

Agency Name and Address:

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Name of Reviewer Submitting Comments :

Dennis Mader (DM)

Telephone and email address of reviewer

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**QUESTIONS and COMMENTS
August 15, 2007**

Map C-3 “Existing Floodplains.”

(c) Post-Development Floodplains--Sub-section (08) above demonstrates that post development peak flows following a 25- or 100-year storm event will not change significantly from the current levels. Comparison of Maps C-2 and C-1 demonstrates that Mosaic will reclaim the SFM-HC Tract to land surface elevations that approximate the current elevations and topography. P.22 (c)

Comparisons of Maps C-2&3 indicate that the headwaters of “unnamed tributary SW Q3” lie in SM-9 and will remain unreclaimed. Applicant should extrapolate seasonal water-flow data for “Unnamed Run” at monitoring station SW Q3 in the post-reclamation period and for the projected life of CSA’s SM-9, 10, and 11. [DM]

“Waste Disposal Sites.”

The purpose of this Section is to protect the public health, safety and general welfare...

...to ensure that it is in the public interest of the citizens of Hardee County to allow specific mining activity. HCMO 2.06.00

- 1. As the construction and placement of CSA’s 9, 10, 11, represent a threat to the lives and property of the residents living below their**

grade, the applicant should provide engineering data pertinent to the overall height of and the strength of their dam walls relative to the amount of water and slimes impounded therein at this stage of the approval process. [DM]

2. The applicant should also provide computer modeling on impact of inundation in event of breakage of dam walls (SM- 9, 10, 11) in extreme weather conditions on land-owners (06220-06290, 09030-9100, 06670-06700 as per Map A-3, Section 3) taking into consideration simultaneous ruptures, rupture of interior dam walls, and location of sand tailing disposal in Sections 2 and 11. [DM]
3. Map H-8 “Reclamation Schedule” depicts SM-9, 10, & 11 as being “reclaimed” in 2024. “Reclamation” in this ADA is defined as “completion of initial planting.” HCMO defines reclamation as returning “disturbed lands to a form in which the lands may be of beneficial use.” In what year will the CSA’s again be of beneficial use? (DM)

The applicant is proposing to mine and create clay setting areas within the 100 and 25 year floodplains. Specifically, 70 acres of Clay Settling Area SM-9 will be located within the 100 and 25 year floodplains and approximately 40 acres of Clay Settling Area SM-10 will be located within the 100 year floodplain. The Hardee County Mining Ordinance prohibits mining, the placement of fill or the construction of facilities within the 100 year floodplain unless the applicant can show that mining operations will not increase the risk of flood hazard. Hardee County Comprehensive Plan Policy L1-12; Ordinance 1999-02, Section 2.06.06.

4. MMRP Map H-10 is presented in the same way as the final contingency plan in that it is assumed that a dam break could occur at any point, and the area affected is noted according to which side of the clay settling area failed. P. 12-05

... the 100 and 25-year floodplains will no longer exist because all rainfall and runoff onto the watersheds that create these floodplains will be intercepted and routed to a clay settling area for sedimentation treatment... excess water volumes will be discharged through the proposed outfalls shown on Map H-6. Therefore, the risk of flood hazards will be reduced during the mining and reclamation period by the creation of over 10,000 acre-feet of flood storage capacity that does not currently exist. P. 12-05

The very fact that CSA’s will be located in 100 and 25 year floodplains constitutes an “increased risk of flood hazard.” Because the flood waters are impounded behind an artificial earthen structure that has no

relationship to the natural features of the watershed, the risk of flooding is dramatically increased due to the potential of dam failure. (DM)

5. Development of the SFM-HC Tract will be accomplished without the need for many of the physical plant facilities or structures normally associated with a mining operation. The beneficiation plant and associated mine infrastructure facilities will not be relocated. P.1 A

“While beneficiation occurs out of county, Hardee County shall consider all clays that exit Hardee County to be a waste product created in that county. Hardee County shall not accept waste clays from another county. The Applicant/Operator shall be required to construct a beneficiation plant in Hardee County before waste clays generated from the project will be allowed to be disposed of (stored) in Hardee County. Additionally, Hardee County reserves the right to require the Operator to locate the balance of clays outside of the County due to beneficiation processes that have generated waste clays outside of the County of which have been stored in the County.”

Ona Mine Staff Report 2002 P. 40

Undisturbed Lands

“Undisturbed” is the classification applied to areas where disturbance is not currently proposed due to logistical constraints. Should these constraints be reduced or eliminated, Mosaic may propose to disturb these areas in the future. p. 8-02

It does not serve the purpose of the review process if the applicant does not commit to abiding by the parameters described in the MMRP. (DM)

F.S. Chapter 380.06 (19)(b) “Any proposed change to a previously approved DRI or DO condition... either individually or cumulatively with other changes... shall constitute a substantial deviation and shall cause the development to be subject to further DRI review without the necessity of finding of same by the local government.”

Relocation and Operation of Draglines

Production requirements, however, may dictate that this schedule be altered at some time during the life of the mine, and may involve more than three draglines at any one time.
P. 9-03

The applicant should specify how many draglines will be used in their operations. Not only does the relocation of draglines to the mine site create

environmental impacts, but the simultaneous operation of draglines on the site increases industrial noise, fugitive dust conditions and soil vibrations. (DM)

“Soil vibrations caused by any mining operations shall be below the levels which would be detrimental to the health, welfare and well being of the general public or existing structures.” 07 HCMO

“Dragline crossings impact and interrupt ecosystems, habitats, and damage flora and fauna. Dragline crossings are typically in place for the entire life of a mine. The dragline crossings at the site will disrupt the land and environment for over 30 years. The health and productivity of the wetland ecosystems, and the habitats and lands downstream, will be potentially subjected to increased risks to erosion, siltation, flooding, water quality degradation, changes in flow, etc. Dragline crossings create barriers to wildlife; many terrestrial species are incapable of crossing draglines because of the associated topography, soils, lack of vegetation, weedy vegetation, and/or machinery or its operation. Dragline crossings are therefore very similar to roads which impact wildlife by altering animal behavior by causing changes in home ranges, movement, reproductive success, escape response, and physiological state.” (Trombulak and Frissell, 2000).

HCMO 3.09.07.A.12: ...Dragline crossings are permitted as approved under the Master Mining Plan.

Request for Waiver from Noise Criteria

...the noise setback is mining specific and results in the imposition of setbacks onto Mosaic’s activities without a similar application onto adjoining land uses that create equal or greater noise levels. Examples of noise sources that can be operated across Mosaic’s fence that would be prohibited along the fence on Mosaic property include grove tractors, grove sprayers, highway road mowers, County landfill operations, on-road highway trucks and residential lawn mowers, line trimmers, and chain saws. Thus, the LDC creates an inconsistent and absolute standard that results in the undue imposition of limitations on Mosaic that do not apply to its neighbors, including the Hardee County landfill”. P. 43

The applicant has stated that the operation of mine equipment will be taking place 24 hours/day, 7 days/week. (P. 10-04) This continuous use of mine equipment over 75 decibels cannot be compared to any of the applications cited above. (DM)

Air Quality

In order to document baseline dust levels on the SFM-HC Tract as required by the approved workplan for the ADA and Section 2.06.06 of the Hardee County LDC, Mosaic installed three ambient air quality monitoring stations at the locations shown on Map H-6. These stations have been and will continue to be operated to characterize premining ambient air quality for much of the northern portion of the property. Each monitoring station consists of monitoring equipment designed to measure ambient levels of particulate matter with a diameter of less than 10 microns (i.e., PM₁₀). The equipment, installation, operating, quality control, and data analysis procedures follow applicable FDEP standard operating procedures. Data collected to date is presented in Table 22-1. Data collected in the future will be reported in the annual reports required to be filed by Section 2.06.05.C of the Hardee County LDC. P.18 09b

Air Quality monitoring stations not shown on Map H-6 of this ADA.

Air quality monitoring stations located on the north boundary of the propose mine would take air samples from fugitive dust relating to mining operations on Polk County side of highway and would not be considered scientifically accurate and fair samples of ambient air quality prior to mining operations.(DM)

Recycled Domestic Wastewater

The South Fort Meade Mine sources of supply include rainfall; groundwater contained in the overburden sands and the ore matrix; groundwater withdrawn from the mine production wells; and re-use of treated domestic wastewater from the city of Fort Meade. P. 31-05 j

Effluent from all sewage treatment plants shall be monitored for quantity and quality. The water quality and monitoring of the effluent shall meet the standards established by applicable Hardee County, state and federal laws. HCMO 2.06.06

Road Closures

Future requests for road closure will occur at least one year prior to the scheduled mining of the adjacent lands. The other roads that we anticipate the need to close are:

Road Sec-Twn-Rng

Fussell Road 02-33-25

P.15-(15)

Fussell Road does not traverse SFM property, nor is contiguous with the proposed mining zone. What justification is there for contemplating the closure of this public thoroughfare? (DM)

