

MEMORANDUM



County Administrator's Office
1112 Manatee Avenue West
Bradenton, FL 34205

MANATEE COUNTY FLORIDA

Phone: 941.745.3717
Fax: 941.745.3790
www.mymanatee.org

DATE: February 2, 2012
TO: Robert Schmitt, AICP, Planning Division Manager
FROM: Marianne Lopata, Agenda Coordinator
SUBJECT: AGENDA UPDATE FOR MEETING OF FEBRUARY 2, 2012

CHANGES TO ADVERTISED PUBLIC HEARINGS

5. **Z-11-02 – Mosaic Fertilizer, LLC - Wingate Extension**
and
6. **Resolution R-12-01 – Mosaic Fertilizer, LLC – Wingate Extension**
Public comment letters (attached)



To:
Cc:
Bcc:
Subject: Fw: Please vote



Please vote

terry bryk to: john.chappie

01/31/2012 06:18 PM

against the Wingate mine extension.

Thank you

Terry Bryk
9150 Blind Pass Rd
Sarasota FL 34242



To:
Cc:
Bcc:
Subject: Fw: TO BE DISTRIBUTED TO ALL COMISSIONERS

Sandra K Troyer

TO BE DISTRIBUTED TO ALL COMISSIONERS

01/31/2012 08:18:48 PM



TO BE DISTRIBUTED TO ALL COMISSIONERS

Sandra K Troyer to: john.chappie

01/31/2012 08:18 PM



LETTER TO COMMISSIONERS.pdf

From:
Sandra K. Troyer
Landowner of 10 Acre Parcel in Winding Creek Sub.

Former owner of Troyer's Citrus Groves and Packing Inc.
at 8028 North Tuttle Ave, established 1950-2003, Manatee Co.

Reference : Application #Resolution NO. 12.01
Application # Z-11-02 / DTS#20110036
Filed By--Mosaic Fertilizer LLC

To:
Commissioners and Attendees/

In 2003 2 years after the demise of my husband I was approached by a Broker to purchase property in the Winding Creek Subdivision. I purchased a 10 Acre parcel and a 5 Acre parcel. The 5 Acre parcel sold very quickly and at a premium price . When I purchased property in 2003 I was told the Mine adjacent to and in SITE of my property was closed and not to be reopened.

In 2003 I moved to Ohio developed and managed a Bed and Breakfast till 2009. During this time I kept in touch with the Broker however he NEVER told me the Mine was re-opened just kept saying this property is not moving or NO activity on the property. WHEN I returned and saw the MINE up and running I UNDERSTOOD why the property is NOT sold. It is losing value everyday BECAUSE of this project. Because of this No Sale on the 10 acres I could lose a large sum of my retirement money. As a widow and still working I was depending on the sale of this property .

I have been a resident of Manatee County over 40 years and.... PLEASE OPPOSE
..THE PERMITTING OF THIS EXPANSION...! FOR THIS EXPANSION
WILL NEGATIVELY AFFECT THE WINDING CREEK SUBDIVISION LANDOWNERS.
WAKE UP MANATEE COUNTY....MOSIC MINING HAS DEVALUED AND
UNDERMINED OUR PROPERTY LONG ENOUGH ...DON'T let the Integrity of OUR
COUNTY BE SOLD DOWN THE RIVER !

Respectfully,

Sandra K. Troyer, CMA(AAMA)

THIS NEEDS TO BE READ OUT LOUD AND ENTERED INTO THE RECORD FOR I
AM OUT OF TOWN. Thank You.!



To:
Cc:
Bcc:
Subject: Fw: Wingate Mine Expansion

Carol Mahler

Dear Commissioners: Please oppose Mosaic's r...

01/31/2012 10:58:20 PM



Wingate Mine Expansion

john.chappie, larry.bustle, robin.disabatino,
Carol Mahler to: michael.gallen, donna.hayes, joe.mcClash,
carol.whitmore

01/31/2012 10:58 PM

Dear Commissioners:

Please oppose Mosaic's request for an expansion of the Wingate Mine in Manatee County. It seems premature to consider this expansion before the Army Corps of Engineers completes the Area-wide Environmental Impact Study of phosphate mining.

In addition, phosphate mining scars the land, stockpiles potentially harmful substances, and eliminates all living beings from the area it mines. Surely the wetlands in the Wingate Mine expansion have more value as a rich nursery of life than as a dead zone. Please vote against this expansion!

Yours sincerely,
Carol Mahler

--

Carol Mahler
P.O. Box 1644
Nocatee, FL 34268



To:
Cc:
Bcc:
Subject: Fw: Mosaic Wingate Mine Extension

Sharon Guy

Commissioners

02/01/2012 09:39:09 AM



Mosaic Wingate Mine Extension

john.chappie@mymanatee.org,
larry.bustle@mymanatee.org,
robin.disabatino@mymanatee.org,
Sharon Guy to: michael.gallen@mymanatee.org,
donna.hayes@mymanatee.org,
joe.mcClash@mymanatee.org,
carol.whitmore@mymanatee.org

02/01/2012 09:39 AM

Please respond to Sharon Guy

Commissioners

I live downstream from Manatee County and I am concerned about my drinking water. Mosaic's phosphate mines in Manatee County pose a serious threat to our wetlands, drinking water resources, and habitat in the Myakka and Peace River Watershed. Once the damage has been done, it cannot be undone. They have only reclaimed a small portion of the mines in other areas.

For these reasons, please vote against Mosaic's Wingate mine extension.

Thank you,

Sharon Guy

4385 Winners Circle #1123

Sarasota, FL 34238

(941) 321-1218



To:
Cc:
Bcc:
Subject: Fw: Urgent: Help Oppose Phosphate Mine

"PENNY DUVAL" Dear Commissioner, Please watch the video an... 02/01/2012 10:06:15 AM



Fw: Urgent: Help Oppose Phosphate Mine

PENNY DUVAL to: john.chappie, larry.bustle, robin.disabatino,
michael.gallen, donna.hayes, joe.mcClash 02/01/2012 10:06 AM

Dear Commissioner,

Please watch the video and ask yourself if this is what you want for our county and our future. As a citizen of Manatee County, I ask you to vote no on this issue.

Please do not take a part in continuing to destroy our future.

Want to see the real face of phosphate mining? Here's a link to a 4 minute movie just made last week by a well-known movie maker about Hardee county, a few miles away. <http://www.youtube.com/watch?v=spzER-HYeKw>

Penny Duval
8410 Regal Way
Palmetto, FL



To:
Cc:
Bcc:
Subject: Fw: Wingate mine extension

fredalbk

Please cast your vote against the Wingate Mine...

02/01/2012 11:18:28 AM



Wingate mine extension

fredalbk to: john.chappie, larry.bustle, robin.disabatino,
michael.gallen, donna.hayes, joe.mcClash,
carol.whitmore

02/01/2012 11:18 AM

Please cast your vote against the Wingate Mine extension

Freda Perrotta
5757 Gulf of Mexico Dr #103
Longboat Key FL 34228

fredalbk@comcast.net



To:
Cc:
Bcc:
Subject: Fw: Wingate mine extension

Nancy HORNE

Dear Commissioner Chappie, Please vote again...

02/01/2012 01:01:46 PM



Wingate mine extension

Nancy HORNE to: john.chappie

02/01/2012 01:01 PM

Dear Commissioner Chappie,
Please vote against This destructive Wingate Mine Extension!
Thank you
Nancy Horne
6470 Mourning Dove Dr. #205
Bradenton, Fl 34210
941-727-0850



To: Lisa Barrett/MCG,
Cc:
Bcc:
Subject: Fw: Please vote against the Wingate mine extension

marcia

Phosphate mining has already destroyed a lot of...

02/01/2012 01:27:54 PM



Please vote against the Wingate mine extension

marcia to: john.chappie

02/01/2012 01:27 PM

Cc: larry.bustle, robin.disabatino, michael.gallen, donna.hayes,
joe.mcClash, carol.whitmore

Phosphate mining has already destroyed a lot of Florida's wetlands and ruined a lot of our landscapes. We are left with a pile of radioactive waste. Please do not let them ruin our water supply!

This \$3.9 billion corporation has severely mined thousands and thousands of acres in central Florida and is moving further south and east and into our Myakka and Peace River watersheds. They're stripping the land and wetlands to a depth of about 50 feet and destroying everything that lives there. The post-mining landscape includes large clay settling areas, which are full of radioactive heavy metals. In addition they have a mega permit to withdraw up to 69 million gallons of water a day for their mining operations, while we are on water restrictions during droughts.

Mosaic owns thousands of acres yet to be mined. Future mines pose a threat to our wetlands, drinking water resources, and habitat in the Myakka and Peace River Watersheds.

Thank you for protecting us!

Marcia Hoodwin



To:
Cc:
Bcc:
Subject: Fw: Permit for Wingate Phosphate Mine *** has been acknowledged



Permit for Wingate Phosphate Mine

trac259 to: michael.gallen

02/01/2012 01:31 PM

I wish to add my voice to the large number of Manatee County residents asking you to Vote No to extend a permit for the wingate Phosphate mine, these operations pose a true threat to our on going and future need for drinking water, Please Vote NO.

We need to keep in mind just how precious clean drinking water is, if not for us than for our children and grandchildren, this past month alone we are below in average rainfall. there future should not be sacrificed for todays short term gains.

Sincerely

Michael P. Tracchia

Palmetto



To:
Cc:
Bcc:
Subject: Fw: Wingate



Wingate

Jeffrey Hollway to: john.chappie

01/31/2012 09:07 AM

Please vote against the Wingate mine extension at Thursday's meeting. Thank you. Jeff Hollway



To:
Cc:
Bcc:
Subject: Fw: Vote against the phosphate mine

"Robert Miller"

Dear Sir, I ask you to vote against granting perm...

01/31/2012 11:35:03 AM



Vote against the phosphate mine

Robert Miller to: john.chappie

01/31/2012 11:35 AM

Dear Sir,

I ask you to vote against granting permission to Mosaic to expand the Wingate phosphate mining operation due to its detrimental effects on the environment and wildlife.

Robert Miller

Venice, FL

Keep true to the dreams of your youth. -- Friedrich Schiller



To:
Cc:
Bcc:
Subject: Fw: Wingate mine extension

Utahiker1

All: I am very much against approving the Winga...

01/31/2012 02:37:34 PM



Wingate mine extention

Utahiker1 to: utahiker1

01/31/2012 02:37 PM

Cc: john.chappie, larry.bustle, robin.disabatino, michael.gallen,
donna.hayes, joe.mcClash, carol.whitmore

All:

I am very much against approving the Wingate mine extention and hope that you will do what you can to stop the destruction of Florida land, Gary warren, Starling Drive, Sarasota, Florida, 34231



To:
Cc:
Bcc:
Subject: Fw: please oppose mosaic plan to mine

Stella Mason

Stella M. Mason, CP, FCP, FRP Certified Parale...

01/31/2012 08:46:27 AM



please oppose mosaic plan to mine

Stella Mason to: john.chappie@mymanatee.org

01/31/2012 08:46 AM

**Stella M. Mason, CP, FCP, FRP
Certified Paralegal, Florida Registered Paralegal
Shapiro Goldman Babboni & Walsh
308 Coconut Avenue
Sarasota, FL 34236
941-954-4000
Fax 941-954-8859**



To:
Cc:
Bcc:
Subject: Fw: mine



mine

Sam0142 to: robin.disabatino

01/31/2012 09:21 PM

Cc: mecomary

please add my name to list off those against mining in florida.....been here in manatee cty for over 40 years and do not see any advantage in letting them destroy anymore land or water...thanx, sam noah
919 de leo drive sarasota 34243 941-713-2816 sam0142@aol.com

Agenda for Feb. 2

LOIS CONGDON to John Chappie, Joe McClash, Michael Gallen

01/31/2012 12:17 AM

Cc Mary Sheppard, Sandra Ripberger

It looks as though you thought all of us conservationists would be busy trying to stop the state legislature from ruining our state, so you could put anti-conservation items on the agenda for Feb. 2! I'm so sorry I totaled my car 3 years ago and have never been able to get another one, so I have to take the Westminster Manor bus to do my grocery, pharmacy and other shopping on Thursdays.

WILL YOU GET IT THROUGH YOUR HEADS THAT THE MOST IMPORTANT THING YOU CAN DO FOR THIS COUNTY IS CONSERVE ITS AIR AND WATER AND THE HEALTH OF THE CITIZENS? You should ask the Southwest Florida Water Management District for an update as to the adequacy of our water supplies for the present and future. Before it comes up March 1, look into this Silverleaf development of 732 detached homes. Do you have any idea how much water all those families will consume? How many polluting cars will be put on the road? You have to limit development or plan to spend a huge amount of money building a de-salinization plant, unless the water management people think we will have enough water for this and other developments. The last time they gave a report several years ago they expected us to run out of water in 2020 or 2030.

I understand the Planning Commission unlawfully approved the application for the Wingate Mine expansion, so probably Mr. Brown will be presenting this affirmatively. If so, he should be stripped of his title of "Environmental Protection Manager." This project will NOT protect our environment. No one has shown a case where full restoration of water and complete reclamation have ever been done to restore fully what was there before Mosaic destroyed it. My understanding was that you were not to allow any mining expansion until the extensive environmental impact study required by our court case was completed. Phosphate mining uses a tremendous amount of water. Even if, as they claim, they recycle it, they still have to get it out of our water supply to start with, and there is likely to be leakage of harmful things like phosphate (that causes algae outbreaks) and radon into our water supply. Most important is the health of our citizens: are you going to forbid any dwellings within half a mile of this mine? A study was done of lung cancer cases in non-smokers who lived within half a mile of a phosphate mine and those who lived farther away. Those within half a mile **HAD TWICE THE LUNG CANCER CASES** of those farther away. Radon, a byproduct of phosphate mining with a half life of 700 years as it sits in those gypsum stakes, is the second leading cause of lung cancer (of course, a distant second to smoking).

You are not serving the citizens of this county if you approve any expansion of phosphate mining. Please don't believe those misleading TV and mail ads from Mosaic. Something is wrong with a company that has to send out mailings to people to try to convince them that they are not harming their health when they are.

Yours in service to God and God's children,

(Rev.) Lois M. Congdon, 2210 17th Street Ct. W., Bradenton, 34205 (941) 747-2728



To:
Cc:
Bcc:

Subject: Fw: Sarasota County Public Interest Coalition Urges Rejection of Wingate Mine Extension



Sarasota County Public Interest Coalition Urges Rejection of Wingate Mine Extension

joe.mcclash, donna.hayes, larry.bustle,
sue lang to: carol.whitmore, michael.gallen, john.chappie,
robin.disabatino

01/28/2012 10:07 AM

Dear Manatee County Commissioners,

Please be advised that the Sarasota County Public Interest Coalition OPPOSES the request by Mosaic to extend the Wingate Mine and we urge you to reject this request for all of the reasons cited below by Manasota-88. This extension would negatively impact the Myakka River which is a critical environmental and recreational resource in Sarasota County. Please also ask yourselves: have all the natural lands and wetlands destroyed by phosphate mining truly been restored to their pre-mining condition? We understand that Mosaic employs around 130-150 people. This very small number of jobs does not justify the environmental destruction and impact that will cost our counties millions of dollars over the long run and may irreparably harm our precious natural resources. As former Governor Rubeen Askew once said, "Ecological destruction in Florida is nothing less than economic suicide."

Signed,

Sarasota County Public Interest Coalition which includes the following members:

Citizens for Sensible Growth, Bill Zoller, President
Control Growth Now, Dan Lobeck, President
Manasota 88, Glenn Compton, President
Sarasota County Council of Neighborhood Associations, Lourdes Ramirez, President; Ann Kaplan, Bill Zoller and Sue Lang, Board Members
Sarasota Citizens for Responsible Government, Cathy Antunes, President
Siesta Key Community, Inc., Lourdes Ramirez, President
Dixie Stevens, Sarasota Conservation Chair, Sarasota Manatee Sierra Club

Wade Matthews
Gayle Reynolds
Betsy Roberts
Laurel Schiller

These comments are submitted on behalf of ManaSota-88, Inc. ("ManaSota-88"), a public interest conservation and environmental protection organization, which is a Florida not-for-profit corporation and a citizen of the State of Florida. The corporate purposes of ManaSota-88 include the protection and preservation of water quality and wildlife habitat in Manatee and Sarasota Counties.

RECOMMENDED ACTION

Manatee County should deny Mosaic Fertilier, LLC's request to extend

the Wingate Mine as the proposed mine expansion is

INCONSISTENT

with the Manatee County Comprehensive Plan and Land Development Code, Mosaic Fertilizer, LLC (applicant) has not provided sufficient information otherwise.

There are a number of problems with the mine expansion and a number of conditions ManaSota-88 believes should be strengthened. However, the degradation of the Outstanding Florida Waters within the Florida State Park Beker Tract immediately adjacent to and downstream of the existing Wingate Creek Mine alone requires that **this project be denied**

. ManaSota-88 is concerned that the proposed phosphate mine extension will further degrade Johnson Creek, generate low dissolved oxygen levels and significantly increase pollutant levels in Wingate Creek and the Myakka River.

As proposed, the Wingate Mine Expansion does not comply with Manatee County Phosphate Mining Code, Ordinance 04-39 for cumulative impacts, avoidance, minimization and compensation for wetlands, and reclamation.

1

WINGATE MINING EXPANSION ISSUES NOT YET RESOLVED

1. Failure to Consider Degradation of Outstanding Florida Waters

There are Outstanding Florida Waters (OFW) within the vicinity of the site. This project will discharge into Wingate Creek and into Johnson Creek then to Wingate Creek, a tributary of the Myakka River.

With regards to OFWs,

It shall be the Department policy to afford the highest protection to Outstanding Florida Waters... No degradation of water quality, other than that allowed in subsections 62-4.242(2), F.A.C., is to be permitted in Outstanding Florida Waters, notwithstanding any other Department rules that allow water quality lowering. F.A.C. 63-302.700(1).

Directly downstream from the Wingate Creek Mine, Wingate Creek flows through the Wingate Creek State Park. The portion of Wingate Creek that flows through the State Park has been designated as an Outstanding Florida Water (OFW). Outstanding Florida Water designations are intended to provide additional protection to special waters recognized for their ecological significance, by providing the highest degree of protection under the State of Florida permitting policies. A primary goal for the management of Wingate Creek State Park is to protect water quality in Wingate Creek and maintain historic hydroperiods.

A. Wingate Creek

Wingate Creek is classified as a Class III water by the Florida Department of Environmental Protection (hereinafter "Department" or "DEP"), and is thus designated for use for recreation and propagation and maintenance of a healthy, well-balanced population of fish and wildlife. F.A.C. 62-302.400(1), (12)(b)(41). However, adjacent to and directly downstream from the Wingate Creek Mine, Wingate Creek flows through the Wingate Creek State Park, also known as the Beker Tract, and has been designated as an Outstanding Florida Water ("OFW"). F.A.C. 62-302.700(9)(f)(4) (Beker Tracts (10-4-90)).

The first stated goal of Wingate Creek State Park is to "[p]rotect water quality in Wingate Creek and maintain historic hydroperiods." DEP, Division of Recreation and Parks, Beker Unit Management Plan at 7 (Mar. 20, 1998)

2

B. Johnson Creek

Johnson Creek is also classified as a Class III water. F.A.C. 62-302.400 (12)(b)(41). However, at the northern end of Wingate Creek State Park and just

south of the mine, Johnson Creek enters Wingate Creek, and is thus designated as an OFW. F.A.C. 62-302.700(9)(f)(4) (Beker Tracts (10-4-90)).

C. Myakka River

In Manatee County, the Myakka River is classified as a Class III water. F.A.C. 62-302.400(12)(b)(41). However, at the confluence with Wingate Creek, the Myakka River flows through Wingate Creek State Park, and is thus designated as an OFW. F.A.C. 62-302.700(9)(f)(4).

The Florida Legislature has also designated most of the Myakka River in Sarasota County, between State Road ("SR") 780 in Sarasota County and the Sarasota-Charlotte County line, as a Florida Wild and Scenic River. F.S. 258.501; F.A.C. 62D-15. The entire wild and scenic segment of the Myakka River is designated as an OFW. F.A.C. 62-302(9)(j)(2) (Myakka Florida Wild and Scenic River Segment (5-14-86)). The Upper Myakka River has been identified as impaired for nutrients, coliforms, dissolved oxygen, & total suspended solids. The Lower Myakka River has been identified as impaired for nutrients and mercury. It certainly doesn't make sense to allow additional pollutants to flow into a Wild and Scenic River.

2. Radiation Data is Lacking

Mining, processing and land reclamation will distribute materials and the radioactive elements they contain. Radium 226 and Radon 222 levels are expected to increase and be more readily available to humans. Increased radiation levels in site and offsite can be expected. Introduction of radioactive materials to the food chain can also be expected to occur.

Particulate materials will be released in the air by winds and mechanical actions, persons may inhale increased radiation doses, or increase radiation doses by the ingestion of plant or animals affected by such particulates. Movement of radioactive materials into groundwater with well water ingested may also be a source of radiation to humans.

The reclamation plan for Wingate Creek Mine Expansion is conceptual and does not address the effect radiation will have on agricultural crops, the environment and workers.

3

3. Air Quality Data is Lacking

During the phosphate rock mining operations, air pollutant emissions involving land clearing, drag lining, controlled burning, and vehicle emissions will greatly increase. The cumulative impacts from these activities will likely degrade air quality to unacceptable levels and must be considered in the review of this project.

The enhancement of air quality to a level better than federal "secondary standards" for "ambient" air to protect the health and welfare of the public will not be achieved. The Wingate Creek Mine Expansion will emit air pollution that will: damage crops, threaten the public's health, increase health costs, and deteriorate the overall environmental quality of the region. The economic costs associated with degradation of air quality far outweigh the proposed project's economic benefit.

4. Soil Erosion and Increased Turbidity

The Wingate Creek Mine Expansion site is characterized by having poorly drained to very poorly drained soils. Wetness and ponding for the mine site and access road can be anticipated.

Few erosion problems currently exist; however, mining activities will increase erosion locally and regionally.

Adjacent land use incompatibility with this project is apparent. The probable effects that the proposed development will have on the adjacent lands is not adequately understood or addressed. Increases in traffic, litter, runoff, air, water and noise pollution will forever change the character of the region.

5. Legal Requirements for Permitting Discharges

Portions of the Myakka River downstream from the Wingate Creek Mine have been

identified as water quality limited streams pursuant to Section 303(d) of the Federal Water Pollution Control Act (also known as the "Clean Water Act").

DEP has found that excessive nutrients (total nitrogen and total phosphorus) constitute one of the most severe water quality problems facing the State.

"If the Department finds that a new or existing discharge will reduce the quality of the receiving waters below the classification established for them or violate any Department rule or standard, it

shall refuse to permit

the discharge

." F.A.C. 62-302.300(16)

In other words,

"[n]o renewal permit shall be issued if the Department finds that the proposed discharge will reduce the quality of the receiving waters below the classification established for them."

F.A.C. 62-4.240(4).

4

The overriding shortcoming of the Wingate Mine Expansion is the fact that it fails to consider any direct or cumulative impacts to downstream water quality. There is no indication that consideration has been given to the degradation of OFWs adjacent to the existing Wingate Mine or the Class I and II classifications and 303(d) impaired waters.

6. Additional Monitoring Requirements for Aquatic Organisms Needs to Be Done

Monitoring techniques to assess the quality of aquatic health, such as the Stream Condition Index ("SCI") to assess freshwater stream health over a period of time should be required on a frequent basis.

According to the DEP Biological Assessment of Mosaic Fertilizer - Wingate Creek Mine Sampled August 1 and September 12, 2005 by the Biology Section Bureau of Laboratories Division of Resource Assessment and Management, the Stream Condition Index for the Wingate Mine ranked in the "Fail" and "Poor" categories for the Biorecon and Stream Condition Indices

A decrease in ordinal SCI score from the Control to the Test site may be evidence of degradation related to a facility's effluent. An SCI score of "Poor" or "Very Poor" related to a facility's effluent may constitute violations of 62-302.530(47) F.A.C., 62-302.530(48)(a) F.A.C., 62-302.530(48)(b) F.A.C. and/or 62-302.530(62) F.A.C.

7. County Owned Land Must Be Protected

Mosaic proposes to mine within the 500-foot setback adjacent to Duette Preserve. Manatee County should not grant a waiver to the setback standard established in Ordinance 04-39.

The provisions under III.11.e of Ordinance 04-39 allow for reduction of setbacks only when:

"Owners of the land protected by such restrictions have expressly consented to reduction thereof by written instrument executed with the formality of a deed and recorded in the official records of Manatee County, Florida;"

Manasota-88 owns property and pays taxes in Manatee County. As part owners of the Duette Preserve, Manasota-88 does not consent to the reduction in setbacks.

As stated by the "Official website for Manatee County Government" *Duette Preserve is almost entirely contained within the northeastern*

5

portion of the Lake Manatee Watershed. This watershed is the primary basin within Manatee County. The Manatee River and its chief tributary, the Braden River, serve as the principal sources of water supply for Manatee and Sarasota counties including the municipalities of Bradenton, Palmetto, Longboat Key, Anna Maria, Holmes Beach, and

Bradenton Beach. The Duette Preserve site is located in the area of the County with the highest quality and most productive, deep groundwater Floridan Aquifer.

8. State-Owned Lands Must Be Protected

At least two state-owned lands acquired for conservation and recreation purposes by the State of Florida will be impacted by the mine expansion. Wingate Creek State Park is directly adjacent to the existing Wingate Mine. The Myakka River State Park is located in Manatee and Sarasota Counties, downstream from the mine on the Myakka River.

All lands acquired for conservation or recreation by the State of Florida shall be managed to serve the public interest by protecting and conserving land, air, water, and the state's natural resources, which contribute to the public health, welfare, and economy of the state. These lands shall be managed to provide for areas of natural resource based recreation, and to ensure the survival of plant and animal species and the conservation of finite and renewable natural resources. The state's lands and natural resources shall be managed using a stewardship ethic that assures these resources will be available for the benefit and enjoyment of all people of the state, both present and future. F.S. 253.034(1).

9. The Mining Expansion does not meet the new criteria for lakes and flowing waters in the State of Florida as established by the U.S EPA.

The applicant has not provided reasonable assurances of compliance with Class III water quality standards for the direct, secondary and cumulative impacts of the proposed discharges. These include, but are not limited to, the water quality standards for: nutrients, turbidity transparency, biological integrity, nuisance conditions, heavy metals and other contaminants, and dissolved oxygen, and

including the anti degradation and public interest provisions.



To:
Cc:
Bcc:
Subject: Fw: mosaic vote

"Mary Auman"

Dear Sir: Please think of our homes & environm...

01/30/2012 10:17:38 PM



mosaic vote

Mary Auman to: john.chappie

01/30/2012 10:17 PM

Dear Sir:

Please think of our homes & environment and vote against Mosiac.

Thank You,

M. Auman



To:
Cc:
Bcc:
Subject: Fw: Oppose Mosaic

Rachel garibay

Not in favor of permit for extension of Wingate...

01/30/2012 09:55:40 PM



Oppose Mosaic

Rachel garibay to: john.chappie

01/30/2012 09:55 PM

Not in favor of permit for extension of Wingate mine from bigger Wingate East Mine. Consider it after more study is done (AEIS) There is no sense in rushing. Mosaic is not going anywhere. I oppose it for the following reasons: waste of water resources, threatens wildlife and habitat of Myakka and Peace Rive, creates clay settling areas with toxic metals. Assists in destroying "paradise" , the reason I moved here.

Rachel Garibay-Wynnberry



To:
Cc:
Bcc:
Subject: Fw: OPPOSE PERMIT TO ALLOW WINGATE MINE TO EXPAND INTO ESTERN
MANATEE COUNTY]

"Terry Grywinski"

----- Original Message ----- Subject: OPPO...

01/30/2012 09:36:37 PM



[FWD: OPPOSE PERMIT TO ALLOW WINGATE MINE TO EXPAND INTO
ESTERN MANATEE COUNTY]

Terry Grywinski to: john.chappie

01/30/2012 09:36 PM

From: "Terry Grywinski" <terry@advkst.com>

To: john.chappie@mymanatee.org

----- Original Message -----

Subject: OPPOSE PERMIT TO ALLOW WINGATE MINE TO EXPAND INTO ESTERN
MANATEE COUNTY

From: "Terry Grywinski" <terry@advkst.com>

Commissioner John Chapple

Please oppose the expansion of Wingate Mine into eastern Manatee County
because of the following:

1. Destruction of the watershed and wetlands
2. Destruction of all life in the mining area
3. Excessive use of water: they have a permit to use 69 million gallons of
water a day
4. Postmining cay ponds with radioactive wastes.

Terrence Grywinski & Elizabeth power Grywinski
6419 Meandering Way
Lakewood Ranch, Fl 34202941-755-3437



To:
Cc:
Bcc:
Subject: Fw: Wingate Mine



Wingate Mine

Karen Patriarca to: michael.gallen

01/30/2012 09:37 PM

Dear Mr. Gallen,

I urge you to vote against the motion to permit Mosaic to expand the Wingate phosphate mine in eastern Manatee County. Future mines pose a threat to our wetlands, drinking water resources, and habitat in the Myakka and Peace River Watersheds. Please don't let Mosaic create phosphate wasteland in Manatee County.

Sincerely,

Karen Patriarca
8450 Gardens Circle
Unit 11
Sarasota, FL 34243 (Manatee County)



To:
Cc:
Bcc:
Subject: Fw: INFO FOR REVIEW BY BCC relative to the MOSAIC Mine expansion

From: john henslick <johnhenslick@yahoo.com>
To: "barbara.tyler@mymanatee.org" <barbara.tyler@mymanatee.org>
Date: 01/27/2012 03:43 PM
Subject: INFO FOR REVIEW BY BCC relative to the MOSAIC Mine expansion

Barbara:

First, thank you for the information you provided me this morning and thank you for returning my file.

The attached docs address issues of concern to the residents of Winding Crk, which abuts the Mosaic -Wingate Crk mine, and will be directly impacted by the decisions of the BCC relative to the Mine expansion.

Please disseminated this information to each of the Commissioners.

Please verify via e-mail, you recieved this message and four (4) attachments.

Thank you and have a wonderful weekend.

John Henslick
41144 24th Terrace East



Myakka City MOSAIC NOISE LEVEL DATA e-mail to Bart 0112.doc



mosia mine and winding crk location aerial.doc mosaic noise graphic.doc MOSAIC letter to BCC.doc

JANUARY 27, 2012

MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

FROM: JOHN HENSLICK
RESIDENT WINDING CREEK, MANATEE COUNTY

RE: MOSAIC - WINGATE MINE EXPANSION

Thank you Commissioners for taking the time to review this document:

As with most residents in Winding Creek, we were aware of the presence of the Mine, prior to purchasing our properties and building our homes here. At that time, we however, were informed the Mine (then either Cargill or New Gulf mine) would only be operational for 4 to 7 years and would then be shut down. Even with this being said, we do not wish the mine to be closed or so adversely restricted as to not be operational.

I am sure each of you have reviewed the minutes/video of the recent PCC hearing addressing the Mosaic - Wingate Creek Mine Expansion, and are aware of the issues, we (the residents of Winding Creek sub-division) presented relative to the Mine expansion project.

In addition or in support of the previous information provided to you, this document is also provided for your review; please consider these issues, and if possible, please consider stipulations to help resolve our concerns.

Issue #1: NOISE:

Noise levels, and the lack of any caps or restrictions other than the County Noise Ordinance, are of great concern. At certain times noise levels from the mine operations are, to say the least, extremely obtrusive. When one considers the possibility of the noise levels being that high and that obtrusive, **for 24 hours a day, 7 days a week**, well, the effect would be intolerable.

As shown by the attached data and documents, noise levels are currently acceptable most of the time and as such, we (Winding Creek residents) request:

1. The BCC assure the noise levels not be increased from what we are experiencing now. This will of course require noise level data quantifying current noise levels (see attached e-mail to Mosaic, etc.) **OR**

2. the BCC require Mosaic to identify the source of obtrusive noise levels and limit those activities to the hours of 2 am to 6 pm OR
3. require the mine to operate during standard 8 to 5 hours, 5 days a week

Please note: to date the mine operations adjacent to Winding Creek have been that of a "dredge operation", while the new mining area will incorporate a "dragline". We have yet to experience the noise generated from this massive piece of equipment.

ISSUE #2: LIGHTING:

To me, this seems an easily addressed issue; We have asked Mosaic to commit to installing up-to-date, and environmentally sound, "directional LED" lighting on all their structures and equipment so as to reduce, to the greatest degree possible, the "night time glow" emanating from the Mine operations (the "glow" on the northern horizon of Winding Crk., looks like the city of Tampa is just a few miles away).

As such, we request:

1. the BCC to stipulate Mosaic Mine to install "directional LED" lighting so as to reduce the emanating light pollution to the greatest degree possible (while at the same time assuring a safe work environment).

Summary:

Again, we know and understand the importance of Mosaic in Manatee County: employment (especially at this time), and tax base (again, especially at this time); we also recognize the need for the product provided by the Mine.

We are simply requesting the BCC to assure us (residents of Manatee County) Mosaic is doing EVERYTHING, within their power (and within reason) to assure the on-going mine operations impact their neighbors to least degree as possible, and establish quantifiable levels for those impacts.

Thank you all for your consideration.

Sincerely,



LETTER SENT TO THE PCC
1/12/12

JANUARY 12, 2012

MANATEE COUNTY
PLANNING COMMISSION

FROM: JOHN HENSLICK
RESIDENT WINDING CREEK

RE: MOSAIC MINE EXPANSION PUBLIC HEARING

Thank you Commissioners for taking the time to review this document:

First, I want to thank MOSAIC staff and consultants for taking the time to discuss these issues with me; they have been cordial and professional in all our discussions.

I have spoken with most the residents (my neighbors) at Winding Creek relative to the mine and have identified the following issues, to be in common with all the residents I have spoken with:

NOISE:

The mine operates seven days a week, 24 hours a day, and most all holidays; the noise berm along the southern mine boundary, is not effective when the mining equipment is a half mile across a lake from the noise berm; it is actually less noisy at the north end of Winding Creek than in the center or near the southern portions of Winding Creek at times; often times the mine operations are clearly audible from my front porch in the evenings, well into the night and early mornings. (to the point house guests stop in conversation to ask "What is that noise??")

Potential Solutions:

1. Identify those operations responsible for the significant noises and cease them during the hours of 7 pm until 2 am; other operations of the mine could continue 24/7, but the excessively noisy activities could be limited to 2 am. until 7 pm if need be; (**This can be stipulated**)
2. Reduce operating hours to standard work hours (8 am to 5 pm) (**This can be stipulated**)
3. Operate with a "progressive" noise berm to keep the berm in close proximity to the mining operations so the berm is an effective barrier to the sound (**This can be stipulated**)

LIGHT:

The light generated from the mine site, along the entire northern horizon of Winding Creek is similar to that of seeing the glow of St. Pete. or Tampa from a distance; the stars in the northern portions of the sky are not visible due to the "glow" from the mine; We moved to this part of the County, from NW Bradenton to enjoy both the quiet and the view of the night sky; When a meteor shower occurs, we are always told "look to the north and east to see the meteors"; Well, when we look to the north and east, we see an intense glow from the mine lights EVERY night; the stars are not visible along the entire horizon.

Potential Solution:

1. Directional, LED lighting may alleviate a considerable portion of this issue (**This can be stipulated**)

An issue of interest to me not really discussed with others at Winding Creek:

**CURRENT CONDITIONS OF PREVIOUSLY PERMITTED
MITIGATION/RECLAMATION**

Prior to allowing or agreeing to an expansion of the MOSAIC MINE operations, Manatee County should verify all habitat mitigation, restoration or reclamation activities are at the appropriate levels of "success" as required by County/State and/or Federal requirements. (**This can be stipulated**)

General Discussion:

I certainly agree that MOSAIC MINE is a "good thing" for Manatee County i.e. employment, tax base, etc.; I agree the product provided by the mine is needed by our agricultural communities; However, I also believe Mosaic Mine can and should do all within its ability to assure the residents in Manatee County, living in proximity to their business are in no way inconvenienced or hindered, or that their sought after rural environment is in any way adversely impacted.

The issues of noise and of light can be solved, they simply cost money; Is MOSAIC willing to do what is necessary, what their PR advertising suggests they do; will they do what is best and right for the communities in which they operate?



John Henslick
41144 24th Terrace East
Myakka City, FL. 34251

WINGATE MINE - Noise Monitoring Data from Winding Creek Sub-Division

Discussion:

As shown by the data below, the noise levels generated from the Wingate Creek mining operations, as perceived in areas of Winding Creek, vary significantly from one day to the next or even, from one hour to the next. However, only on three (3) out of ten (10) days was the noise level found to be excessively bothersome or obtrusive, even though the “mine” operates “24/7”.

As such, this data suggests, only certain, and not necessarily frequent, mine activities result in noise levels perceived as “obtrusive”;

It is our (residents of the adjacent sub-division of Winding Creek) request that the BCC

- Require Mosaic Mine to identify the activities resulting in the “obtrusive “ noise levels and then limit those activities to the hours of 2 am through 6 pm; not allowing such activities during the hours of 6:01 pm though 1:59 am,

OR

- require the mine to NOT EXCEED the noise levels and noise patterns existing today and experienced during the recent weeks (this would at least preserve the “status-quo”; Mosaic staff, have, reportedly, already initiated a sound monitoring program and should have quantifiable data available during the same time frames presented in the data below. These noise levels could therefore be identified as the limits of future noise levels).

Thurs. Jan 12th : evening 9:15 pm and on : very loud; obtrusive levels

Friday Jan. 13th: morning 7 am; no issue; humming but not obtrusive

Tues. Jan 17th: evening 11pm : no issue

Wed. Jan. 18th: evening 8:20 pm; no issue

Thurs. Jan 19th : 3-5 pm – no issue; 5:20 pm obtrusive “hum”; 7 pm and on: no issue

Fri. Jan. 20th : afternoon 4 pm and on no issue

Sat. Jan. 21: all day 9 am – 6 pm. No issue (low humming)

Tues Jan 24th: afternoon 4 pm - 7 pm and on loud, obtrusive rumbling

Wed. Jan. 25th evening 6 pm and on; no issue (low humming)

Thur. Jan 26th : all day/evening no issue

E-MAIL SENT TO MOSAIC STAFF (Bartley Arrington)
ON 1/27/12

Hello Bart:

Please see the information presented below, consisting of "notes" I have taken relative to "perceived" noise levels in Winding Creek;

If you have been gathering data, and know which mining activities were occurring where and when, we may be able to correlate this information and draw some theories as to why the noise levels vary so much, what is causing the noise levels and if anything can be adjusted to reduce them, etc.; You will note, only during 3 periods out of 10 days were the noises levels noted as being too loud or obtrusive; I think that is a "good thing"; Something we can work with, if we can identify causes and place ceilings on future levels.

Please get back to me if you can; please let me know if any such noise level data has been collected from your operation or if you can attribute the noise levels to any specific activities.

John Henslick

NOISE LEVELS AS PERCEIVED AT WINDING CREEK

Thurs. Jan 12th : evening 9:15 pm and on : very loud; obtrusive levels

Friday Jan. 13th: morning 7 am; no issue; humming but not obtrusive

Tues. Jan 17th: evening 11pm : no issue

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CURRENT MINE DREDGE
LOCATION

Future
Mine
area

WINDING CREEK
SUBDIVISION

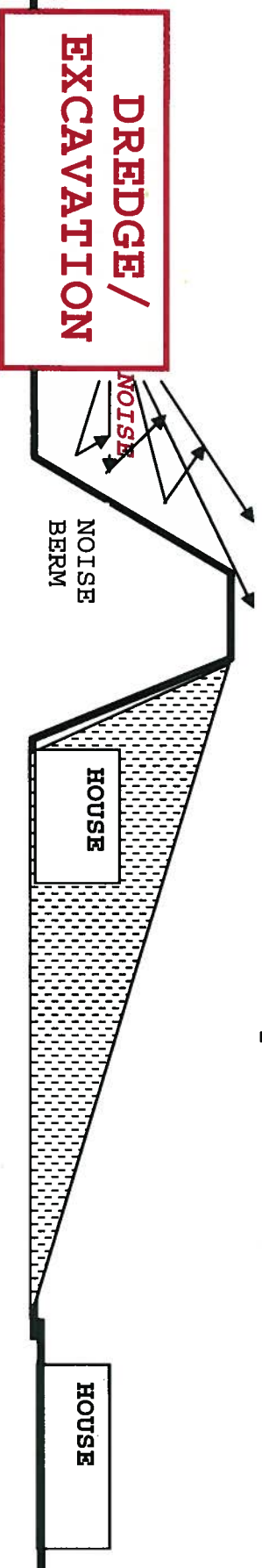
NOISE BERM

DRETT RD

SR 64 E

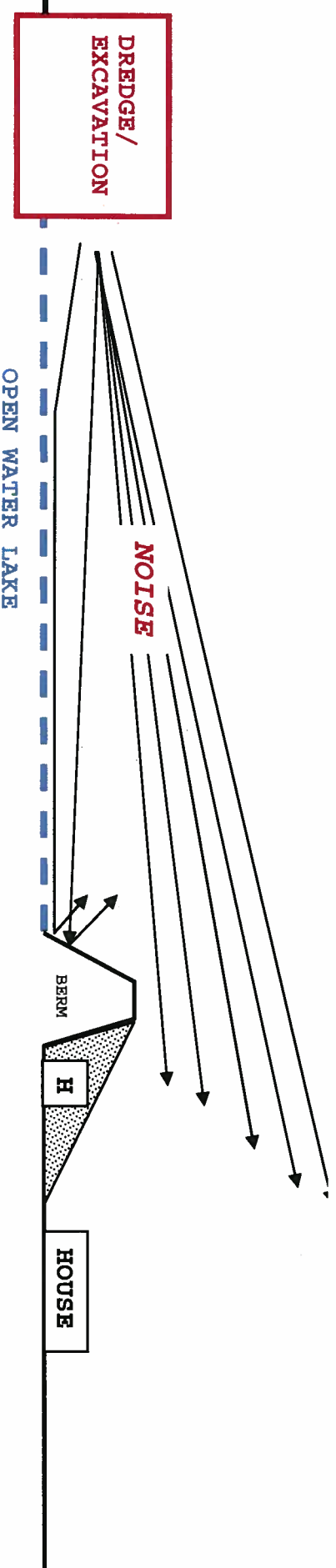
SR 64 E

When the mine activity is **CLOSE** to the Berm



THE MAJORITY OF THE NOISE IS REFLECTED AWAY; HOUSES WITHIN THE SOUND SHADOW OF THE BERM WILL HAVE NOISE REDUCTION, WHILE HOUSES OUTSIDE THE BERM SOUND SHADOW WILL EXPERIENCE A MUCH LESS REDUCTION

When the mine activity is **far** (half mile) from the berm, across open water, the berm no longer functions to dampen the noise



THE VAST MAJORITY OF THE NOISE FROM THE DREDGE/EXCAVATION IS NOT IMPEDED BY THE BERM AT ALL; THE VAST MAJORITY OF THE NOISE PASSES OVER THE BERM AND IS CLEARLY AUDIBLE EVEN AT 1.5 MILES (24 HOURS A DAY; SEVEN DAYS A WEEK; INCLUDING CHRISTMAS EVE, THANKS GIVING AFTERNOON, ETC

This graphic is provided (in conjunction with the closed aerial) in an attempt to illustrate why the current "noise berm" does not function as an adequate noise barrier between the on-going mining activities and the residents of adjacent property owners.

The actual mine activity is so far from the "noise berm" and across an open water body, that the VAST majority of the sound waves simply pass over the berm and intrude on adjacent properties.

If the "noise berm" was in close proximity to the mine operation, the majority of the noise would be reflected back against the noise source and "cancel" out much of the sound.