

Exhibit B - Wingate Creek Mine Development Order 13-01 Conditions: Completed or Obsolete

SECTION 4: DEVELOPMENT COMPONENTS AND CONDITIONS.

Note: All amended and restated Development Order Conditions and Developer Commitments are located in Master Mining Plan R-18-012.

B. TRANSPORTATION MATTERS

11. Mosaic shall complete the following permanent improvements to the transportation system before any trucking from the Wingate Creek Mine recommences:

- a) improve the 90 degree turn on Duette Road;
- b) Mosaic shall be responsible to reimburse Manatee County for all costs incurred by the County associated with the acquisition of any right-of-way necessary for Mosaic to construct these improvements. Alternatively, Mosaic may elect to purchase the land directly from the owner(s) and construct the required improvements; and
- c) Mosaic shall install new temporary and permanent signs as specified by the Manatee County Public Works.

Completed.

18. Mosaic shall erect and maintain signs along Duette Road informing northbound and southbound motorists that truck are entering the highway. The size, placement and wording of these signs shall be approved by the Manatee County Transportation Department and the signs shall be erected before trucking operations commence. **Completed. Signs have been installed.**

C. MINING AND RECLAMATION MATTERS

Manatee County Code of Laws

1. The County shall have the right to perform on-site inspections of the Wingate Creek Mine, from time to time, upon reasonable notice to Mosaic and during normal business hours, so long, as the Wingate Creek Mine is being used for phosphate mining purposes.

Obsolete. The County has the right to perform on-site inspections in accordance with Chapter 2-20.

3. Mosaic shall reclaim the mined property located within the Wingate Creek Mine consistent with the Conceptual Reclamation Plan CPD or future Conceptual Reclamation Plan amendments for the Wingate Creek Mine to fulfill the terms and conditions as contained in this Amended Development Order.

Obsolete. The newest Conceptual Reclamation Plan is CPF.

General Mining and Reclamation Matters

2. All numbers associated with clay volumes, tonnages, capacities, and other volumes associated with sand clay mixture reclamation and clay settling areas (as indicated in prior approvals) shall be superseded by this Substantial Deviation and master mining plan amendment.

Obsolete. Life of Mine Waste Clay Plan was approved as part of Wingate East Mine MMP R-17-017 which supersedes Ord. 13-01.

4. The lake constructed as part of reclamation in Section 29, Township 34, South, Range 22 East, shall be contoured in accordance with the requirements of the approved Master Mine Plan and the FDEP-BMR Conceptual Reclamation Plan for the Wingate Creek Mine.

Obsolete. The reclamation of the lake is a part of the Master Mining Plan.

5. Best Possible technology will be used to provide the maximum protection possible for the public health, safety, and welfare and which minimizes to the greatest degree possible any adverse impacts of mining on the watershed of the Lake Manatee reservoir. Any flow of surface water from the plant area and sand tailings pile in Sections 20(S ½) & 30(NE 1/4) of Twp.34 S Range 22E, will be intercepted by ditch and berm systems and redirected away from the Lake Manatee Watershed. Waters will be released only through approved NPDES outfalls.

Obsolete. The use of best possible technology is a Chapter 2-20 requirement for issuance of a Master Mining Plan.

8. Mosaic shall, within sixty (60) days of the effective date of the adoption of an Operating Permit that implements this Development Order (Ord. 13-01), apply to the Florida Department of Environmental Protection - Bureau of Mine Reclamation to amend the FDEP-BMR Conceptual Reclamation Plan so that it conforms to the approved Master Mine Plan, Operating Permit, and this Development Order.

Completed.

9. There shall be no chemical processing of any phosphate product extracted from this mine within Manatee County.

Obsolete. Chapter 2-20 does not allow for chemical processing of phosphate ore in Manatee County.

11. Mosaic shall install on its property two additional monitoring wells (for a total of three in this area) within 100 ft. of the northernmost property line of the Winding Creek Subdivision property line. Mosaic shall install and monitor the wells per the requirements of the shallow ground water monitoring program included in the Master Mine Plan update.

Installation completed with OP R-13-002. Monitoring is ongoing under the Environmental Monitoring Plan which is part of the MMP.

17. Stockpiling of overburden or sand tailings within 1500 feet (north) of the Winding Creek Subdivision in Sections 28 & 29, Township 34 South, Range 22 East shall be limited to a maximum height of 25 feet.

Obsolete.

18. Hours for operations of the mine are typically 24 hours per day, 7 days per week. Mosaic agrees not to use horns for communications on the dredges. Where possible, LED lighting will be installed. Operational lighting will be mitigation by the installation of the visual buffer in the setback area described in Stipulation 4.C(10), above. If there are complaints or concerns on noise or light issues, Wingate Creek Mine operations personnel can be contacted at 941-322-6801, to promptly investigate and reach a fair resolution in consultation with Manatee County.

Obsolete. Hours of operations is a part of the MMP.

19. The Wingate Creek Master Mining plan and Conceptual Reclamation plan provides descriptions of the environmental and reclamation programs in place to address environmental issues. The plans include descriptions of the environmental monitoring programs, reclamation programs, and mining details. All other environmental monitoring and protection is mandated through Manatee County Phosphate Mining Code, SWFWMD WUP program, FDEP NPDES program and FDEP Bureau of Mine Reclamation regulatory programs.

Obsolete.

22. The Developer shall provide an annual update on the existing capacity of clay settling areas FM-1, FM-2 and F-9 in dry clay tons and the waste clay production schedule for the next fiscal year. In no event shall clay production exceed the permitted storage capacity in Manatee County, including capacity for 8.1 MM tons of clay currently stored in Hardee County. Mining and processing shall not proceed until additional storage is identified and permitted within Manatee County. The waste clay capacity shall be expressly approved by the Director in writing.

Obsolete. New condition included in MMP.

Wingate Creek Mine Setback Reduction Area Conditions

1. The 150 foot setback reduction area to be disturbed located in Section 21 & 28, TWP 34S, RG 22 East will conform to the requirements of Phosphate Mining Code - Ordinance 04-39 and the Reclamation Manual for the habitats impacted.

Obsolete. Incorporated into 2011 amendment areas which conform with the requirements of Chapter 2-20.

2. Surface Water: Best Management Practices for reducing surface water quality impacts shall be implemented.

Obsolete. Best Management Practices are a requirement of MMP approval.

Wingate Creek 2011 Amendment Conditions

5. If any historical or archeological sites are discovered during mining operations, land disturbing activities shall cease until trained cultural resource experts can examine the area and determine, in consultation with DHR, whether the site is significant and, to the extent appropriate, assess the measures which will be taken to avoid, minimize, or mitigate any adverse impacts prior to continuation of mining activities.

Obsolete. Requirement is part of MMP approval to comply with the Comprehensive Plan.

8. Wingate Creek along with functionally-integrated wetlands (FLUCFCS Codes 617 and 630) and associated 30-foot wetland buffers (FLUCFCS Codes 434 and 310) shall be preserved at the completion of reclamation. Preservation of these habitats address wildlife corridors and connectivity between Duette Preserve and downstream preserved habitats as outlined in the goals, objectives, and policies of the Comprehensive Plan. Preservation may be established by conservation easement or title transfer.

Obsolete. This requirement was already in R-13-001 and will be in the amended MMP.

15. Wingate Creek Mine is permitted to be mined via dredge. Any change in mining method, not specified above, will constitute a substantial deviation.

Obsolete.

16. Radiation standards shall be maintained in accordance with Ordinance 04-39.

Obsolete. Radiation requirements are included in MMP.

D. ENVIRONMENTAL AND WATER SUPPLY MATTERS

1. Mosaic shall comply with the terms and conditions of the Environmental Monitoring Program for the Wingate Creek Mine which is attached as Exhibit C and incorporated by reference herein.
Obsolete. The Environmental Monitoring Program is a part of the MMP.