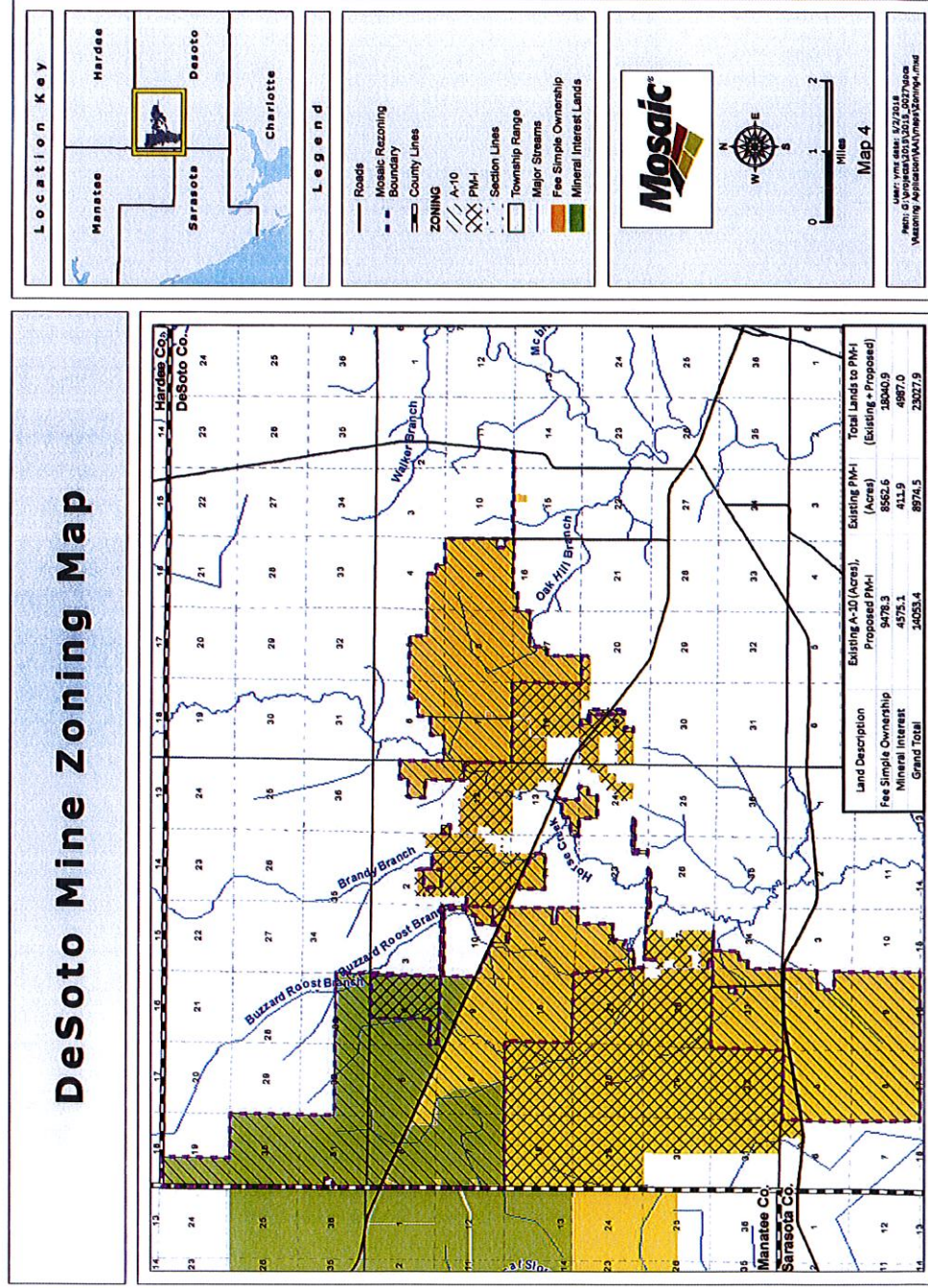


ATTACHMENT 1

MOSAIC OWNED VERSUS LEASED LANDS



OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZ 2016-05), ALL AREAS

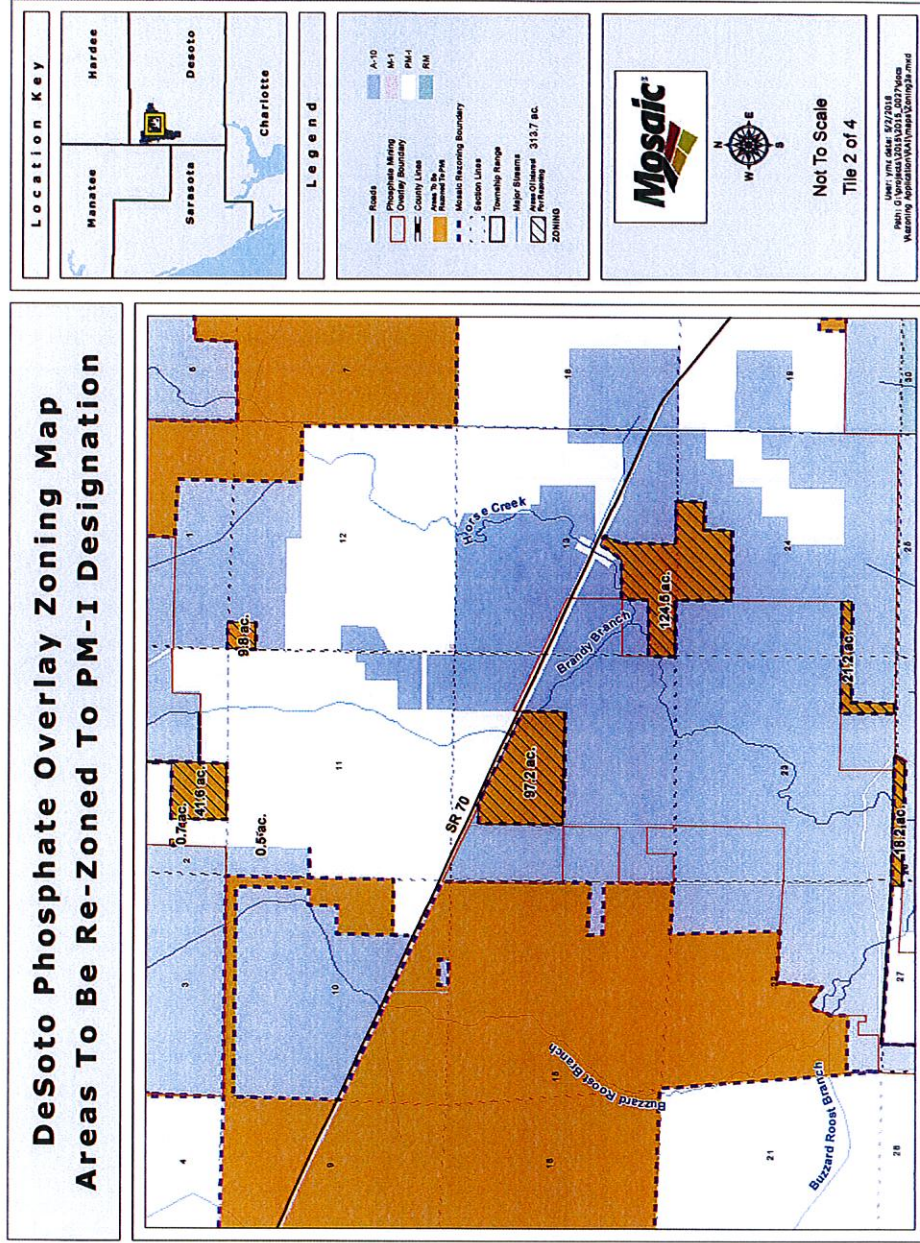


OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZ 2016-05) EXCERPT, SUB-AREA 1

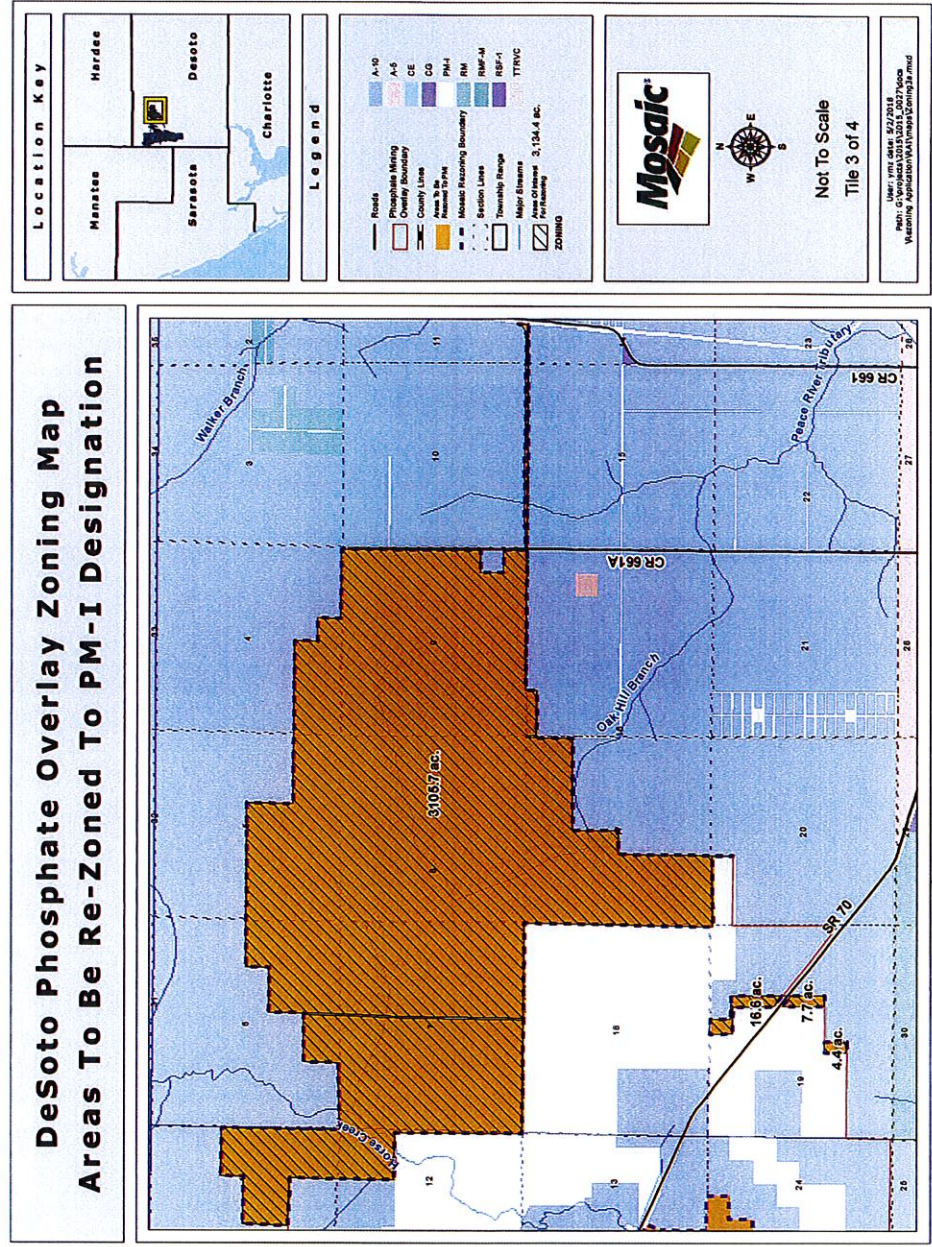


ATTACHMENT 2C

OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZ 2016-05) EXCERPT, SUB-AREA 2

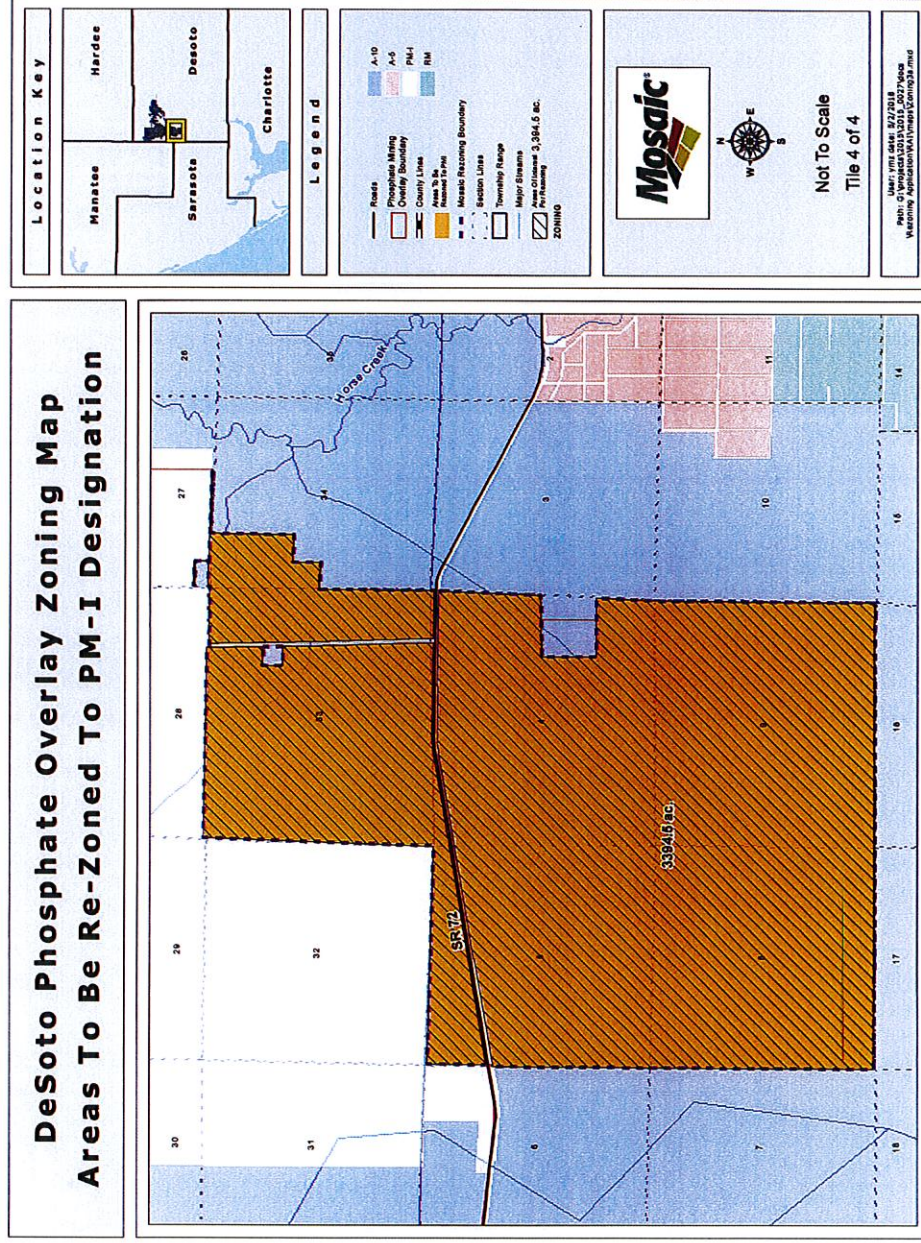


ATTACHMENT 2D OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZ 2016-05) EXCERPT, SUB-AREA 3



ATTACHMENT 2E

OFFICIAL ZONING DISTRICT ATLAS AMENDMENT (RZ 2016-05) EXCERPT, SUB-AREA 4



ATTACHMENT 3

2010 FUTURE LAND USE ELEMENT POLICIES

Future Land Use Element Goal, Objectives and Policies

DeSoto County Comprehensive Plan Adopted April 23, 1991

GOAL L: Promote a high-quality living environment for the residents of DeSoto County by regulating land uses to maximize the potential for economic and social benefit while protecting the public health, safety and welfare, individual property rights, and the natural environment. [9J-5.006(3)(a)]

Objective L1: The natural and historic resources of DeSoto County shall be protected from adverse impacts of development and redevelopment activities. This shall be accomplished through the adoption of land development regulations, by August 1, 1991. Approvals for future development shall require appropriate permits, consistent with state and federal laws and regulations, and shall meet appropriate topography and soil conditions. [9J-5.006(3)(b)(1,4)]

Policy L1.1: The extraction of mineral resources may be permitted in all future land use classifications subject to all applicable local regulations. [9J-5.006(3)(c)(2)]

Policy L1.2: A reclamation plan shall be submitted to DeSoto County as part of the required application for an extractive use permit.

Policy L1.3: Criteria for local designation of sites or structures of historical or archeological significance will be included in the County's land development regulations, to be adopted by August 1, 1991. All sites listed in the Florida Master Site File or National Register shall be considered for local designation. Local designation, as well as demolition or alteration of locally designated sites or structures, shall be by action of the Board of County Commissioners. This procedure does not replace or diminish established procedures for the alteration or demolition of structures or sites in the County, but is an additional safeguard to protect structures and sites designated by the Board of County Commissioners as historically or archaeologically significant. [9J-5.006(3)(c)(8)]

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

DESOTO COUNTY, FLORIDA

ORDINANCE 2010 - 26

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN (LS 2010-01) BY CREATING OBJECTIVES, AND POLICIES TO CREATE A PHOSPHATE MINING OVERLAY; AMENDING THE FUTURE LAND USE MAP TO IDENTIFY THE OVERLAY; CREATING MAP I-7 OF THE FUTURE LAND USE MAP SERIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mosaic Fertilizer, LLC and DeSoto County Development request adoption of a proposed amendment to the Comprehensive Plan, which creates objectives and policies to create a Generalized Phosphate Mining Overlay, an amendment to the Future Land Use Map to identify the Overlay, and the creation of Map I-7 in the Future Land Use Map Series. The boundary of the overlay consists of approximately 26,000 acres and lies starting approximately 4 ½ miles west of the city of Arcadia along the SR 70 and SR 72 corridors, and covers land to the Manatee County line, in an area generally referred to as Pine Level. The property description includes all or parts of multiple sections within Townships 36, 37, and 38 in Range 23; and Township 37 in Range 24.

WHEREAS, the Board of County Commissioners has determined that it would be in the best interest of the health, safety, and welfare of the general public of the County to amend the Comprehensive Plan (the "Plan") to establish objectives, and policies to create a Generalized Phosphate Mining Overlay and to amend the Future Land Use Map to identify the overlay; and to create Map I-7 in the Future Land Use Map Series; and

WHEREAS, in exercise of its authority, the Board of County Commissioners has determined it necessary to adopt this amendment to the Plan, LS 2010-01, which is marked as Exhibit "A" and is attached hereto and by this reference made a part hereof; and

WHEREAS, pursuant to Chapter 163.3184, Florida Statutes, the Commission held public hearings of the DeSoto County Planning Commission, serving as the Local Planning Agency, on May 4, 2010 and of the DeSoto County Board of County Commissioners on May 26, 2010 for the purpose of approval to transmit to Department of Community Affairs Comprehensive Plan amendment LS 2010-01 as described above; and

WHEREAS, the DeSoto County Board of County Commissioners have given consideration to the objections, recommendations and comments provided in the report from the Department of Community Affairs on August 6, 2010 and incorporated suggested changes to the proposed amendment; and

WHEREAS, pursuant to Florida Statutes Chapter 163.3184, the Board of County Commissioners held a public hearing on Amendment LS 2010-01, with due public notice having been provided, to obtain public comment; and considered all written and oral comments received during public hearings, including support documents.

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Ordinance.

Section 2. Amendment. Amendment LS 2010-01 establishing objectives, and policies to create a Generalized Phosphate Mining Overlay and amending the Future Land Use Map to identify the overlay, and creating Map I-7 in the Future Land Use Map Series, copies of which are marked as Exhibit "A" and attached hereto, and by this reference, made a part hereof, is hereby adopted.

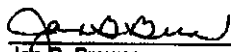
Section 3. Code of Ordinances. This ordinance shall be codified in the Code of Ordinances of the County.

Section 4. Conflict and Severability. In the event this Ordinance conflicts with any other provision of the DeSoto County Code of Ordinances, the provisions of this Ordinance shall control. If any subsection, sentence, clause, phrase or portion of these sections is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remainder of the Ordinance.


Section 5. Effective Date. The effective date of this plan amendment shall be: The date a final order is issued by the Department of Community Affairs finding the amendment to be in compliance in accordance with Florida Statutes Chapter 163.3184, or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Florida Statutes Chapter 163.3184.

PASSED AND ADOPTED this 28th day of September, 2010.

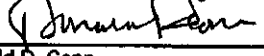
ATTEST:


Jan B. Brewer
County Administrator as
Authorized by Sec. 2.15(q)
Desoto County Code of Ordinances

BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA

By: 
~~XXXXXXXX~~ RONALD P. NEADS
~~XXXXXXXX~~ VICE CHAIRMAN

Approved as to form and legal sufficiency:


Donald D. Conn
County Attorney

Filed with the Florida Secretary of State on _____

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

Exhibit "A"

Policy 1.1.2: *Land Use Categories.* The County shall implement the following land use categories as shown on the Future Land Use Map.

Conservation Overlays	<p>A. Conservation; Limited development subject to environmental analysis and protection of natural resources. Reverts to underlying future land use category if not in conservation area.</p> <p>B. Generalized Phosphate Mining Overlay: Areas identified as having the highest potential for phosphate mining based on soil types and recognized mineral deposits.</p>
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Policy 1.3.8: Phosphate mining/extraction and related land uses are allowed within the Rural/Agriculture Land Use Category only when the area is included in the Generalized Phosphate Mining Overlay Designation and in accordance with the Generalized Phosphate Mining Overlay Designation objective and policies, as well as other policies within the Future Land Use Element and Conservation Element which apply to phosphate mining activity.

Objective 1.12b: Generalized Phosphate Mining Overlay Designation (GPMOD): The Generalized Phosphate Mining Overlay Designation consists of private lands that are likely to contain phosphate minerals located within the Rural/Agriculture Future Land Use District and the Phosphate Mineral Type as depicted on the Generalized Surface Minerals Map. Establishment of the Generalized Phosphate Mining Overlay Designation will ensure the orderly development of phosphate mining activity, including the extraction of mineral resources and reclamation of mined land in a manner compatible with the overall development of the County and the protection of environmental resources as further prescribed in the policies listed below and Phosphate Mining Regulations set forth in the Land Development Regulations.

Policy 1.12b.1: Generalized Phosphate Mining Overlay Designation Location. The Phosphate Mining Overlay area on the Future Land Use Map consists of those lands that are identified as containing phosphate minerals within the Rural Agriculture Future Land Use classification and where phosphate mining is planned and is likely to occur.

Policy 1.12b.2: Generalized Phosphate Mining Overlay Designation Uses: The following activities shall be permitted within the Generalized Phosphate Mining Overlay Designation upon the approval of a Phosphate Mining Operating Permit or Operating Permit or Operating Permits as required by the DeSoto County Land Development Regulations:

- (a.) Phosphate mining/extraction;
- (b.) Phosphate rock and slurry processing, transfer and storage;
- (c.) Beneficiation plant including but not limited to water treatment facilities, railroad spur, product storage, mine administration offices, and similar uses;

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

- (d.) Clay settling areas and recirculation systems, NPDES outfalls, and other drainage uses.
- (e.) Heavy machinery, vehicles and equipment, including but not limited to draglines, dredges, bull dozers, pumps, trucks, and similar equipment necessary for mining and reclamation;
- (f.) Land reclamation;
- (g.) Agriculture; and
- (h.) Phosphate mining allied industries

Policy 1.12b.3: Generalized Phosphate Mining Overlay Designation development standards. Phosphate mining activity must comply with the following minimum criteria:

- (a.) Submit and receive approval of an Operating Permit for a Phosphate Mining Master Plan in conjunction with a zoning approval, as required by the Land Development Code;
- (b.) Be appropriately buffered from agriculture and residential uses according to the requirements of the Land Development Regulations;
- (c.) Reclaim all wetlands impacted by mining as required by the Conservation Element and the Land Development Regulations;
- (d.) Prohibit extraction in those portions of Horse Creek which are classified as wetlands in areas identified on Map I-7 of the Future Land Use Map Series;
- (e.) Establish a buffer zone from preserved wetlands and other surface waters as determined through the state environmental resource permitting process of Chapter 373, F.S., or through the development of regional impact process of Section 380.06, F.S. and in accordance with the Future Land Use Element, Conservation Element and Land Development Regulations;
- (f.) Mining extraction shall be prohibited from the historically unaltered portions of the direct tributaries to Horse Creek (including, but not limited to, Brandy Branch and Buzzard Roost Branch), which lie within the Generalized Phosphate Mining Overlay Designation and are identified on Map I-7 of the Future Land Use Map Series.
- (g.) Seepage wetland areas located outside of the 100-year floodplain shall be identified and evaluated through the state environmental resource permitting process of Chapter 373, F.S. to determine the level of protection provided to them.
- (h.) A minimum setback of 50 feet from the 100-year floodplain of Horse Creek and its direct tributaries as identified on Map I-7 of the Future Land Use Map Series shall be required for mining activities unless otherwise permitted by the appropriate reviewing agency through the environmental permitting process of

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

Chapter 373, F.S. and in accordance with the Future Land Use Element, Conservation Element and Land Development Regulations.

- (i.) The use of Best Management Practices such as berms and monitoring wells shall be implemented within the 50-foot setback area referenced in (h) above in order to ensure that the direct tributaries and floodplains of Horse Creek and the Peace River, natural functions of soils, fisheries, wildlife habitats and listed species are protected and maintained.
- (j.) Corridor crossings of the 100-year floodplain of Horse Creek and its direct tributaries as identified on Map I-7 of the Future Land Use Map Series shall be allowed for access of rail transportation, draglines, and utilities in accordance with permitting and approval by appropriate agencies.
- (k.) Exceptions to these policies may be allowed on a case-by-case basis, when it is determined through the state environmental resource permitting process of Chapter 373, F.S., that the exception would result in improving water quality and habitat protection or would otherwise meet the public interest test implemented under Part IV of Chapter 373, F.S.
- (l.) All mining activity shall be consistent with all other policies of this Plan, specifically including but not limited to, all mining/excavation policies contained within the Conservation Element.

Policy 1.12b.4 All applications for mining activity shall include documentation of Best Management Practices and the use of technology to minimize the adverse effects of phosphate mining activities.

Policy 1.12b.5 DeSoto County shall promote and ensure that phosphate mining activities and reclamation will not preclude future beneficial uses of mined lands.

Policy 1.12b.6: Generalized Phosphate Mining Overlay Designation implementation criteria. The following criteria shall apply to areas within the mining overlay designation prior to authorization to develop a mining operation.

- (a.) DeSoto County shall continue to enforce its mining regulations through the Land Development Regulations regarding permitting, mining and reclamation of areas of mineral resources as determined by the Generalized Phosphate Mining Overlay Designation.
- (b.) All mining activity allowed within the Generalized Phosphate Mining Overlay Designation shall require approval through the County's development review procedures. This review will require the submission of an application for a Phosphate Mining Master Plan and approval of an Operating Permit in accordance with the provisions of the Land Development Regulations.

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

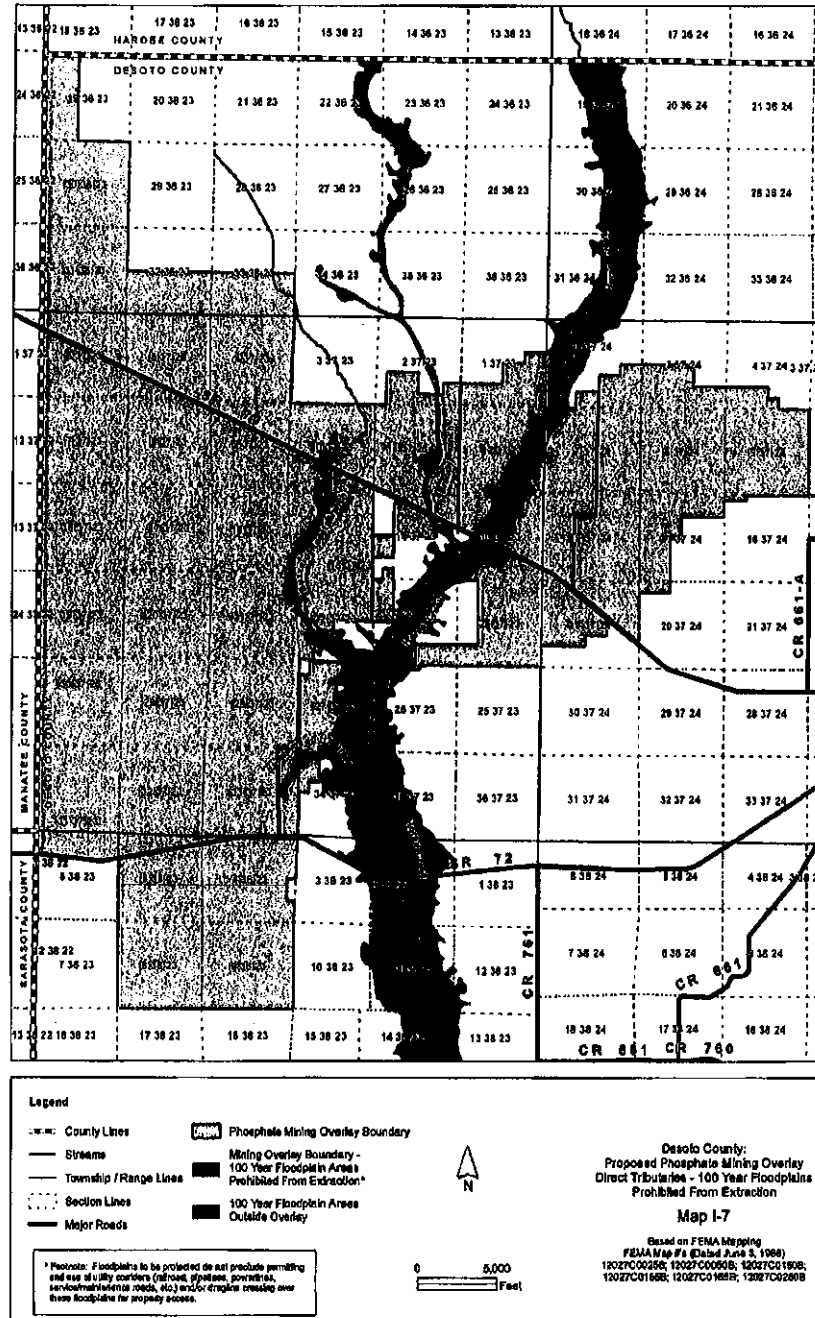
GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

- (c.) Land use authorization in the form of a zoning designation, which permits phosphate mining and related uses as authorized by the Land Development Regulations, shall be obtained prior to approval of a Phosphate Mining Master Plan.
- (d.) DeSoto County shall continue to regulate the location and operation of phosphate mining activities to minimize negative impacts on surrounding properties, ensure that areas are appropriately reclaimed and encourage the productive reuse of such areas.
- (e.) The DeSoto County Land Development Regulations shall specify criteria by which mining activity may be permitted, including appropriate setbacks and buffering from adjacent land uses and to specifically identify land use activity associated with phosphate mining, such as mineral extraction, clay settling areas, land reclamation, etc.; and industrial land use activities, such as beneficiation plants, allied industries, and mining related activities.

Approval Ordinance: LS 2010-01 Mosaic and County-phosphate mining overlay

ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT



ATTACHMENT 4

GENERALIZED PHOSPHATE MINING OVERLAY AMENDMENT

