

**RESOLUTION NO. 2023 - \_\_\_\_**

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF HAMILTON COUNTY, FLORIDA, RECOMMENDING APPROVAL OF A PETITION BY WHITE SPRINGS AGRICULTURAL CHEMICALS, INC., AN INDIRECT SUBSIDIARY OF NUTRIEN, LTD., FOR RENEWAL OF SPECIAL PERMIT 03-1 FOR PHOSPHATE MINING AND RELATED ACTIVITIES PURSUANT TO SECTION 14.7.2, PART 5.C(5) OF THE HAMILTON COUNTY LAND DEVELOPMENT REGULATIONS AND SECTION 3.A.1 OF RESOLUTION 2003-05 (SPECIAL PERMIT 03-1); REPEALING RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

**Section 1. Findings of Fact**

WHEREAS, White Springs Agricultural Chemicals, Inc., an indirect subsidiary of Nutrien, Ltd., (hereinafter “WSA”) is the owner/operator of a phosphate mining operation in Hamilton County, Florida; and

WHEREAS, the Master Mining Plan and Special Permit 03-1 for WSA’s operations under Section 14.7.2 of the Land Development Regulations of Hamilton County was approved by the Board of County Commissioners of Hamilton County by Resolution 2003-5 on February 18, 2003, and was subsequently amended by Resolution 2005-19 on September 6, 2005, Resolution 2013-02 on January 22, 2013 and Resolution 2023-01, on February 7, 2023; and

WHEREAS, pursuant to Section 14.7.2 of the Hamilton County Land Development Regulations and Section 3.A.1 of Resolution 2003-5, on March 18, 2008, August 20, 2013, and May 15, 2018, the Hamilton County Board of County Commissioners approved Resolution 08-05, Resolution 13-14, and Resolution 2018-12, respectively, approving the 2007, 2012 and 2017 applications of WSA for five-year renewal of Special Permit 03-01, as amended; and

WHEREAS, also pursuant to Section 14.7.2 of the Hamilton County Land Development Regulations and Section 3.A.1 of Resolution 2003-5, in 2022 WSA timely filed an application with Hamilton County for five-year review and renewal of Special Permit 03-1; and

WHEREAS, the County retained the services of a qualified consultant who conducted an independent evaluation of the status of compliance with Section 14.7.2 of the Hamilton County

Land Development Regulations, the Master Mining Plan, the conditions of Special Permit 03-1 and the requirements of other permitting agencies; and

WHEREAS, the consultant issued a preliminary draft report on December 22, 2022, and WSA provided comments on the report on January 13, 2023; and

WHEREAS, the consultant has issued a draft Final Report on March 2, 2023, which concludes that WSA's operations are in compliance with the provisions of Hamilton County Resolution 2003-5 and Special Permit 03-1, and the amendments to Special Permit 03-1 under Resolutions 2005-19 and 2013-2; and

WHEREAS, the Planning and Zoning Board of Hamilton County has reviewed the application, independent consultant report, and all competent and substantial evidence submitted regarding the application and has found that the requested special permit renewal is in the public interest of the citizens and economy of Hamilton County and has determined that it is appropriate to recommend that the renewal be approved by the Board of County Commissioners.

THEREFORE, be it resolved by the Planning and Zoning Board of Hamilton County that:

## **Section 2. Special Permit 03-1**

A. The Planning and Zoning Board finds and determines that there are no areas of substantial non-compliance with the terms of Special Permit 03-1 and Section 14.7 of the Hamilton County Land Development Regulations.

B. Pursuant to Section 14.7.2 of the Hamilton County Land Development Regulations and Section 3.A.1 of Resolution 2003-5, the application for renewal of Special Permit 03-1, is hereby recommended to be approved by the Board of County Commissioners in accordance with the application, and with the materials reviewed by, and findings of, the independent consultant report (draft Final Report – Review of Nutrien-White Springs Activities and Operations Related to Five Year Renewal of Special Permit 03-1, dated March 2, 2023). It is further recommended that WSA be bound by all of its verbal and written representations made in the public hearing, and by all representations made in exhibits entered into the record of the hearing by WSA.

C. It is further recommended that all provisions of Special Permit 03-1, as amended, remain in full force and effect, specifically including, but not limited to, provisions pertaining to periodic renewal of the permit.

**Section 3. Repeal of Conflicting Resolutions**

All resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 4. Effective Date**

This Resolution shall become effective upon adoption by the Planning and Zoning Board of Hamilton County.

PASSED AND DULY ADOPTED in regular session with a quorum present and voting, by the Planning and Zoning Board of Hamilton County, this 28<sup>th</sup> day of March 2023.

PLANNING AND ZONING BOARD  
OF HAMILTON COUNTY, FLORIDA

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Chairman

Attest:

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Secretary