed	IMC-KC-BOG(1)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(2)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(3)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(4)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(5)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(6)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(7)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(8)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(9)	EMU V	15.5	0.0	0.0	15.5
		IMC-KC-BOG(10)	EMU V	15.5	0.0	0.0	15.5
No Approval Needed Total			158.5	0.0	0.0	158.5	
Released by Hillsborough County	Released by Hillsborough County	BP-L-SP(1)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(2)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(3)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(4)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(5)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(6)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(7)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(8)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(9)	EMU V	0.1	0.0	0.0	0.1
		BP-L-SP(10)	EMU V	0.1	0.0	0.0	0.1
Released by Hillsborough County Total			1.0	0.0	0.0	1.0	
No Approval Needed	No Approval Needed	IMC-FCL-AC(1)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(2)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(3)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(4)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(5)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(6)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(7)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(8)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(9)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(10)	EMU V	0.1	0.0	0.0	0.1
No Approval Needed Total			1.0	0.0	0.0	1.0	
Released by Hillsborough County	Released by Hillsborough County	IMC-FCL-AC(11)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(12)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(13)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(14)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(15)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(16)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(17)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(18)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(19)	EMU V	0.1	0.0	0.0	0.1
		IMC-FCL-AC(20)	EMU V	0.1	0.0	0.0	0.1
Released by Hillsborough County Total			2.0	0.0	0.0	2.0	
DRI 263 Total			160.5	0.0	0.0	160.5	
DRI 263 Total			160.5	0.0	0.0	160.5	



- Legend**
- DRI 263 Boundary
 - LRU Boundaries
 - Areas Released by FDEP
 - NM / ND Programs
 - No Approval Needed
 - Released by Hillsborough County
 - Outside of Mining Unit Boundaries



Mosaic
 Map A
 Existing / Pending
 HCO DRI 263 Releases
 LRU Boundaries
 May 2020

EPCHC and FDEP Release Letters



Florida Department of Environmental Protection

Bureau of Mine Reclamation
2051 East Paul Dirac Drive
Tallahassee, Florida 32310-3760

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

May 8, 2008

Mr. Thomas E. Myers, III
Assistant Vice President, Mining
Mosaic Fertilizer, L.L.C.
Post Office Box 2000
Mulberry, Florida 33860-1100

Dear Mr. Myers:

**RE: Reclamation Release of MOS-FCL-PC(3), Wetlands Only
Four Corners/Lonesome Mine**

On December 8, 1994, the Florida Department of Environmental Protection (Department), received a Notice to Initiate a Major Disturbance for reclamation and restoration program MOS-FCL-PC(3) (formerly IMC-FCL-PC(3)), filed by IMC Agrico Company (now Mosaic Fertilizer, LLC), pursuant to Chapter 211, Part II, Florida Statutes (F.S.), Chapter 378 F.S., and Chapter 62C-16, Florida Administrative Code (F.A.C.). The current conceptual plan, MOS-FCL-CPT, lists the post-reclamation land use for this 1037-acre program as approximately 388.8 acres of cropland and pastureland, 211.5 acres of shrub and brushland, 114.8 acres of upland coniferous forest, 41.5 acres of upland hardwood forest, 10 acres of tree plantation, 4.7 acres of streams and waterways, 77.3 acres of hardwood forested wetland, and 188.4 acres of herbaceous wetlands. In this parcel 857 acres have been disturbed and reclaimed, including 582 acres of non-forested uplands, 165 acres of forested uplands, seven (7) acres of hardwood forested wetland, and 103 acres of herbaceous wetlands; the remaining 180 acres are undisturbed by mining. Mosaic Fertilizer, LLC now seeks release of the wetlands in reclamation program MOS-FCL-PC(3) from further obligation to perform under Chapter 378, F.S. and Chapter 62C-16, F.A.C. In addition to obligations under Chapter 62C-16, F.A.C., three (3) of these wetlands serve as permit mitigation under FDEP permit # 0035468-001 and are subject to responsibilities or obligations under the provisions of Chapters 373 and 403, F.S., and permit # 0035468-001 (see attached permit drawing).

The 271 acres of wetlands recommended for release consist of seven (7) acres of reclaimed wetland hardwood forest and 103 acres of reclaimed herbaceous wetlands; the undisturbed wetlands recommended for release include approximately five (5) acres

W
7
1037
70
86
266

of streams and waterways, 70 acres of wetland forest and 86 acres of herbaceous wetlands (see attached land use map). The wetlands are located in Sections 13, 14, 23, and 24, Township 32 South, Range 22 East in Hillsborough County, Florida. The program lies within the Payne Creek watershed, which is a tributary to the Peace River, Class III waters.

The site has been inspected approximately every three (3) months since construction. On February 6, 2008, this program was inspected for release. The inspection revealed that the reclamation and restoration activities of the wetlands in this parcel had been completed satisfactorily and the wetlands could be recommended for release. Department staff are of the opinion that the wetlands in this program, as completed, comply with the requirements of Chapter 211, Part II, Chapter 378, Part III, F.S., and Chapter 62C-16, F.A.C., and the approved program. Certain areas within the uplands in the parcel have recently been replanted with trees which have not yet met the one-year establishment period; also, some debris removal and cogon grass control is needed before the uplands can be considered for release.

Based upon the foregoing findings, the Department hereby releases the wetlands located in reclamation and restoration parcel MOS-FCL-PC(3) from further obligation to perform under Chapter 211, Part II, Chapter 378, Part III, F.S. and Chapter 62C-16, F.A.C. If the land in this program area is again mined or disturbed as part of mining operations, the mined or disturbed areas shall again be subject to the provisions of Chapter 378, F.S., and a new reclamation and restoration plan must be approved by the department. **There are remaining wetland mitigation responsibilities or obligations under the provisions of Chapters 373 and 403, F.S., FDEP Permit # 0035468-001 for three of these wetlands (2.6 acres of forested wetland and 13.2 acres of herbaceous wetland; 15.8 acres total). There are remaining reclamation obligations under Chapter 62C-16, F.A.C. for 766 acres of uplands in this parcel.**

This release does not warrant the suitability of subject lands for any current or proposed land use and does not constitute a statement or admission concerning ownership of any interest in the subject lands.

NOTICE OF RIGHTS OF SUBSTANTIALLY AFFECTED PERSONS

This determination is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative

hearing process is designed to re-determine final agency action on the application, the filing of a petition for an administrative hearing or initiation of mediation may result in granting the application.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4), F.A.C, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it on a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding in accordance with the procedures and requirements set forth below. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, F.A.C.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), F.A.C, petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under subsection 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under subsection 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under

sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) the name and address of each agency affected and each agency's file or identification number, if known;
- (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) a statement of when and how the petitioner received notice of the agency decision;
- (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, F.A.C.

Under paragraphs 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This determination constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68, F.S.,

Mr. Thomas Myers
Reclamation Release MOS-FCL-PC(3) Wetlands Only
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by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of paragraph 373.114(1)(a) or section 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under subsection 373.114(1) or section 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Please consider this document as final agency action on this release request. Should you require clarification or have any questions regarding this matter, please call Ms. Jessica Duke or me at (850) 488-8217.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



John A. Coates, P.E., Chief
Bureau of Mine Reclamation
2051 East Dirac Drive
Tallahassee, Florida 32310

Copies furnished to via e-mail: Hillsborough County Reclamation 2008

Chris Becker - DEP - Chris.Becker@dep.state.fl.us

Chuck Schnepel - USACE - Charles.A.Schnepel@saj02.usace.army.mil

Dawn Hart - EPCHC - hart@epchc.org

Dee M. Allen - Mosaic - deedra.Allen@mosaicco.com

Graham Williams - DEP - graham.e.williams@dep.state.fl.us

Gregory Hitz - Lampl Herbert Consultants - gmhitz@lampl-herbert.com

Helen King - Concerned Citizen - thekingsom@gmail.com

Jeff Dodson - Mosaic - jeff.dodson@mosaicco.com

John Ryan - Sarasota County - jryan@scgov.net

Mr. Thomas Myers
Reclamation Release MOS-FCL-PC(3) Wetlands Only
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Linda Foy - de la Parte & Gilbert - lfoy@dgfirm.com
Mark E. Peterson - USACE - mark.e.peterson@usace.army.mil
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Mary Ann Poole - FWCC - MaryAnn.Poole@MyFWC.com
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Mike Stevenson - Hillsborough County - stevensonjm@hillsboroughcounty.org
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Tim King - FWCC - Timothy.King@MyFWC.com
Tom Myers - Mosaic - Tom.Myers@mosaicco.com
Traci Wallace - FWCC - traci.wallace@MyFWC.com
Bureau of Mine Reclamation File

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this **Reclamation Release for MOS-FCL-PC(3)**, including all copies, was mailed before the close of business on May 8, 2008, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to subsection 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk Thais J. Pauls Date 5/8/08



Florida Department of Environmental Protection

Bureau of Mining and Minerals Regulation
2051 East Paul Dirac Drive
Tallahassee, Florida 32310-3760

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 29, 2009

Mr. Thomas E. Myers, III
Assistant Vice President, Mining
Mosaic Fertilizer, L.L.C.
Post Office Box 2000
Mulberry, Florida 33860-1100

Dear Mr. Myers:

**RE: Reclamation Release of MOS-FCL-PC(3), Uplands (except 99-acre TLU area)
Four Corners/Lonesome Mine**

On December 8, 1994, the Florida Department of Environmental Protection (Department) received a Notice to Initiate a Major Disturbance for reclamation and restoration parcel MOS-FCL-PC(3) (formerly IMC-FCL-PC(3)), filed by IMC Agrico Company (now Mosaic Fertilizer, LLC), pursuant to Chapter 211, Part II and Chapter 378 Florida Statutes (F.S.), and Chapter 62C-16 Florida Administrative Code (F.A.C.). In the current conceptual plan, MOS-FCL-CPG, the post-reclamation land use for this 1,037-acre parcel as approximately 389 acres of pastureland, 211 acres of shrub and brushland, 115 acres of upland coniferous forest, 42 acres of hardwood-conifer mixed upland forest, 10 acres of tree plantation, 5 acres of streams and waterways, 77 acres of hardwood forested wetland, and 188 acres of herbaceous wetlands. The wetlands in MOS-FCL-PC(3) were released on May 8, 2008. Mosaic Fertilizer, LLC (Mosaic) now seeks release of the uplands (with the exception of 99 acres of uplands which remain in a temporary land use (TLU) as a long-term mine access corridor) in reclamation parcel MOS-FCL-PC(3) from further obligation to perform under Chapter 378, F.S. and Chapter 62C-16, F.A.C.

The 668 acres of reclaimed uplands recommended for release consist of approximately 299 acres of pastureland, 211 acres of shrub and brushland, 115 acres of upland coniferous forest, 33 acres of hardwood-conifer mixed upland forest, and 10 acres of tree plantation (see attached land use map). The 99-acre TLU which is not recommended for release at this time consist of approximately 90 acres of pastureland

and 9 acres of hardwood-conifer mixed upland forest. The parcel is located in Sections 13 and 24, Township 32 South, Range 22 East in Hillsborough County, Florida. The parcel lies within the Payne Creek watershed, which is a tributary to the Peace River, Class III waters.

The site has been inspected approximately every three months since construction. On December 18, 2008, this program was inspected for release. The inspection revealed that the reclamation and restoration activities of the uplands in this parcel had been completed satisfactorily and the uplands could be recommended for release. Department staff are of the opinion that the uplands in this parcel, as completed, comply with the requirements of Chapter 211, Part II, Chapter 378, Part III F.S., and Chapter 62C-16, F.A.C., and the approved plan.

Based upon the foregoing findings, the Department of Environmental Protection hereby releases the uplands located in reclamation and restoration parcel IMC-FCL-PC(3) (with the exception of 99 acres of uplands which remain in a temporary land use (TLU) as a long-term mine access corridor) from further obligation to perform under Chapter 211, Part II, Chapter 378, Part III, F.S. and Chapter 62C-16, F.A.C. If the land in this program area is again mined or disturbed as part of mining operations, the mined or disturbed areas shall again be subject to the provisions of Chapter 378, F.S., and a new reclamation and restoration plan must be approved by the department. **There are remaining reclamation obligations under Chapter 62C-16, F.A.C. for 99 acres of uplands in this parcel which are in a temporary land use. There are also remaining wetland mitigation responsibilities and obligations under the provisions of Chapters 373 and 403, F.S. and FDEP permit # 0035468-001 for the wetlands located in this parcel.**

This release does not warrant the suitability of subject lands for any current or proposed land use and does not constitute a statement or admission concerning ownership of any interest in the subject lands.

Please consider this document as final agency action on this release request. Should you require clarification or have any questions regarding this matter, please call Ms. Jessica Duke or me at (850) 488-8217.

RIGHTS OF AFFECTED PARTIES

This reclamation release is hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this permit issuance automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the

Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for an extension shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, F.A.C.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under subsection 120.60(3), F.S., must be filed within 21 days of publication of the notice or 21 days of receipt of the written notice, whichever occurs first. Under subsection 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of

that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- a. the name and address of each agency affected and each agency's file or identification number, if known;
- b. the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- c. a statement of when and how the petitioner received notice of the agency decision;
- d. a statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e. a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- f. a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g. a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, F.A.C.

Under paragraphs 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This reclamation release constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department. The applicant, or any party within the meaning of paragraph 373.114(1)(a) or section 373.4275, F.S., may also seek appellate review of the order before the Land and Water Adjudicatory Commission under subsection 373.114(1) or section 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Sincerely,



John A. Coates, P.E., Chief
Bureau of Mining and Minerals Regulation
2051 East Dirac Drive
Tallahassee, Florida 32310
Tel: (850) 488-8217
Fax: (850) 488-1254

Copies furnished via e-mail to: Hillsborough County Reclamation 2009

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Chris Becker - DEP - Chris.Becker@dep.state.fl.us
Chuck Schnepel - USACE - Charles.A.Schnepel@saj02.usace.army.mil
Dawn Hart - EPCHC - hart@epchc.org
Dee M. Allen - Mosaic - deedra.Allen@mosaicco.com
Frank Kirkland - Concerned Citizen - fmcycle@embarqmail.com
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Norma Killebrew - R=Water - tiff313@aol.com
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Tim King - FWCC - Timothy.King@MyFWC.com
Timothy Riley - Hopping Green & Sams - timothy@hgslaw.com
Tom Myers - Mosaic - Tom.Myers@mosaicco.com
Traci Wallace - FWCC - traci.wallace@MyFWC.com
Tunis McElwain - USACE - tunis.w.mcelwain@usace.army.mil
Bureau of Mining and Minerals Regulation File



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Wetlands Management Scott Emery, Ph.D.

Wetland A - 641 - 34.0 ac
Wetland B - 641 - 52.0 ac

86 ac

November 18, 2013

Ms. Laura Morris
Mosaic Phosphates Company
13830 Circa Crossing Drive
Lithia, Florida 33547

**SUBJECT: CERTIFICATE OF COMPLETION FOR FOUR CORNERS MINING UNIT 8
WETLAND MITIGATION AREAS A & B / PACTS # 1142 / FOUR
CORNERS\LONESOME MINE / LOCATED IN FOLIO #0943400000 /
SECTION 13, TOWNSHIP 32S, RANGE 22E**

Dear Ms. Morris:

The staff of the Wetlands Management Division of the Environmental Protection Commission (EPC) have completed the site inspection and review of files for the purpose of determining if the subject mitigation area has met the success criteria as outlined in the approved mitigation plans. It has been determined that the mitigation has been satisfactorily completed. Therefore, EPC staff release this wetland from further monitoring and maintenance requirements.

Please note that a release of a mitigation area from monitoring requirements does not constitute a recommendation to any agency regarding release of the Mining Unit and/or Reclamation parcel. Such a recommendation would be made directly to the appropriate agency and would be made only after all wetland mitigation areas within the parcel are released from monitoring and maintenance requirements.

Informational Comments:

- Any activity interfering with the integrity of wetland(s), such as clearing, excavating, draining, or filling, without written authorization from the Executive Director of the EPC or his authorized agent, pursuant to Section 1-11.07, Rules of the Commission, would be a violation of Section 17 of the Environmental Protection Act of Hillsborough County, Chapter 84-446, and of Chapter 1-11, Rules of the EPC.
- All efforts must be undertaken to prevent any erosion or turbid water from being discharged off site, into the wetlands and/or waters of the County. Turbid discharges that exceed 29 NTU's (Nephelometric Turbidity Units) above background levels are a violation pursuant to Chapter 1-5, Water Quality Rule. Hay bales, silt screens or other EPC approved methods of erosion/turbidity control may be required.
- A 30-foot setback must be maintained around the Wetland Conservation Area, with no

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Laura Morris, Mosaic Phosphates Company
Certificate of Completion, MU 8 Wetland Mitigation Areas A and B
November 18, 2013
Page 2

land alteration therein. Land alterations within this setback are restricted, as per the Hillsborough County Land Development Code (LDC). Exceptions are allowed only with specific recommendation of the EPC and with approval of the Natural Resources Review Team of the Hillsborough County Planning and Development Management Department, and/or the Land Use Hearing Officer.

If you have any questions or need further assistance, please feel free to call me at (813) 627-2600 ext. 1334.

Sincerely,



Joel Penn
Environmental Scientist II
Wetlands Management Division
Environmental Protection Commission
of Hillsborough County

jp/dmh/ss



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Wetlands Management Kelly Bishop, P.G.

January 11, 2016

Ms. Lisa Lannon
Mosaic Fertilizer, LLC
13830 Circa Crossing Drive
Lithia, FL 33547

**SUBJECT: FOUR CORNERS MU 8 / WETLANDS C, D, E, MITIGATION AREAS
CERTIFICATE OF COMPLETION**

Dear Ms. Lannon

The staff of the Environmental Protection Commission of Hillsborough County (EPC) performed a site inspection of the subject mitigation areas on November 16, 2015, and has reviewed the files for the subject wetland mitigation project. It has been determined that the required mitigation actions have been satisfactorily completed for the subject mitigation areas. Therefore, EPC is closing its mitigation monitoring file for these specific areas.

If you have any questions or need further assistance, please call me at (813) 627-2600 Ext. 1219 or email: thompson@epchc.org.

Sincerely,

Michael S. Thompson
General Manager II
Wetlands Management Division

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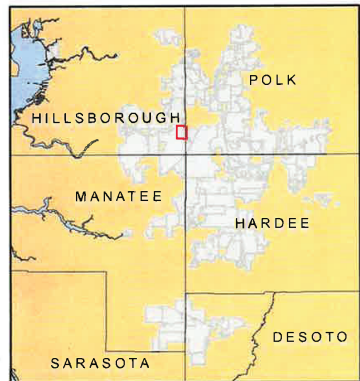


Release Request EPC Hills. Co. MU-8/8A #594.07P

Requested For Release	
DOT3	Acres
610	4.9
641	2.9
Grand Total	7.7





Location Key



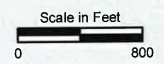
Legend

- GPS Coordinates
- Roads
- Area Not Requested For Release
- Mining Unit 10 Boundary
- Mosaic Holdings
- Section Lines
- 600 - Wetland





Scale in Feet



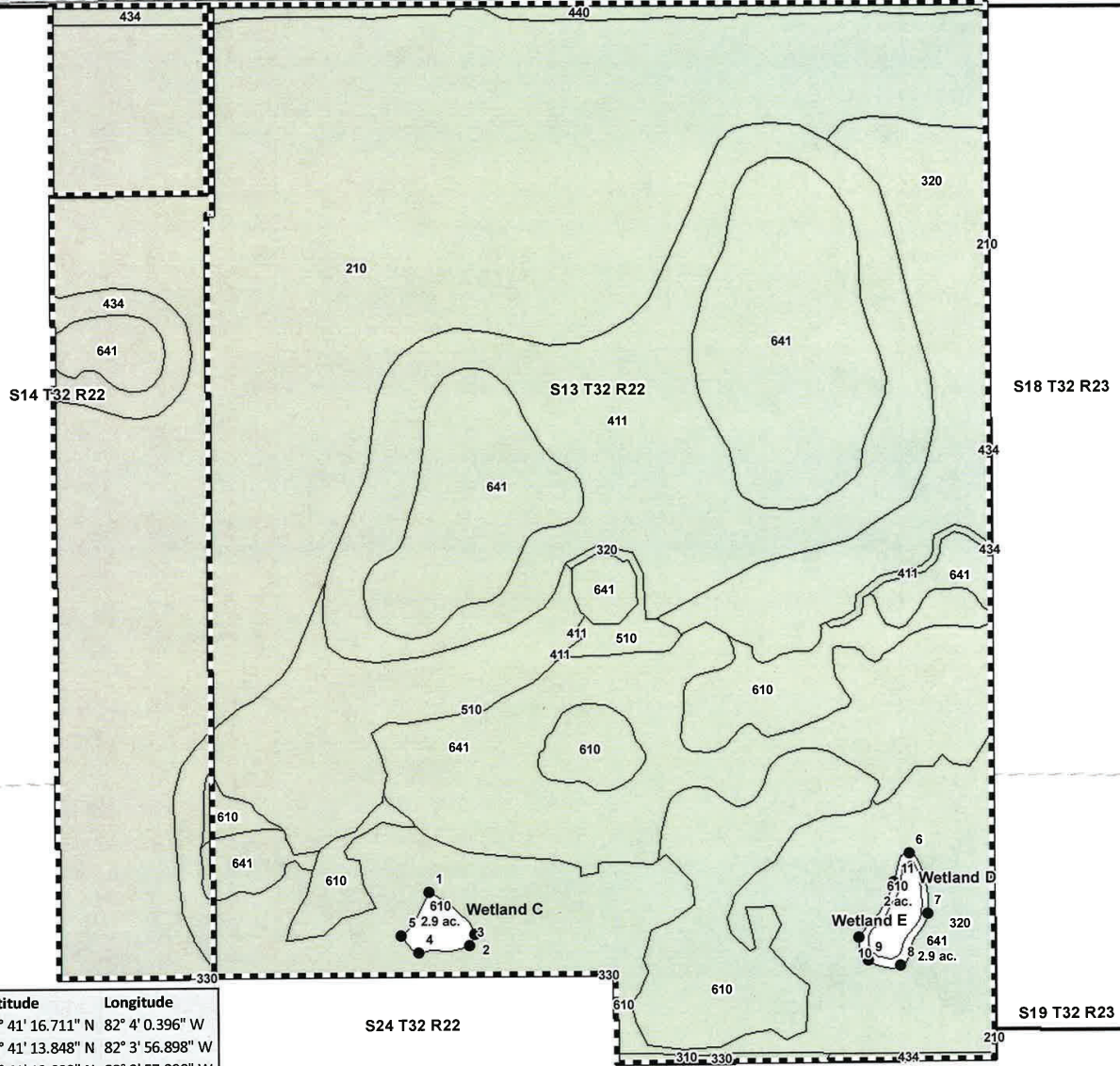
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Release Request EPC Hills. Co. MU-8/8A #594.07P

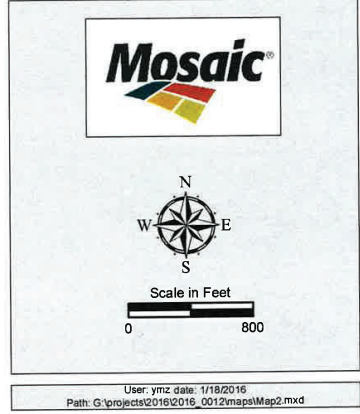
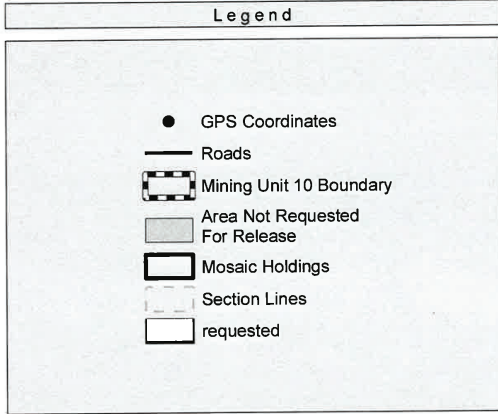
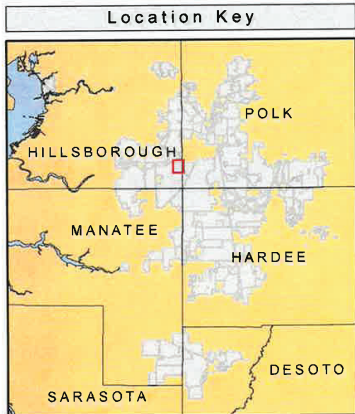
S11 T32 R22

S12 T32 R22

Requested For Release	
DOT3	Acres
610	4.9
641	2.9
Grand Total	7.7



PointID	Latitude	Longitude
1	27° 41' 16.711" N	82° 4' 0.396" W
2	27° 41' 13.848" N	82° 3' 56.898" W
3	27° 41' 13.092" N	82° 3' 57.290" W
4	27° 41' 12.626" N	82° 4' 1.159" W
5	27° 41' 13.780" N	82° 4' 2.499" W
6	27° 41' 19.149" N	82° 3' 23.805" W
7	27° 41' 15.098" N	82° 3' 22.429" W
8	27° 41' 11.612" N	82° 3' 24.517" W
9	27° 41' 11.953" N	82° 3' 26.965" W
10	27° 41' 13.500" N	82° 3' 27.666" W
11	27° 41' 17.221" N	82° 3' 24.981" W



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July 12, 2018

Ms. Laura Morris
Superintendent Permitting and Reclamation Compliance
Mosaic Fertilizer, LLC
13830 Circa Crossing Drive
Lithia, FL 33547
Laura.Morris@mosaicco.com

SUBJECT: FOUR CORNERS MINE MU 8A/ WETLAND 1/ AMENDED CERTIFICATE OF COMPLETION/ MITIGATION PROJECT #774

Dear Ms. Morris:

The staff of the Environmental Protection Commission of Hillsborough County (EPC) performed a site inspection of the subject mitigation areas on June 8, 2018 and reviewed the associated wetland mitigation project files. It has been determined that the mitigation requirements have been satisfactorily completed for the subject mitigation areas. Therefore, EPC has closed its mitigation monitoring file for this specific area.

The following table summarizes the mitigation acreages released:

Wetland	FLUCCS	Approved Acreage	Released Acreage	Shortage/ Overage Acreage	Remaining Overage Acreage
1	641	7.5	7.5	0.0	0.0

As depicted in the table, there are 0.0 additional herbaceous wetland acres that can be utilized for future mitigation.

If you have any questions or comments, please call me at (813) 627-2600 Ext. 1233 or via email at rotellaa@epchc.org.

Sincerely,

Christina Bryant
General Manager
Wetlands Management Division
Environmental Protection Commission
of Hillsborough County

ar/cb/mhs

Attachment – Location Map

cc: Mike Chanen, Mosaic, Mike.Chanen@mosaicco.com
Christina Bryant, EPC, bryantc@epchc.org
Mike Stevenson, Hillsborough County Dev. Services, StevensonJM@hillsboroughcounty.org
Mike Carter, Hillsborough County Dev. Services, CarterK@hillsboroughcounty.org

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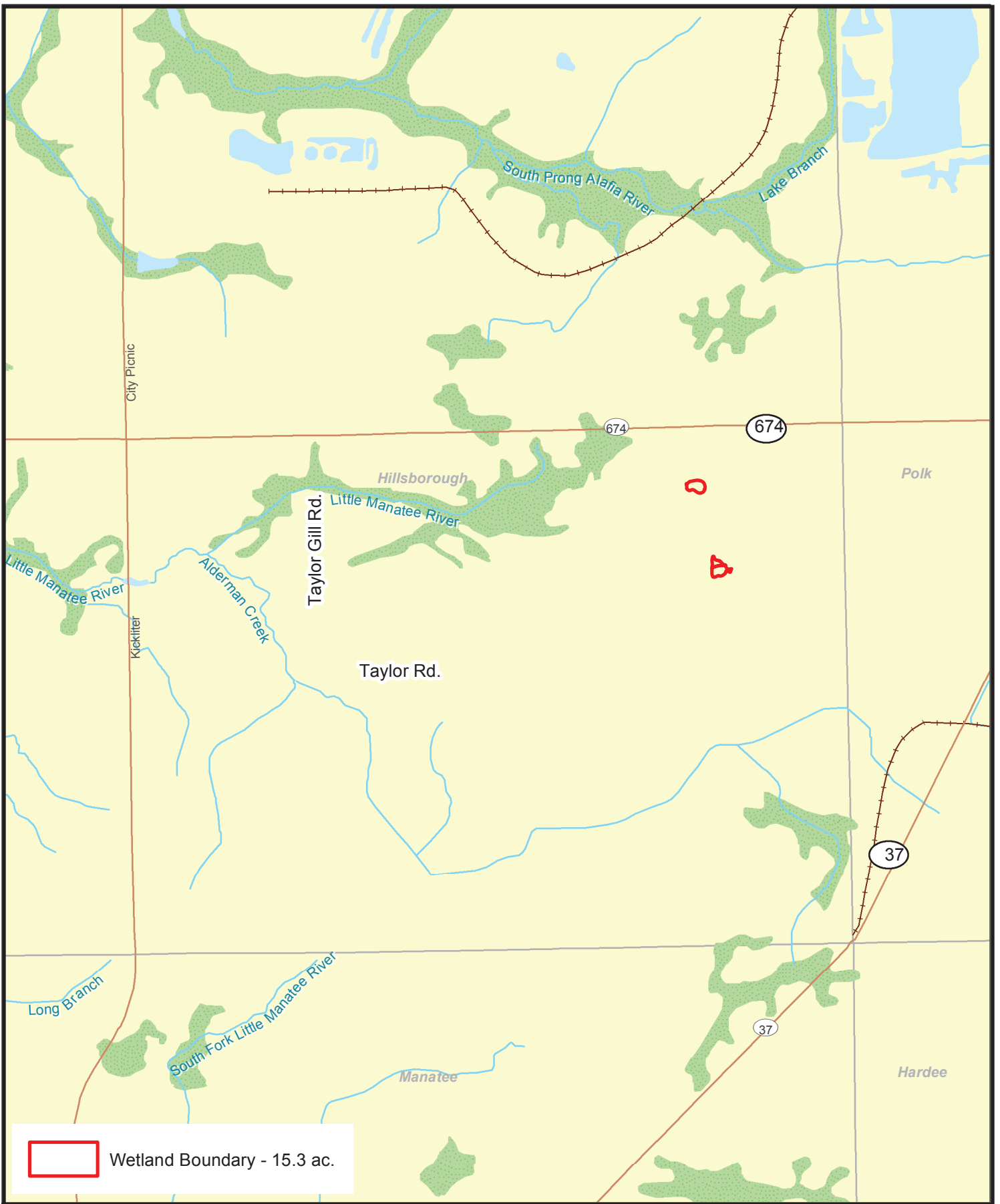
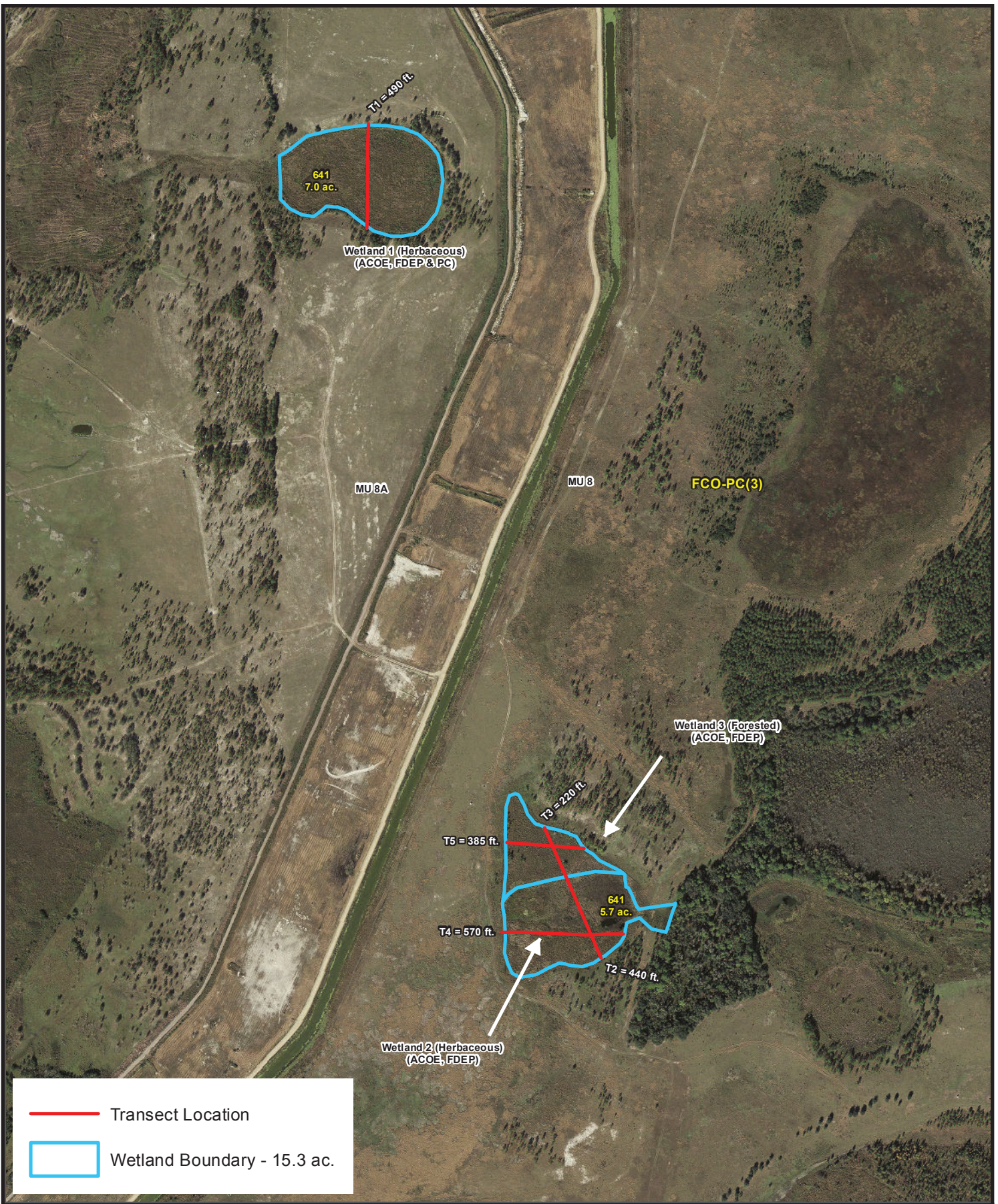


Exhibit A: Project Location Map

Four Corners Mine: FCL-PC(3) - Hillsborough County, Florida



— Transect Location

□ Wetland Boundary - 15.3 ac.

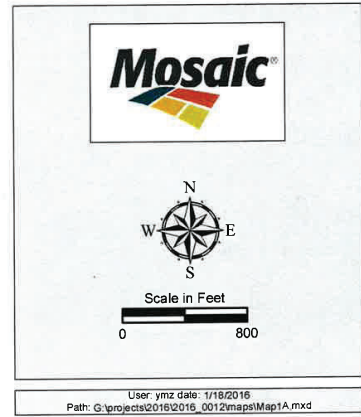
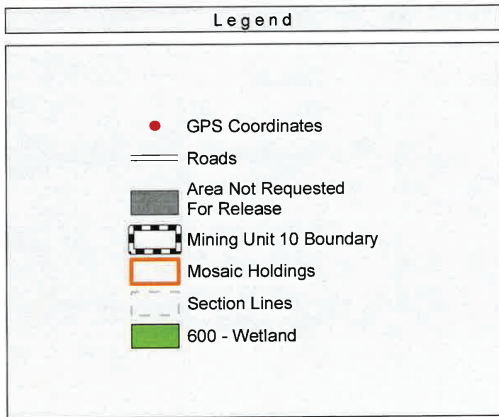


Exhibit B: Transect Location Map

Four Corners Mine: FCL-PC(3) - Hillsborough County, Florida

Release Request EPC Hills. Co. MU-8/8A #697.13P

Requested For Release	
DOT3	Acres
610	2.6
641	5.7
Grand Total	8.3

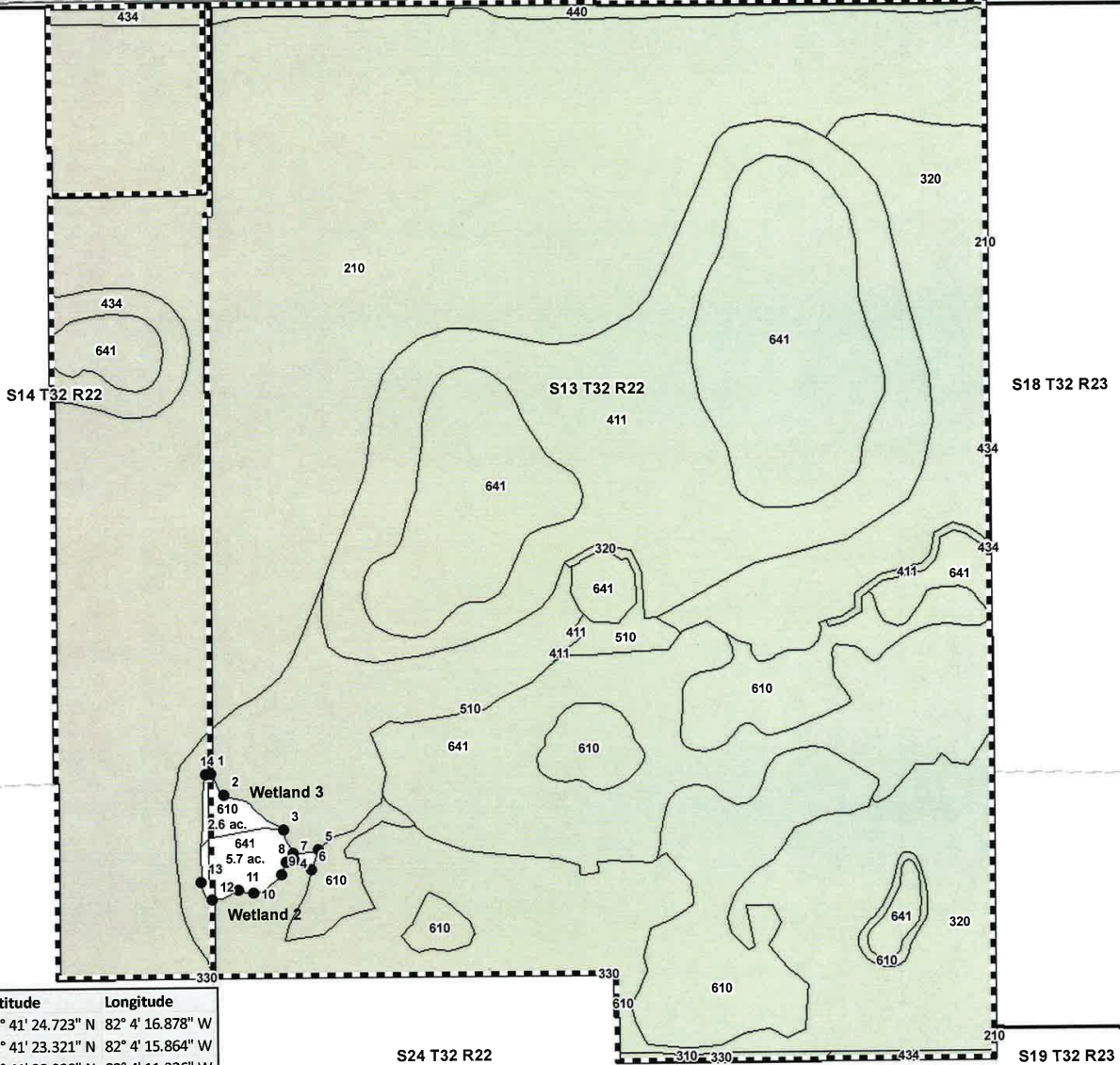


Release Request EPC Hills. Co. MU-8/8A #697.13P

S11 T32 R22

S12 T32 R22

Requested For Release	
DOT3	Acres
610	2.6
641	5.7
Grand Total	8.3



PointID	Latitude	Longitude
1	27° 41' 24.723" N	82° 4' 16.878" W
2	27° 41' 23.321" N	82° 4' 15.864" W
3	27° 41' 20.920" N	82° 4' 11.326" W
4	27° 41' 19.332" N	82° 4' 10.654" W
5	27° 41' 19.581" N	82° 4' 8.732" W
6	27° 41' 18.229" N	82° 4' 9.235" W
7	27° 41' 18.948" N	82° 4' 10.604" W
8	27° 41' 18.758" N	82° 4' 11.168" W
9	27° 41' 17.900" N	82° 4' 11.542" W
10	27° 41' 16.703" N	82° 4' 13.650" W
11	27° 41' 16.905" N	82° 4' 14.821" W
12	27° 41' 16.267" N	82° 4' 16.804" W
13	27° 41' 17.425" N	82° 4' 17.666" W
14	27° 41' 24.675" N	82° 4' 17.284" W

