FLORIDA DEPARTMENT OF
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MINING AND MITIGATION PROGRAM
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE OF FLORIDA
DRAFT PERMIT

ENVIRONMENTAL RESOURCE PERMIT

PERMITTEE:
The Chemours Company FC, LLC
c/o Mr. Stuart Forrester
PO Box 753
Starke, FL 32091

Permit Number: MMR_137482-018
Date of Issue: XXXXX
Exp. of Construction Phase: XXXX, 2035
County: Bradford & Clay
Project: Trail Ridge South Mine

PROJECT LOCATION
The project site is located approximately 4.5 miles southeast of Starke, Florida, along Treat Road, in Clay County, Sections 6, 7, 18, and 19, Township 7 South, Range 23 East; Parcel ID Numbers 06-07-23-000731-005-00, 07-07-23-000731-006-00, 18-07-23-000731-017-00, and 19-07-23-000732-000-00, and in Bradford County, Sections 12, 13, and 24, Township 7 South, Range 22 East; Parcel ID Numbers 04828-0-00000, 04829-0-00000, and 04986-0-00000. The project is in the Santa Fe River basin, Class III waters.

PROJECT DESCRIPTION
The permittee is authorized to construct a surface water management system to facilitate heavy minerals mining and associated on-site mitigation activities at the Trail Ridge South Mine. The mine is located in Bradford and Clay counties, Florida within the Santa Fe River basin, Class III waters. Authorized activities are depicted on the attached exhibits and described below.

This Environmental Resource Permit (ERP) is designated No. MMR_137482-018. The Trail Ridge South Mine permit boundary encompasses approximately 2,884.4 acres; the surface water management system project area for heavy minerals mining activities will consist of a total of approximately 1,749.92 acres within the permit boundary. The project will include impacts to approximately 740.45 acres of wetlands and other surface waters; 725.96 acres of wetlands and other surface waters within the permit boundary will be avoided. Approximately 26.14 acres of other surface waters (25.47 acres man-made ditches and 0.67-acre lake) are upland-cut and do not require mitigation pursuant to Applicant's Handbook Volume I, Section 10.2.2.2. The 0.67-acre lake is located in an area that was previously disturbed by mining activities prior to the requirement to reclaim the land. Approximately 0.56 acres of wetlands (0.10 and 0.04 acres freshwater marsh, 0.4 acres wetland forested mixed, and 0.02 acres wetland scrub) total are

isolated and less than half an acre in size, and do not require mitigation pursuant to Applicant's Handbook Volume I, Section 10.2.2.1. The remaining impacts to wetlands and other surface waters require mitigation; 710.59 acres of wetland creation and 136.49 acres of wetland enhancement are required as mitigation to offset impacts under this permit.

The proposed project will impact approximately 740.45 acres of wetland and other surface waters at the Trail Ridge South Mine, including 710.59 acres of wetlands [227.53 acres coniferous plantation wetland (FLUCCS 441W), 1.29 acres bay swamp (FLUCCS 611), 0.21 acres gum swamp (FLUCCS 613), 0.51 acres cypress (FLUCCS 621), 376.59 acres wetland forested mixed (FLUCCS 630), 15.84 acres wetland scrub (FLUCCS 631), and 88.62 acres freshwater marsh (FLUCCS 641)], 29.19 acres of man-made ditches [3.72 acres ditched wetland and 25.47 acres upland-cut ditches (FLUCCS 510d)], and 0.67 acres of lake (FLUCCS 524). Mitigation includes creation of 710.59 acres of wetlands [1.29 acres bay swamp (FLUCCS 611), 0.21 acres gum swamp (FLUCCS 613), 0.51 acres cypress (FLUCCS 621), 619.96 acres wetland forested mixed (FLUCCS 630), and 88.62 acres freshwater marsh (FLUCCS 641)] and enhancement of 136.49 acres of wetlands [converting 136.49 acres of coniferous plantation wetland (FLUCCS 441W) to wetland forested mixed (FLUCCS 630)]. The functional gain provided by the mitigation projects exceeds the functional loss of the wetlands proposed for impacts.

The Trail Ridge South Mine will be mined via mobile mining units, with a land-based separation plant site, the mobile concentrator. Approximately 1,548.99 acres will be mined. The depth of mining will average 22 feet below grade with a maximum depth of 40 feet below grade. Groundwater will be maintained a minimum of 1-foot below ground surface using a ditch and sump system to allow equipment to access material. Mining cells will be dewatered in advance of mining via rim ditches and hydraulic pumps operating within the mining cell perimeter containment berm. The dewatering effluent will be mixed with the excavated ore (after oversize materials are removed) to form a slurry that will be pumped to the process water pond at the plant site for further processing. After each mine cell has been excavated, sand tailings from the plant site will be pumped into the excavated pit. Excess water from the tailings will be decanted and incorporated into the active mining process for the next mine cell. Reclamation of mined areas will occur concurrently with mining. As mining and reclamation progress, new areas will be incorporated into the stormwater management system and reclaimed areas will be removed from the system. Approximately 160 acres (80 acres per Mobile Mining Unit) may be in various stages of the mining process (site preparation, active mining, tailings, contouring/reclamation) at the active mining areas at one time. The stormwater management system will be capable of containing the runoff from a 25-year, 24-hour storm event. Five existing culverted trail road wetland crossings will be widened during the mining phase to provide access for vehicles, equipment, and pipelines. When the crossings are expanded, the culverts will be extended in order to maintain proper flow through avoided wetland systems. After mining is complete, four of the expanded crossings shall be removed. One of the expanded crossings will be removed and returned to the original approximately 25-foot wide culverted trail road wetland crossing in the post-reclamation condition, while three new approximately 25-foot wide culverted trail road wetland crossings will be established to provide upland access. Each culvert or set of culverts is

designed to handle the 25-year, 24-hour design storm. The construction of the Trail Ridge South Plant Site, including the laydown area, processing area, and stormwater ponds, is authorized under ERP # MMR_137482-017. The construction of the industrial wastewater ponds (Process Pond, IWW Pond 1-Lime Neutralization Pond, IWW Pond 2-Treatment Pond, and IWW Pond 3-Final Effluent Pond) is permitted under this permit (MMR_137482-018). The operation and reclamation of the Trail Ridge South Plant Site are authorized under this permit (MMR_137482-018). The completion of construction, including reclamation, will be by the year 2035.

AUTHORIZATIONS

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined the activity is not on submerged lands owned by the State of Florida. Therefore, your project is not subject to the requirements of Chapter 253, F.S., or Rule 18-21, F.A.C.

Federal Review – SPGP NOT APPROVED – State 404 Required

As of Dec. 22, 2020, Florida has assumed authority to administer the dredge and fill permitting program under Section 404 of the federal Clean Water Act within certain waters in the state "assumed waters." The activity as proposed and outlined in the application and attached drawings has been determined to be located within State 404 assumed waters and is therefore, **not eligible** for authorization pursuant to the State Programmatic General Permit. If you do not already have a valid permit from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act, a **SEPARATE State 404 Individual Permit will be required** from the Department prior to construction commencement. Please contact Janelle Strong at 850-245-7549 for additional information.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as described.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

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3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), (http://www.flrules.org/Gateway/reference.asp?No=Ref-02505), incorporated by reference herein, indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically or by mail to the Agency. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.

5. Unless the permit is transferred under rule 62-330.340, F.A.C., or transferred to an operating entity under rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms, and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

   a) For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or

   b) For all other activities – "As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)].

   c) If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:

a) Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Florida Department of State, Division of Corporations, and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

b) Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:

a) Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in chapter 62-330, F.A.C.;

b) Convey to the permittee or create in the permittee any interest in real property;

c) Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

d) Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

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12. The permittee shall notify the Agency in writing:

    a) Immediately if any previously submitted information is discovered to be inaccurate; and

    b) Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, stone tools, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section (DHR), at (850)245-6333, as well as the appropriate permitting agency office. Project activities shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, F.S. For project activities subject to prior consultation with the DHR and as an alternative to the above requirements, the permittee may follow procedures for unanticipated discoveries as set forth within a cultural resources assessment survey determined complete and sufficient by DHR and included as a specific permit condition herein.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary

corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

19. In addition to those general conditions in subsection (1), above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SPECIFIC CONDITIONS

PRIOR TO CONSTRUCTION

1. CONCEPTUAL RECLAMATION PLAN: Prior to initiating mining operations within the permit boundary, a conceptual reclamation plan shall be approved by the Department.

2. FINANCIAL RESPONSIBILITY: To satisfy the property interest requirements of the ERP Applicant's Handbook, Volume I, Section 4.2.3(d)5.d.1, and the mitigation requirements of Section 10.3.7 - 10.3.7.9, the permittee shall maintain financial responsibility in an amount sufficient to cover 110% of the costs for removal of the stormwater management system and reclamation of the site, and to cover construction, monitoring, and maintenance of the mitigation wetlands. The initial approved property interest financial responsibility amount shall be $9,496,335 and the initial approved mitigation financial responsibility shall be $8,937,884 per the date of issuance of this permit.

   a. Draft financial responsibility language shall be approved by the Department. Financial responsibility shall be posted prior to initiation of activities authorized under this permit. Financial responsibility shall be in an amount equal to 110 percent (%) of the estimated costs to meet the requirements of ERP Applicant's Handbook, Volume I, Section 4.2.3(d)5.d.1, Sections 10.3.7 – 10.3.7.9. The initial financial responsibility amount and all updates shall be approved by the Department. A standby trust fund agreement shall be established.

   b. Financial responsibility shall be updated annually. The amount shall be adjusted annually based on the annual Construction Cost Index, as presented in the first issue of the Engineering News Record published in December. The amount may be adjusted to reduce the costs for work completed. Adjustments shall be submitted with the annual report by March 1 of each year.

   c. In addition to the above requirements:

1) A permittee must notify the Agency by certified mail of the commencement of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming the permittee as debtor within 10 business days after the commencement of the proceeding.
2) A permittee who fulfills the requirements of Sections 10.3.7 through 10.3.7.9 and Section 4.2.3(d)5.d.1 by obtaining a bond will be deemed to be without the required financial assurance in the event of bankruptcy, insolvency, or suspension or revocation of the license or charter of the issuing institution. The permittee must reestablish in accordance with Sections 10.3.7 through 10.3.7.9 and Section 4.2.3(d)5.d.1 a financial responsibility mechanism within 60 days after such event.
3) When transferring a permit, the new owner or person with legal control shall submit documentation to satisfy the financial responsibility requirements of Sections 10.3.7 through 10.3.7.9 and Section 4.2.3(d)5.d.1. The prior owner or person with legal control of the project shall continue the financial responsibility mechanism until the Agency has approved the permit transfer and substitute financial responsibility mechanism.

d. Financial responsibility to satisfy property interest requirements under ERP Applicant's Handbook, Section 4.2.3.(d)5.d.1 shall be maintained until the entire system has been released from the requirements of Chapter 62C-37, F.A.C., and converted to operational phase and transferred to the final operational entity and/or the system has been abandoned and the operation phase terminated pursuant to 62-330.310(7), F.A.C. Financial responsibility to satisfy the requirements of Sections 10.3.7 through 10.3.7.9 shall no longer be required for individual wetlands and/or other surface waters that have been deemed successful and released from the requirements of Chapter 62C-37, F.A.C. and this ERP by the Department.

3. HISTORICAL AND ARCHAEOLOGICAL ARTIFACTS: Pursuant to General Condition 14, if historical or archaeological artifacts are discovered within the project site, the permittee shall immediately notify the Bureau of Historic Preservation, Division of Historical Resources, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. The permittee shall also notify the Department either by email at MiningAndMitigation@FloridaDEP.gov, by mail at 2600 Blair Stone Road, MS 3577, Tallahassee, Florida 32399, or by phone at 850-245-7554.

4. WILDLIFE MANAGEMENT: The permittee shall conduct pre-clearing wildlife surveys prior to habitat disturbance. The appropriate Florida Fish and Wildlife Conservation Commission/US Fish and Wildlife Service (FFWCC/USFWS) authorizations shall be obtained prior to the disturbance of habitat occupied by listed wildlife species or relocation of any listed wildlife species. All relocation activities shall be conducted in accordance with FFWCC/USFWS permits or management plans. Copies of all correspondence, permits, authorizations, and reports to or from these agencies shall be provided to the Department no later than 30 days after being generated or received by the permittee.

5. LISTED AND REGULATED SPECIES: This permit does not authorize the permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FFWCC staff are available to provide decision support information or assist in obtaining the appropriate FFWCC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SYSTEM CONSTRUCTION

6. EXTENT OF CONSTRUCTION: The extent of system construction shall be limited to the areas shown on the attached Figure 10 – Mine Plan Map and Figure 11 Revised – Wetland Impacts Map.

7. SYSTEM MODIFICATIONS: No modifications or additions shall be made to this facility which could alter the stormwater management and storage characteristics of the facility, without prior modification of this permit. The stormwater treatment facility shall at all times be maintained in good working order and operate as efficiently as practicable. All installed treatment facilities shall be operated to achieve the highest practical level of treatment and efficiency.

8. WASTEWATER SYSTEM CONSTRUCTION AND MANAGEMENT: There shall be no discharges unless specifically authorized by this permit or the permittee's Industrial Wastewater Facility Permit.

    a. Contact stormwater and process wastewater shall be managed through the industrial wastewater ponds (IWW Ponds) as located within the "Water Treatment Area" and shown on Figure 1 – Facility Overview Map (located in the Best Management Practices Plan, attached).

    b. Non-contact stormwater only shall be managed through the Plant Stormwater Ponds as shown in the Legend on Figure 1 – Facility Overview Map (attached).

    c. Figure 2 - Plant Site Layout (attached) shows the proposed Primary and conceptual Alternative Outfalls from the industrial wastewater ponds. Three options were provided by the permittee and reviewed during this permit application process for the purpose of discharge of treated contact stormwater and process wastewater: One option utilizing the Primary Outfall only, and two options (Options A and B, as described below) utilizing the Primary Outfall and Alternative Outfall with the purpose of dividing the discharge between the Primary and Alternative Outfalls. These Alternative Outfall options were

provided to the Department on November 6, 2020, within the "Mining Phase Water Balance" document. Options A and B are as follows:

1) Option A – Divert 70% of the discharge to the secondary east outfall (TRS D-002)
   - Primary TRS D-001 (west) Outfall Average Annual Daily Flow (AADF) discharge= 0.04 mgd (Santa Fe Watershed)
   - Alternative TRS D-002 (east) Outfall AADF = 0.09 mgd (Keystone Heights)
2) Option B – Divert 85% of the water when Graham Gage is above 2.3 cfs
   - Primary TRS D-001 (west) Outfall AADF = 0.02 mgd (Santa Fe Watershed)
   - Alternative TRS D-002 (east) Outfall AADF = 0.11 mgd (Keystone Heights)

d. At least 21 days prior to discharging any treated or untreated industrial wastewater, the permittee shall provide to the Department as-builts ("As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)]) of the IWW Ponds and outfall structure(s), and identify which of the three options were constructed and how water discharges will be managed. The permittee shall also provide a revised Figure 2, representing as built conditions, at least 21 days prior to discharging any treated or untreated industrial wastewater.

e. The permittee shall submit the calculated storage capacities of the IWW ponds to the Department for review and approval with the as-builts described in Specific Condition 8d. The permittee shall be able to maintain rainfall storage capacity in the industrial wastewater management system for containing the design (25-year, 24-hour) storm event at or below the maximum operational level while maintaining a minimum 3 feet of freeboard. This evaluation shall follow the "Table 1. Trail Ridge South IWW Ponds Capacity Analysis for the 25-Year, 24-Hour Storm Event – Conceptual Pre-Construction" template included in Appendix A – IWW Pond Design and Operating Information (attached), and shall demonstrate the system's ability to recover from the design storm event according to the ERP Applicant's Handbook Volume II for the St. Johns River Water Management District.

9. WATER QUALITY PROTECTION: Prior to initiating any dredging or filling within wetlands, stockpiling material, waste, or overburden in the vicinity of a wetland or other surface waters, or conducting any other earth-disturbing activity in the vicinity of a wetland or other surface waters, the permittee shall implement measures to protect from turbidity and sediment on-site and off-site wetlands and surface waters that are not approved for dredging or filling. Adjacent and/or downstream wetlands and other surface waters shall be protected as follows:

a. The stormwater management system shall be constructed to manage or prevent discharge from a 25-year, 24-hour storm event. Operation, maintenance and inspection of the system shall be in accordance with the permittee's Best Management Practices Plan (attached).

b. The permittee shall instruct all personnel (including subcontractors) that the above referenced activities shall not occur within wetlands or surface waters not authorized for dredging or filling, nor within or adjacent to wetlands or other surface waters where turbidity and sediment control devices are not present.

c. Prior to any activities the permittee shall clearly flag and stake the limits of the permitted construction areas to demarcate and protect adjacent upland, wetland, and other surface waters from encroachment. All construction personnel shall be shown the locations of all wetland and buffer areas outside of the construction area to prevent encroachment from heavy equipment into these areas.

d. Best management practices (BMP) for turbidity and erosion control shall be installed prior to the commencement of any construction activities. Methods shall include, but are not limited to, the use of staked hay bales, berms, staked filter cloth, temporary containment berms, silt-control polymers, sodding, seeding, mulching, and the deployment of turbidity screens around the immediate project site, as appropriate for each area. All wetland areas or waterbodies that are adjacent to the specific limits of construction authorized by this permit shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.

e. The permittee shall be responsible for ensuring that erosion control devices and procedures, as required by General Condition No. 3, are inspected and maintained during all phases of construction (i.e. site preparation, construction, earthmoving, reclamation, etc.) authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges. In no case shall surface water discharges result in exceedance of State water quality standards pursuant to Chapter 62-302, F.A.C.

f. Erosion and turbidity control devices shall be inspected and maintained daily and within 24 hours after each rainfall event greater than ½-inch. Erosion and turbidity control devices shall also be inspected and maintained on a regular basis during all phases of earthmoving and reclamation. Inspectors shall have completed stormwater erosion control training, shall receive annual training updates, and be familiar with all BMP plans. Records of inspections shall be maintained on site for a period of three (3) years and shall be available to Department staff upon request. Erosion control devices shall remain in place until all areas are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

g. The turbidity control barriers shall remain in place until all construction work and reclamation have been completed and the reclaimed areas are adequately stabilized. The determination to remove turbidity and erosion control devices shall be based on site inspections and water quality monitoring data (outlined in the Monitoring Requirements Section of this permit) indicating that no violations of State water quality standards are expected to occur.

10. STORMWATER SYSTEM MANAGEMENT: Mining operation areas shall be surrounded by a perimeter containment berm. The stormwater management system shall be managed such that a 25-year, 24-hour storm event can be contained with appropriate freeboard. The system shall be constructed and managed as follows:

    a. The top of any berms (including temporary roads) adjacent to areas not designated for disturbance (including preservation areas) shall be sloped such that they drain towards the construction area and not undisturbed areas. Berms and other disturbed areas in or adjacent to wetlands shall be seeded, mulched, sodded, or appropriately treated to facilitate the rapid growth of vegetation and stabilization of the area. Any breach of integrity shall be immediately repaired.

    b. Slopes and exterior sides of berms, immediately up gradient from property lines, wetlands, and surface waters, shall be inspected daily and within 24 hours after each rainfall event that is greater than ½-inch in a 24-hour period until the vegetation has been established. Thereafter, inspections shall occur weekly and within 24 hours after each rainfall event that is greater than ½-inch in a 24-hour period. Should washes or rills develop, the permittee shall repair the eroded areas and stabilize the slopes within 48 hours. Where the possibility of cascading failure exists, up gradient dikes and berms must also meet this requirement.

    c. All berms shall be removed as part of the reclamation of each area.

    d. Pumps in the water collection areas shall be inspected daily when running to ensure correct operation.

    e. Each inspection shall be documented and kept on file at the facility office. Each inspection report shall contain, as a minimum, date, name of inspector, as-found condition of system features, and nature and extent of maintenance/repair performed.

11. VIOLATION OF STATE WATER QUALITY STANDARDS: The following measures shall be taken immediately by the permittee whenever the water quality levels at a monitoring station, or any water leaving the project area, violates state water quality standards established pursuant to Chapter 62-302, F.A.C.;

    a. Cease all work contributing to the water quality violation.

    b. Modify the work procedures that were responsible for the violation, and repair any non-functioning containment devices.

    c. Within 24 hours of identifying the violation notify the Department of the time the violation is first detected, the extent of the violation, and the corrective measures that have been and will be implemented.

d. Continue water quality monitoring at 8-hour intervals until samples no longer violate water quality standards.

12. FLOWABLE LIQUID STORAGE: Stormwater ponds, topsoil storage piles, rim ditches, and other water control structures shall not be constructed to operate as a dam, unless the design is specifically approved in this permit. "Dam" means any artificial or natural barrier, with appurtenant works, raised to obstruct or impound, or which does obstruct or impound, any of the surface waters of the state.

    a. Water control structures shall not store flowable liquid more than four feet above natural grade. A minimum of three feet of freeboard should be provided above the expected high-water level within the containment system. All water management structures shall be constructed of clean fill, devoid of materials or vegetation that could allow water to be piped through the structure. Vegetated structures should be mowed annually.

    b. Topsoil storage piles or berms constructed as roadway safety barriers shall not be utilized to store flowable liquid, but may be used to divert stormwater to sumps. Water deeper than one foot above grade shall be pumped away from these structures within 72 hours.

13. DESIGN STORM CONTAINMENT: All mining and mining-related activities shall be conducted within a surface water management system capable of containing a 25-year, 24-hour storm. All exterior containment structures and appurtenant works must be designed by a professional engineer. All construction and modification of exterior containment structures and appurtenant works shall be supervised by a professional engineer. Where the possibility of cascading failure exists, upstream dikes and berms must also meet this requirement. The permittee shall establish internal procedures to ensure compliance with this condition. Operation, maintenance and inspection of the system shall be in accordance with the permittee's stormwater pollution prevention and best management practices plan for the facility.

14. FLOOD CONTROL: The permittee shall take all reasonable steps necessary to eliminate the risk that there will be flooding on lands not controlled by the permittee caused by silting or damming of stream channels, channelization, slumping or debris slides, uncontrolled erosion, or intentional spoiling or diking, or other similar actions within the control of the permittee.

WETLAND CONSTRUCTION & RECLAMATION

15. UTILITY CROSSINGS: Five existing culverted trail road wetland crossings will be widened to allow for vehicle, equipment, and pipeline access, as shown on Figure 10 – Mine Plant Map, Figure 10C – Cross Section E-F, and Figure 11 Revised – Wetland Impacts Map. When the crossings are expanded, the culverts will be extended in order to maintain proper flow through avoided wetland systems. After mining is complete, four of the expanded

crossings shall be removed. One of the expanded crossings will be removed and returned to the original approximately 25-foot wide elevated crossing in the post-reclamation condition. Three new approximately 25-foot wide elevated crossings will be established to provide upland access, as represented in the attached Figure 13 Revised – Post-Mining Land Use and Vegetation Map, Figure 15 – Wetland Mitigation Map, and Figure 16 – Cross Section G-H (attached) represents the post-reclamation condition of the culverted trail road wetland crossings. Each culvert or set of culverts is designed to handle the 25-year, 24-hour design storm. The roads will be graded approximately 2-feet above the top of the culverts and are not expected to cause adverse flooding during large storm events or reduce discharges to adjacent downgradient wetlands. Construction, removal, and revegetation of the pipeline/utility crossings described herein shall be completed as described herein, outlined in the Figures, and as follows:

a. Best management practices for turbidity and erosion control as outlined in Specific Condition 9 above, shall be used and maintained at all times beginning prior to construction and through crossing removal and stabilization. Daily turbidity monitoring shall be conducted and reported in accordance with Specific Conditions 28 and 29 during utility crossing expansion, construction, and removal.

b. Clean sand or fill shall be compacted over the crossing area.

c. Pipelines for transport of any substance other than clear water shall be double-walled, and shall be equipped with properly engineered pressure sensing devices capable of shutting down pumping in the event of pipe pressure loss or pipe coupling/blowout failure. The permittee shall, at least 21 days prior to the commencement of pipeline use, provide to the Department a certification of construction details confirming the installation of the devices.

d. Certified as-built engineering drawings for the pipeline/utility crossings shall be submitted to the Department within 30 days of construction completion.

e. The construction and removal of all structures and fill material will be timed to coincide with periods of low flow and shall not be done during the months of July, August, or September.

f. Fill shall be removed and the area contoured to elevations shown in the post-reclamation design, Figure 14 Revised - Post-Mining Topography and Drainage Basins Map. All exposed soil will be revegetated within 24 hours after final contouring.

g. The final contours of the restored crossing area shall be surveyed in accordance with general survey procedures utilizing a 50-foot grid and showing elevations to 0.1 foot. Within 60 days of final grading, both a cross section and a topographic map of the crossing site extending the width of the 25-year floodplain, showing sampled points and 0.5-foot contours referenced to NGVD, and certified by a land surveyor or professional

engineer registered in the State of Florida, shall be submitted to the Department for approval. All topographic maps shall meet the minimum technical standards as set forth in Chapter 472, F.S.

h. Revegetation shall be done in accordance with Specific Conditions 17 and 19.

16. SITE CONTOURING: The permittee shall re-contour the project area as shown in attached post-reclamation topography, drainage plans and wetland cross sections. The elevations for the wetlands, as shown in the attachments, are conceptual. The final elevations shall be based on the post-mining hydrology of the site and will be set to ensure healthy, functioning wetlands. Reclamation shall occur in accordance with the timetables in Rule 62C-37.008, F.A.C. and in the attached Figure 10 – Mine Plan Map.

    a. The permittee shall restore the original drainage pattern of the area to the greatest extent possible. Watershed boundaries shall not be crossed in restoring drainage patterns; watersheds shall be restored within their original boundaries. Types of landforms shall be those best suited to enhance the recovery of the land into mature sites with high potential for the intended land use. Slopes of any reclaimed land area shall be no steeper than four feet horizontal to one foot vertical to enhance slope stabilization and provide for the safety of the general public.

    b. At least six inches of topsoil shall be applied to all areas within the project area. If muck is available, muck shall substitute for topsoil within created and restored wetland areas.

    c. Where needed to contain sediment and turbidity on site, minimum topsoil storage piles may remain around the perimeter of the project area. These remaining topsoil storage piles shall be removed to restore over-land sheet flow, planted, and stabilized prior to release.

17. SITE REVEGETATION: The permittee shall reclaim and revegetate the project area to the land uses as shown in attached post-reclamation land use. Reclamation shall occur in accordance with the timetables in Rule 62C-37.008, F.A.C. The permittee shall follow the planned post-reclamation vegetation plan as shown in the attached Figure 13 Revised – Post-Mining Land Use and Vegetation Map and Table 4 – Post Mining Land Use.

18. MITIGATION AS-BUILTS: Within 30 days of achieving final grade, the permittee shall install permanent benchmarks and submit a topographic map of each wetland site to be created. The topographic map shall be submitted to the Department within 60 days of achieving final grade. The topographic map shall meet the following criteria:

    a. It shall show one-foot contour intervals based on a 50-foot, or finer, resolution grid.

    b. It shall clearly depict the topography of the wetland site in such a way as to unambiguously show how the site will retain, detain, shed, or otherwise influence the

flow and detention of water at the site, using a resolution finer than that required in subparagraph a. above, if necessary.

c. It shall be certified by a registered land surveyor or professional engineer registered in the state of Florida.

d. It shall extend not less than 50 feet into the adjacent, surrounding uplands; and

e. The map shall be at a scale of one inch equals 100 feet, or larger.

19. WETLAND MITIGATION AREA REVEGETATION: The wetland mitigation areas shall be planted in accordance with the attached post-reclamation land use figures and tables and the following criteria:

a. The revegetation shall include the planting of tree, shrub, and ground cover species native to Bradford and Clay Counties; identified as obligate or facultative wet plant species, as defined by Chapter 62-340, F.A.C.; and appropriate for the wetland type.

b. The tree and shrub locations shall be staggered to result in a more natural spatial distribution and to avoid establishing straight rows of trees/shrubs. The specific location for planting should be determined in the field based on an assessment of the variation in topography, soils and hydrology within the wetland site.

c. The revegetation of forested mitigation areas shall include the planting of wetland tree species such sweet bay (*Magnolia virginiana*), swamp bay (*Persea palustris*), dahoon holly (*Ilex cassine*), green ash (*Fraxinus pennsylvanica*), sweet gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), bald cypress (*Taxodium distichum*), pond cypress (*Taxodium ascendens*), and blackgum (*Nyssa sylvatica* var. *biflora*). Other tree species may be substituted with prior written approval of the Department. Mitigation wetlands shall be planted in accordance with Table 5 – Mitigation Planting.

d. All created wetland mitigation areas shall have a 50-foot Hardwood-Conifer Mixed (FLUCCS 434) upland buffer to provide for enhanced forage and refuge for species utilizing the wetlands.

20. WETLAND MITIGATION MAINTENANCE: The purpose of the periodic management of the wetland mitigation sites is to ensure that the wetland plant species will survive and thrive. As part of ongoing management of the sites, the permittee shall do the following:

a. Remove nuisance and exotic species from the site, as needed, to meet the requirements of Specific Condition 40. Nuisance and exotic species shall include those plants listed in the current Florida Exotic Pest Plant Council (FLEPPC) Invasive Plant List.

b. Nuisance and exotic vegetation shall be controlled by herbicide, fire, hydrological, or mechanical means in order to limit cover of nuisance species to less than ten (10) percent and exotic species to less than one (1) percent.

c. Replant wetland trees in accordance with Specific Condition 19 when the density falls below 400 wetland trees per acre. The permittee shall replant at least as many trees of the appropriate species as needed to meet the release criteria.

d. If after a period of two years, no positive growth or establishment of desirable native wetland groundcover species is observed, supplemental planting of herbaceous wetland vegetation shall occur.

21. WETLAND EVALUATION AND CORRECTIVE ACTION: If it is determined by Department staff, based upon visual inspection and review of the monitoring reports, that the creation and restoration efforts are not trending toward meeting the release conditions, the permittee shall present methods and proposal for attainment of release criteria to be reviewed and approved by the Department within 30 days of the Department's notification, to ensure success of the efforts. The corrective actions shall be implemented within 90 days of written approval by the Department unless a different time schedule is approved in writing by the Department.

22. WETLAND ENHANCEMENT AREAS: Prior to commencement of construction at the Trail Ridge South Mine, the permittee shall begin the enhancement area activities described herein; enhancement activities shall be completed within 60 days of commencement of construction. Approximately 136.49 acres within the project boundary shall be enhanced and converted to Wetland Forested Mixed (FLUCCS 630) by thinning existing planted pine in Coniferous Plantation Wetland (FLUCCS 441W) areas to a density of no more than 50 trees per acre. Once this has been accomplished the area will be graded to remove furrows, windrows, ditches and old logging decks and transition the elevation into the adjacent, existing mixed hardwood forests. Enhancement areas will be planted with tree species found in Planting Zone A on Table 5 – Mitigation Planting (attached). It is anticipated that herbaceous, shrub and additional wetland tree species will recruit from the adjacent mixed hardwood forests. If insufficient desirable herbaceous and shrub recruitment occurs within two (2) years, herbaceous and shrub species shall be planted. These species shall be native to Bradford and Clay Counties, identified as obligate or facultative wet plant species (as defined by Chapter 62-340, F.A.C.), and appropriate for the wetland type. The following area shall be enhanced:

Coniferous Plantation Wetland (FLUCCS 441W) to Wetland Forested Mixed (FLUCCS 630), 136.49 acres, as shown on the attached Figure 15 – Wetland Mitigation Map.

After grading and planting is completed in the enhancement areas, the permittee shall notify the Department in writing that the enhancement construction has been completed to allow Department staff to inspect the work.

MONITORING & REPORTING

23. QUALITY ASSURANCE: In order to assure minimum field and laboratory quality assurance, methodological and reporting requirements, all field sampling shall follow the applicable collection and quality control protocols and requirements described in Chapter 62-160, F.A.C., and the appropriate Department of Environmental Protection Standard Operation Procedures.

24. DEPARTMENT SUBMITTAL ADDRESS: Unless otherwise specified, all notices, plans, draft easements, reports or other documents or information required by this permit to be submitted to the Department shall be provided to:

    Florida Department of Environmental Protection
    Mining and Mitigation Program
    2600 Blair Stone Road, MS 3577
    Tallahassee, Florida 32399-2400
    850-245-7554
    MiningAndMitigation@FloridaDEP.gov

25. AGENT CHANGE: The permittee shall notify the Department in writing within 14 days of any change in agents, address or telephone number for the permittee or project.

26. SYSTEM INSPECTION: All mining and mining-related activities shall be conducted within a surface water management system capable of containing a 25-year, 24-hour storm.

    a. Slopes and exterior sides of berms, immediately up gradient from property lines, wetlands, and surface waters, shall be inspected daily and within 24 hours after each rainfall event that is greater than ½-inch in a 24-hour period until the vegetation has been established. Thereafter, inspections shall occur weekly and within 24 hours after each rainfall event that is greater than ½-inch in a 24-hour period. Should washes or rills develop, the permittee shall repair the eroded areas and stabilize the slopes within 48 hours. Where the possibility of cascading failure exists, up gradient dikes and berms must also meet this requirement.

    b. Pumps in the water collection areas shall be inspected daily when running to ensure correct operation.

    c. Each inspection shall be documented and kept on file at the facility office. Each inspection report shall contain, as a minimum, date, name of inspector, as-found condition of system features, and nature and extent of maintenance/repair performed.

27. SPILL REPORTING: Pursuant to 403.077, F.S., the permittee shall:

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a. Report all unauthorized releases or spills of:
   3) oil or petroleum products in excess of 25 gallons per incident (Chapter 62-780, F.A.C.);
   4) untreated or treated wastewater or stormwater in excess of 1,000 gallons per incident;
   5) other hazardous substances where public health or the environment may be endangered.

b. Unauthorized releases or spills shall be reported to:
   1) The State Watch Office Toll Free Number, (800) 320-0519;
   2) The Department's Pollution Notice website at https://floridadep.gov/pollutionnotice; and
   3) The Department's Mining and Mitigation Program at MiningAndMitigation@FloridaDEP.gov.

c. Unauthorized releases or spills shall be reported as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information:
   1) Name, mailing and email addresses, and telephone number of person reporting.
   2) Name, mailing and email addresses, and telephone number of permittee or responsible person for the discharge.
   3) Date and time of the discharge and status of discharge (ongoing or ceased).
   4) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater or stormwater).
   5) Estimated amount of the discharge.
   6) Location or address of the discharge.
   7) Source and cause of the discharge.
   8) Whether the discharge was contained on site and cleanup actions taken to date.
   9) Description of area affected by the discharge, including name of water body affected, if any.
   10) Other persons or agencies contacted.

d. A written submission shall also be provided to the Department at the email address listed above, within five (5) days of the time the permittee becomes aware of the unauthorized release or spill. The written submission shall contain: all of the information listed above, a description of the unauthorized discharge and its cause; the period of the unauthorized discharge including exact dates and time, and if the unauthorized discharge has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the unauthorized discharge.

e. Pursuant to 403.077(2)(d), F.S., if the permittee discovers that a reportable pollution release has migrated outside the property boundaries of the installation, **the permittee must provide an additional notice** to the Department via the Pollution Notice website

that the release has migrated outside the property boundaries within 24 hours after discovery.

f. For unauthorized stormwater releases or spills of **1,000 gallons or less**, per incident, notification emails shall be provided to the Department at MiningAndMitigation@FloridaDEP.gov, within 24 hours from the time the permittee becomes aware of the discharge.

28. SURFACE WATER QUALITY MONITORING: Water quality monitoring shall occur down gradient from each dredging or filling activity within waters of the state.

a. Permanent water quality monitoring stations shall be installed in the avoided wetland areas, 25 to 50 feet down gradient from the areas that have been, or will be dredged or filled. Proposed monitoring locations shall be submitted to the Department for approval within 60 days of permit issuance.

b. Daily monitoring of turbidity shall be conducted at each station in the avoided wetlands during all phases of the construction of the surface water containment control berm until the external face of the berm has vegetated and stabilized.

c. If monitoring reveals turbidity levels at the monitoring station greater than or equal to 29 Nephelometric Turbidity Units (NTU's) above the average turbidity levels measured in that location prior to construction, the requirements of Specific Condition 11 shall be implemented.

29. SURFACE WATER QUALITY REPORTING: All daily turbidity monitoring shall be summarized on a monthly basis and shall be submitted by the 7th of each month.

a. Each monitoring report shall be submitted with the following information:
   1) permit number;
   2) dates of sampling and analysis;
   3) a statement describing the methods used in collection, handling, storage and analysis of the samples;
   4) a map indicating the sampling locations;
   5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data; and
   6) documentation that the laboratory performing the sampling and analyses has an approved quality control and assurance plan on file with the Department.

b. The monitoring reports shall also include the following information for each sample that is taken:
   1) time of day samples taken,
   2) water temperature,

3) depth of water body,
4) depth of sample, and
5) antecedent weather conditions.

30. GROUNDWATER LEVEL MONITORING: Within 3 months of the date of issuance of this permit or prior to the commencement of mining operations (whichever occurs first), the permittee shall install 11 piezometers in the undisturbed wetlands and 2 staff gauges in the undisturbed surface waters as shown in Figure 17 – Undisturbed Wetland Monitoring Piezometer Locations Map (attached), to provide assurance that there will be no significant impacts to water quantity on-site or downstream resources and to ensure that adequate water levels are maintained to support the adjacent undisturbed wetlands and surface waters.

a. Upon completed installation of the 11 piezometers and 2 staff gauges, the permittee shall submit a report certifying the construction details. This report shall also include:
   1) A map with the latitude and longitude coordinates of the devices, including casing and ground elevation information; and
   2) Measured water levels and elevations.

b. The piezometers will monitor the surficial groundwater levels during mining and through the completion and release of reclamation at least monthly.

c. Undisturbed wetlands will be visually evaluated on at least a monthly basis to ensure no adverse impacts occur.

d. Should the piezometers indicate groundwater lowering that has the potential to cause adverse secondary impacts to undisturbed on-site or downstream wetlands or surface waters, the permittee shall immediately coordinate will the Department to institute corrective measures and implement appropriate controls to maintain hydration. Possible controls include recharge ditches or flow diversions.

31. GROUNDWATER LEVEL REPORTING: The permittee shall commence keeping groundwater level monitoring reports beginning within 3 months of the date of issuance of this permit or prior to the commencement of mining operations (whichever occurs first), through the successful completion and release of reclamation.

The permittee shall submit the following in the groundwater level report to the Department with the annual report for the mine:
1) A narrative that describes the monitoring performed, dates of monitoring, groundwater elevations, and surface water levels;
2) Summary tables of the dates of monitoring and results;
3) Applicable figures, including a map showing the project location and piezometer and staff gauge locations;
4) Groundwater elevation contours;
5) Any conclusions and recommendations; and

6) A statement by the individual responsible for implementation of the monitoring program concerning the authenticity, precision, limits of detection and accuracy of the data.

32. MITIGATION VEGETATION MONITORING: Monitoring of mitigation areas shall be conducted to ensure that these areas are trending toward meeting release criteria and provide time for mitigation areas to establish natural vegetative community structures. Mitigation areas shall be monitored until they meet release criteria outlined in Specific Conditions 40 and 41 and the Department issues formal release.

a. Created Mitigation: Vegetation monitoring of the created mitigation areas shall be conducted on an annual basis for 5 years or until such time that release success criteria are met. Within six months or at the onset of the next growing season following completion of final contouring and initial planting, a baseline quantitative monitoring event shall be conducted to document the baseline conditions for the area. Quantitative monitoring is conducted during the first- and fifth-year annual monitoring events. Qualitative monitoring is conducted during the second, third- and fourth-year annual monitoring events. If the wetland mitigation areas have not reached release criteria by the fifth-year monitoring event, the monitoring methods will be re-established.

b. Enhancement Areas: Qualitative wetland monitoring for these areas shall take place prior to the enhancement work and again at one year after enhancement completion.

33. MITIGATION AREA HYDROLOGIC MONITORING: Hydrologic monitoring shall be conducted within the created wetlands. The location and number of monitoring stations shall be determined based upon the acreage and land use types within the wetland area to be monitored. Following final contouring of wetland mitigation areas, an as-built survey of post reclamation contours along with the proposed location for surficial piezometers will be provided to the Department for approval. Monitoring stations will be approved by Department staff after reviewing the topographic map of the mitigation area and/or after a field inspection of the final graded site. Natural ground and top of casing of the piezometers shall be surveyed in by a Florida Professional Land Surveyor. All benchmarks shall be clearly identified. After achieving final grade for the wetland mitigation site, the permittee shall install one of the following two options:

a. Option 1: one surficial piezometer and one wetland staff gauge. If Option 1 is chosen for hydrologic monitoring, the permittee shall record water elevations at the staff gauge and record the depth to water at the surficial piezometer on a weekly basis for 1 year and then on a monthly basis thereafter.

b. Option 2: a surficial piezometer fitted with a data logger unit to monitor daily water elevations within the wetland. If Option 2 is chosen for hydrologic monitoring, then the surficial piezometer will be fitted with a continuous data recorder which will collect daily water elevations. Water elevations from the data logger shall be downloaded

monthly. If the data logger is not functioning as required, the permittee shall manually record water elevations at the piezometer weekly, until the data logger is repaired.

Under both options, daily rainfall shall be monitored at the nearest representative rainfall monitoring station. Hydrologic monitoring shall begin immediately after the monitoring stations have been surveyed in, and shall continue until the Department determines that the mitigation satisfactorily meets the release criteria. Elevations will be checked if there is reason to believe the piezometer has shifted in some way.

34. MITIGATION VEGETATION AND HYDROLOGY MONITORING REPORTING: Annual mitigation monitoring reports for the previous calendar year shall be submitted to the Department on or before March 1 of each year. The reports shall continue to be submitted until all wetland mitigation has been released. Each report shall include the following information:

    a. The cover page shall indicate the permit number, project name and the permittee name. Just below the title, the certification of the following statement by the individual who supervised preparation of the report: "This report represents a true, accurate, and representative description of the site conditions present at the time of monitoring."

    b. Dates of monitoring inspections, observations made during the inspections, and corrective actions implemented or proposed, if any.

    c. Statistical summaries of water elevations within created and restored wetlands as monitored pursuant to Specific Condition 33. Water elevation monitoring shall be sufficient to demonstrate whether the constructed wetlands and waterbodies meet the design requirements of this permit and are appropriate for the wetland type being created or restored. All water level data shall be compared tabularly and graphically (multiple plots on the same chart) with daily precipitation data. Hydrologic determinations, assumptions, and conclusions shall be substantiated. Note any observed hydrologic and biologic indicators of hydrology.

    d. Statistical summaries of the wetland vegetation cover. Vegetation monitoring shall be sufficient to demonstrate whether the revegetation meets the design requirements of this permit.

    e. Photographs of wetlands and waterbodies taken at each transect from the same permanent photo stations.

35. WEATHER MONITORING STATION: The applicant shall maintain a weather station at Trail Ridge South Mine. The weather station shall measure and accumulate data on wind speed and direction, precipitation on an hourly basis, temperature, humidity, and barometric pressure. In the event of a discharge, information from, but not necessarily limited to, this station will be used to determine whether the event exceeded the design conditions provided

in the permit. The weather station shall be inspected weekly to ensure that it is functioning as required. If the permittee becomes aware of an approaching storm that could cause significant rainfall, the weather station shall also be inspected prior to the storm. Each inspection shall be documented and kept on file at the facility office. Each inspection report shall contain, as a minimum, date, name of inspector, as-found condition of the weather station, and nature and extent of maintenance/repair performed. Within 60 days of the effective date of this permit, the permittee shall submit the proposed location of the weather monitoring station to the Department for approval.

36. WEATHER MONITORING STATION REPORTING: The permittee shall report the data from the weather station on a quarterly basis. During each reporting period, the report shall include the minimum, maximum, mean and standard deviation for each parameter. Also, the permittee shall provide rainfall and wind data from the weather station within 48 hours after any off-site discharge through an emergency spillway, emergency discharge point or failure in a surface water management structure.

37. INDUSTRIAL WASTEWATER MANAGEMENT REPORTS:
    a. In order to determine the amount of storage lost as a result of the accumulation of infill materials such as silt, sediment, or humate in the ponds, the permittee shall annually re-evaluate the IWW pond storage capacity and submit an updated industrial wastewater management system capacity report to the Department. The report shall be submitted with the annual reports required in Specific Condition 38. If it is determined that the available storage capacity and the rate of storage capacity recovery in the system is insufficient to meet the applicable design capacity and recovery requirements, the permittee shall include a proposed plan for restoring the required design storage capacity within 90 days of the required annual report submittal under Specific Conditions 38.

    b. The permittee shall monitor the IWW ponds on a weekly basis based on Table 2. Trail Ridge South IWW Pond Weekly Management Report – Template" included in Appendix A – IWW Pond Design and Operating Information (attached). Whenever the storage capacity of any pond drops below the capacity to contain the storage capacity equivalent to the 25-year, 24-hour design storm at or below the maximum operational level, the permittee shall provide this written report to the Department in an approved spreadsheet format which identifies water levels and corresponding storage capacities for each pond in relation to the pond's storage capacity.

38. ANNUAL REPORTS: Annual narrative reports shall be submitted to the Department on or before March 1 of each year. The reports shall continue to be submitted until all work authorized has been completed. Each report shall include the following information:

    a. The cover page shall indicate the permit number, project name and the permittee name. Just below the title, the certification of the following statement by the individual who supervised preparation of the report: "This report represents a true and accurate description of the activities conducted during the period covered by this report."

b. The date permitted activity began or projected commencement date if work has not begun on site.

c. A brief description and drawings showing the extent of the work completed during the previous calendar year.

d. A brief description and drawings showing the work anticipated during the current calendar year.

e. A description of problems encountered and solutions implemented or proposed, if any.

f. The results of any pre-disturbance wildlife and endangered/threatened species surveys conducted during the year; a description of activities taken to avoid or relocate these species shall also be provided.

g. The groundwater level report described in Specific Condition 31.

h. The mitigation vegetation and hydrology monitoring report described in Specific Condition 34.

i. The re-evaluation of the industrial wastewater pond storage capacity described in Specific Condition 37a.

RELEASE

39. RECLAMATION RELEASE STANDARDS: Reclamation release conditions for the project include:

a. All lands that are reclaimed shall be completed in a neat, clean manner by removing all visible debris, litter, junk, worn-out or unusable equipment or materials, as well as all footings, poles, pilings, and cables. If any large rocks or boulders exist as a result of mining, these should be left either at the surface where they are distinctly visible or placed in mined-out areas and covered to achieve a minimum depth of four feet.

b. All temporary buildings, pipelines, and other man-made structures shall be removed with the exception of those that are of sound construction with potential use compatible with the reclamation goals.

c. Washes or rills shall be repaired and stabilized.

d. The ground cover of upland areas shall at least meet the reclamation standards of rule 62C-37.008(10)(a), F.A.C.

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40. WETLAND MITIGATION SUCCESS CRITERIA: Each wetland creation and restoration area shall be deemed successful when all of the following criteria have been continuously met for a period of at least one growing season, without intervention in the form of irrigation, dewatering, removal of undesirable vegetation, or replanting of desirable vegetation.

    a. Each wetland mitigation area shall provide at least the minimum number acres of wetlands to offset wetland functional losses resulting from dredging or filling as defined in ERP Table 2 (attached). The wetland acreage shall be determined by the Department, pursuant to Chapter 62-340, F.A.C., and the hydrologic records.

    b. The desirable herbaceous species and shrub cover equals or exceeds 80 percent of the wetland area, and the plants are reproducing naturally, either by normal, healthy, vegetative spread (in ways that would be normal for each wetland species) or through seedling establishment, growth and survival.

    c. An average of least 400 desirable trees per acre shall be growing above the herbaceous and shrub stratum. No area greater than an acre in size shall have less than 200 trees per acre. Desirable canopy and shrub species shall be reproducing naturally, as evidenced by the presence of natural recruitment, positive canopy growth, fruit, cones, or seedlings.

    d. Desirable species are those species that are identified as aquatic, obligate or facultative wet plant species, as defined by Chapter 62-340, F.A.C., and are native to Bradford and Clay counties.

    e. Nuisance species such as cattail (*Typha* spp.) and climbing hempvine (*Mikania scandens*) shall not exceed ten percent (10%) of the total cover. Exotic species as defined by those species listed on the current Florida Exotic Pest Plant Council (FLEPPC) Invasive Plant List (http://www.fleppc.org/list/list.htm), shall not exceed 1 percent (1%) of the total cover.

    f. The created wetlands shall have hydroperiods, depth of inundation, and flow regimes appropriate to the community type, which benefit the target plant community and communities downstream.

    g. Species richness and dominance regimes for canopy, shrub, and herbaceous vegetation shall be within the range of values documented within target community type. The relative age of the mitigation site when compared to mature systems shall be considered in the evaluation.

    h. Water within all wetlands and waterbodies shall meet applicable Class III standards, pursuant to Chapter 62-302, F.A.C.

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41. WETLAND ENHANCEMENT SUCCESS CRITERIA: Wetland enhancement areas shall be deemed successful when they have at least 400 trees per acre, and at least 80% herbaceous and shrub cover by desirable native species; and cover by nuisance and exotic vegetation shall be limited to less than ten (10) percent for nuisance species and less than one (1) percent for exotic species. Wetland enhancement areas shall be protected for a minimum of 5 years to allow for establishment prior to release request. Release procedures shall be as described in Specific Condition 42.

42. MITIGATION RELEASE PROCEDURES: The required mitigation shall be released when success criteria outlined in Specific Conditions 39, 40, and 41 have been met. Mitigation wetlands shall be released as follows:

    a. The permittee shall notify the Department whenever the permittee believes the mitigation is ready for release, but in no event earlier than three years after the mitigation is completed. The notice shall include:
        1) A copy of the most recent Annual Narrative and Monitoring Report and a narrative describing how the reported data support the contention that each of the criteria has been met.
        2) As-Built Certification And Request for Conversion to Operation Phase, Form 62-330.310(1), effective June 1, 2018.

    b. Within 120 days of receipt of the notice, the Department shall notify the permittee that the Department determined:
        1) That the mitigation can be released; or,
        2) That the mitigation cannot be released, identifying those elements of the mitigation that do not meet the success criteria.

    c. The mitigation shall be considered released if the Department fails to respond to the permittee's request for success determination.

OPERATIONS PHASE

43. OPERATION, AND MAINTENANCE: The surface water management system approved in this permit shall meet the following requirements:

    a. All construction, operation and maintenance shall be as set forth in the plans, specifications, and performance criteria approved by this permit;

    b. If revisions or modifications to the permitted project are required by other regulatory agencies, the Department shall be notified of the revisions so that a determination can be made whether a permit modification is required;

    c. This permit also authorizes operation and reclamation of the Trail Ridge South Plant Site, a minerals processing facility and associated stormwater management structures.

Construction of the facility is not authorized under this permit. A separate ERP, Permit No. MMR_137482-017, was previously obtained by the permittee that authorizes construction of the Trail Ridge South Plant Site.

c. Within ninety (90) days after removal of the berm and separation of the surface water management system of an area from lands that report to any surface water discharges permitted under Chapter 62-620, F.A.C., the permittee shall submit one set of certified record drawings of the surface water management system as actually constructed and notify the Department that the facilities are ready for inspection and approval.

d. The operational phase applies to those lands disturbed by mining operations, where reclamation has been completed, that no longer report to any surface water discharges permitted under Chapter 62-620, F.A.C., but have not been released in accordance with Specific Conditions 39, 40, and 41 above and the reclamation requirements of Chapter 62C-37, F.A.C., as applicable.

e. Pursuant to Rule 330.310(7)(a), F.A.C., the operation phase of mining activities subject to the land reclamation requirements of Chapter 378, F.S., shall terminate, without the need to apply for abandonment of the permit, after the mine, or its subunits as applicable:
   1) Has been successfully reclaimed in accordance with Chapter 378, F.S., other than lands disturbed by mining operations that are not subject to the requirements of Chapter 378, F.S.;
   2) Has met all success requirements of the individual permit issued under Part IV of Chapter 373, F.S.; when the construction phase of the permit includes all phases of construction, abandonment, reclamation, and final success determination over reclaimed lands; and
   3) Does not contain components that require long-term operation or maintenance, such as: stormwater management systems; achievement of mitigation success criteria; work in conservation easements requiring a permit under this chapter; state-owned submerged lands authorizations; dams; above-grade impoundments; works; water control structures; erosion and sedimentation controls; or dewatering pits.

f. For areas containing structures that require long-term operation or maintenance, upon completion of construction and release from the land reclamation requirements of Chapter 378, F.S., the permittee shall apply for a permit modification for transfer of the operational phase of the permit, or its subunits as applicable, to the perpetual operation and maintenance entity/entities. This application shall be submitted pursuant to Rule 62-330.310(4)(a), F.A.C. and form 62-330.310(2).

g. Areas containing structures that require long-term operation or maintenance will be managed in accordance with a long-term operation and maintenance plan that must be reviewed and approved in writing by the Department prior to transfer of the permit to operational phase.

h. Following release, the site shall be managed in accordance with Exhibit I - CBJTC Integrated Natural Resources Management Plan (INRMP) & SRWMD/CBJTC Cooperative Management Agreement, attached. Land management activities, including prescribed burns every 3-5 years in order to maintain the pine flatwoods (FLUCCS 411) post-reclamation land use, shall be consistent with this plan.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 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 this action is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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Orlando E. Rivera, PWS, CERP
Program Administrator
Mining and Mitigation Program
Florida Department of Environmental Protection
Orlando.Rivera@FloridaDEP.gov

Attachments: See attached table

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit modification and all copies were sent on the filing date below to the following listed persons:

Copies furnished via e-Mail:

Brad Carter, CPM - Bradford County - brad_carter@bradfordcountyfl.gov
Carolyn Morgan – Clay County Planning & Zoning – Carolyn.morgan@claycountygov.com
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Gregory M. Hitz – Lampl Herbert Consultants, Inc - gmhitz@lampl-herbert.com
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Mining & Mitigation Program File

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

[DRAFT]

Clerk Date

DRAFT

ERP No. MMR_137482-018, List of Attachments

Tables

Table Title	Date Received by FDEP
ERP Table 1 [Wetland and Surface Water Impacts] [2 pages]	November 1, 2019
ERP Table 2 [Wetland Mitigation]	November 1, 2019
Table 3 – Pre-Mining Land Use	November 1, 2019
Table 4 – Post-Mining Land Use	June 10, 2020
Table 5 – Mitigation Planting	November 1, 2019

Figures

Figure No.	Figure Title	Date Received by FDEP
Figure 1	Location Map	November 1, 2019
Figure 2	Aerial Map	November 1, 2019
Figure 2	Plant Site Layout (from Mining Phase Water Balance)	November 6, 2020
Figure 3	USGS Topographic Map	November 1, 2019
Figure 3	Regional Hydrology (from Mining Phase Water Balance)	November 6, 2020
Figure 4	Soils Map	November 1, 2019
Figure 5	FEMA Floodplain Map	November 1, 2019
Figure 5	Location of Existing Piezometers (from Hydrogeologic Analysis)	November 1, 2019
Figure 6	Pre-Mining Average Depth to Water	November 1, 2019
Figure 7	Average Water Table Elevation Map (from Hydrogeologic Analysis)	November 1, 2019
Figure 7	Pre-Mining Land Use and Vegetation Map	November 1, 2019
Figure 8 Revised	Pre-Mining Wetlands	June 10, 2020
Figure 9 Revised	Pre-Mining Topography and Drainage Basins Map	June 10, 2020
Figure 10	Mine Plan Map	November 1, 2019
Figure 10A	Cross Section A-B	November 1, 2019
Figure 10B	Cross Section C-D	November 1, 2019
Figure 10C	Cross Section E-F	November 1, 2019
Figure 10D	Typical Mining Footprint	November 1, 2019
Figure 11 Revised	Wetland Impacts Map	April 22, 2021
Figure 11A	Wetland Impact Cross-Section Wetland 1 & 3	November 1, 2019
Figure 11B	Wetland Impact Cross-Section Wetland 5	November 1, 2019
Figure 11C	Wetland Impact Cross-Section Wetland 6 & 7	November 1, 2019
Figure 11D	Wetland Impact Cross-Section Wetland 8 & 9	November 1, 2019
Figure 11E	Wetland Impact Cross-Section Wetland 10 & 11	November 1, 2019

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Figure 11F	Wetland Impact Cross-Section Wetland 12 & 14	November 1, 2019
Figure 11G	Wetland Impact Cross-Section Wetland 15 & 16	November 1, 2019
Figure 11H	Wetland Impact Cross-Section Wetland 17 & 18	November 1, 2019
Figure 11I	Wetland Impact Cross-Section Wetland 19 & 20	November 1, 2019
Figure 11J	Wetland Impact Cross-Section Wetland 21 & 23	November 1, 2019
Figure 11K	Wetland Impact Cross-Section Wetland 24	November 1, 2019
Figure 11L	Wetland Impact Cross-Section Wetland 25 & 26	November 1, 2019
Figure 11M	Wetland Impact Cross-Section Wetland 27 & 28	November 1, 2019
Figure 11N	Wetland Impact Cross-Section Wetland 30 & 32	November 1, 2019
Figure 11O	Wetland Impact Cross-Section Wetland 33 & 34	November 1, 2019
Figure 11P	Wetland Impact Cross-Section Wetland 34	November 1, 2019
Figure 11Q	Wetland Impact Cross-Section Wetland 36 & 37	November 1, 2019
Figure 11R	Wetland Impact Cross-Section Wetland 38	November 1, 2019
Figure 11S	Wetland Impact Cross-Section Wetland 38 & 29	November 1, 2019
Figure 11T	Wetland Impact Cross-Section Wetland 41 & 42	November 1, 2019
Figure 11U	Wetland Impact Cross-Section Wetland 43 & 45	November 1, 2019
Figure 12	Post-Mining Average Depth to Water	November 1, 2019
Figure 13 Revised	Post-Mining Land Use and Vegetation Map	April 22, 2021
Figure 14 Revised	Post-Mining Topography and Drainage Basins Map	June 10, 2020
Figure 15	Wetland Mitigation Map	November 1, 2019
Figure 16	Cross Section G-H	April 22, 2021
Figure 16A	Wetland Mitigation Cross-Section 1A & 1B	November 1, 2019
Figure 16B	Wetland Mitigation Cross-Section 1C & 1D	November 1, 2019
Figure 16C	Wetland Mitigation Cross-Section 1E & 1F	November 1, 2019
Figure 16D	Wetland Mitigation Cross-Section 1G & 1H	November 1, 2019
Figure 16E	Wetland Mitigation Cross-Section 1I, 1J, 1K	November 1, 2019
Figure 16F	Wetland Mitigation Cross-Section 1L	November 1, 2019
Figure 16G	Wetland Mitigation Cross-Section 1M & 1N	November 1, 2019
Figure 16H	Wetland Mitigation Cross-Section 1O & 1P	November 1, 2019
Figure 16I	Wetland Mitigation Cross-Section 1Q & 1R	November 1, 2019
Figure 16J	Wetland Mitigation Cross-Section 1S & 1T	November 1, 2019
Figure 16K	Wetland Mitigation Cross-Section 2 & 3	November 1, 2019
Figure 16L	Wetland Mitigation Cross-Section 4 & 5	November 1, 2019
Figure 16M	Wetland Mitigation Cross-Section 6 & 7	November 1, 2019
Figure 16N	Wetland Mitigation Cross-Section 8 & 9	November 1, 2019
Figure 16O	Wetland Mitigation Cross-Section 10 & 11	November 1, 2019
Figure 16P	Wetland Mitigation Cross-Section 12	November 1, 2019
Figure 17	Undisturbed Wetland Monitoring Piezometer Location Map	November 1, 2019
[Attachment]	Sketch of Description [Boundary Survey]	November 1, 2019
Appendix F	During Operations Landuse Map (from Stormwater Management Report)	June 10, 2020

Appendix H	During Operations Drainage Map (from Stormwater Management Report)	June 10, 2020
Appendix K	Post-Mining Stormwater Pond Drainage Map (from Stormwater Management Report)	June 10, 2020
Appendix O	Post-Mining Road Crossing Drainage Map (from Stormwater Management Report)	November 6, 2020

Plans

Attachment 4 – Ambient Groundwater Quality Data [6 pages], Received June 10, 2020

Appendix A – IWW Pond Design and Operating Information (from Mining Phase Water Balance) [6 pages], Received November 6, 2020

Appendix E – Plant Site Development Plans [9 pages], Received June 10, 2020

Exhibit I - CBJTC Integrated Natural Resources Management Plan (INRMP) & SRWMD/CBJTC Cooperative Management Agreement [170 pages], Received June 10, 2020

Best Management Practices Plan [166 pages], Received March 5, 2021
(including Figure 1, Facility Overview Map)

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