

Environmentalists will sue if Corps permits Florida phosphate mining

Posted December 21, 2016 by [Seán Kinane](#) & filed under [Environment](#), [News and Public Affairs](#), [Water](#).



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Four environmental groups have put the U.S. Army Corps of Engineers on notice that they'll sue if the Corps follows through with authorizing [phosphate mining](#) on more than 50,000 acres of land in Central Florida. The environmentalists say the strip mining damages wildlife habitat and endangers drinking water and they're threatening to sue the U.S. Fish and Wildlife Service as well.

WMNF News interviewed [Jaclyn Lopez](#), Florida director of the [Center for Biological Diversity](#), one of the four groups who filed the intent to sue on Tuesday.

“The Army Corps of Engineers has recently approved the phosphate mining development of about 50,000 acres of central Florida and this is predominately in Hardee, Manatee County areas and a little bit in DeSoto County. Most recently, they approved 7,500 acres of mining to start eminently, any moment now, in Hardee County.

“All this mining is going to be taking place in a region known as Central Florida Phosphate District. It’s an area that has seen tremendous phosphate mining over almost the last century. If you go out to that area, which is just east of Tampa, you’ll see the scars from historic phosphate mining.

“Before 1975, phosphate mines didn’t have to be reclaimed. If you’re ever in an airplane over that region of Florida, you’ll see these, sort of really pretty colored bluish-green bodies of water, like lakes, in these strips. That’s the legacy of strip-mining in Florida for phosphate. Since 1975, the companies have been forced to reclaim the land, which is to put it back to some sort of beneficial use, but, not necessarily to restore it.



Phosphate mining in Florida. By Jaclyn Lopez (used with permission).

“Our concern with this 50,000 acres of additional mining is first, it leaves a huge footprint on Florida. You’re removing 50,000 acres of habitat for imperiled species like, the eastern indigo snake and the crested caracara. Also, you’re adding to our existing phosphogypsum problem.



Mosaic’s New Wales phosphate manufacturing plant near Mulberry in eastern Polk County. By Seán Kinane / WMNF News (27 Sept 2016).

“So, you know we had that New Wales sinkhole in September and that was actually the 4th sinkhole that happened in that one phosphogypsum stack and we have 24 other phosphogypsum stacks, stacked around Florida, containing 1-billion tons of radioactive phosphogypsum. Now, with this additional 50,000 acres of expansion of phosphate mining, that has the potential to add almost an additional half-billion (500 million) tons of phosphogypsum.

“We can’t even handle the waste that we have now and we already suffer a disproportionate burden to the rest of the United States and the globe, with the mining that we do here and we’re asking Floridians to bear this additional burden of 50,000 more acres.

“Our lawsuit notices the Army Corps of Engineers and Fish and Wildlife Service of their failures under Federal Environmental Statutes to adequately account for the environmental destruction of this process.”

What could those two agencies do, at this point? You say that they've been permitted, is it the final permit where they get the go-ahead, now, to mine?

“So, 7,500 acres of the 50,000 acres have their final approval. It's 4 different projects and one of the projects is 7,500 acres that has all of its permitting and phosphate mining could begin eminently there.

“What we're asking them to do is to revoke that permit; to go back to their environmental assessment and to take into account things that they failed to, the first time, like the phosphogypsum stacks themselves; like the human health and the environmental concerns surrounding phosphate mining; like the adequacy of the reclamation that they promised to do as mitigation for the damage that's going to be done.

“With the balance of that 50,000 acres, those are still waiting their final permits, but, their teed up and ready for that next, final stage.”

One of the fights that's coming, in the local government, is in Manatee County. In January, there's a hearing about whether a mine there, in Manatee, will be permitted. What can you tell our listeners about that?

“That's right. On January 26, the Manatee Board of Commissioners is going to consider a rezone request, by Mosaic, which is the company that does the majority of the phosphate mining, in Florida. That's for approximately 3,500 acres, in Manatee County, to be rezoned from agriculture to extraction. It also seeks some certain exceptions from consistency with the county's Comprehensive Plan, because portions of the mine are going to be in sensitive areas, including like the Peace River Watershed Overlay District.

“The meeting is intended to vet all of those environmental issues and intended to determine whether it truly is either consistent with the Comprehensive Plan and if it's not, if exceptions should be made to it.

“We've asked the commissioners, and it's not just the Center for Biological Diversity and our partners in the litigation with the federal agencies, it's also residents of Manatee County. And frankly, it should be the residents of the destination sites of that phosphogypsum, like the community around New Wales, like the community around Riverview. We're asking them to come out to this Manatee county meeting and to have the commissioners look them in the eye and say: ‘Yes, we're going to authorize 3,500 additional acres of mining that's going to result, absolutely, in the production of phosphogypsum that's going to be stored in your communities and that's going to be your problem.’

“We hope that people show up on the 26th to tell the commissioners their concerns; that the neighbors show up, as they did at the Planning Commission meeting, which happened a few months ago, to explain to the commission their concerns about how phosphate mining impacts their community.”

Earlier, you mentioned the sinkhole and the New Wales facility of Mosaic. At first, Mosaic was saying that no drinking water was contaminated, but, what do we know now about the extent of the contamination?

“It’s not clear what we know. The information that the public gets comes from Mosaic itself and from the Florida Department of Environmental Protection (DEP). There is no other outside agency like the Environmental Protection Agency monitoring the situation. We know that of the over 1,000 wells that were tested, over 71 of them have come back with elevated levels of radioactivity and other contaminants of concern, but, DEP is assuring us that that has nothing to do with the sinkhole itself. That’s concerning if you’re a resident in that community, that not only do you have an issue of potential sinkholes in a phosphogypsum stack, but, you also have maybe some kind of legacy contamination that might be contaminating your drinking water.



Mosaic’s New Wales phosphate manufacturing plant near Mulberry in eastern Polk County. By Seán Kinane / WMNF News (27 Sept 2016).

“But, the other big problem is, you know, we had a sinkhole in 1994, in the same series of ‘gyp’ [phosphogypsum] stacks, at this location and then there were two other anomalies that weren’t publicly reported. An anomaly is, basically it is a sinkhole; it’s a cavity within the phosphogypsum stack. That never became public information. We only found that out through Open Records requests.

“Then, you have this most recent 2016 sinkhole. So, there’s a big issue with: ‘When does Mosaic or when does DEP know that there is a sinkhole happening? At what point do they become aware? How long has it been going on before they actually realize it? And then, at what point does the public get notified?’

“Then there is other complete variable, which is the Floridan Aquifer and the Karst system and how water filtrates down from the surface into the Floridan Aquifer. You know, it was at one time believed that it was like a big sandbox and the water would just slowly percolate through and it would take months, if not years, to travel a very short distance. But, what we now know about the Floridan Aquifer, is that there are actually conduits. So, water can enter some of these, basically like pipes through our aquifer system. We don’t know whether there are conduits under these sinkholes, so we don’t know really where the water has gone.

“They’ve promised that the water is contained, on site, but, the reality is there’s really no way to know that, because that area hasn’t been mapped.

“A really good place for DEP to start would be to request and require that Mosaic and anyone else that wants to be producing fertilizer in Florida, map the areas where they’re going to be storing phosphogypsum, because we do have 1-billion tons of it and that is growing and all of those stacks sit on top of the Floridan Aquifer. It’s just a matter of time, when you put that much weight containing sulphuric acid on top of porous limestone, that you’re going to have sinkholes.”

So, we’ve talked a lot about drinking water and there’s likely to be drinking water shortages in the future, in Florida’s future, what can you say about how much fresh water that this industry uses?



By Seán Kinane, March 2010.

“Historically, phosphate mining was the largest consumer of water in Florida, even surpassing agriculture. There have been advances in how they complete the mining process and the beneficiation process that the industry claims has reduced their dependence on water. But, it still uses a tremendous amount of water.

“Historically, you can look back and see that, well, even with sinkholes for examples, not in ‘gyp’ stacks but, sinkholes in the region are attributable to water drawdowns for phosphate mining.

“Now, as you point out, we’re going to have competition for water, it’s an industry that still relies very heavily on water and it’s just one more environmental concern that we have, that hasn’t been adequately taken into account. How does the industry using that volume of water affect the rest of us, the species, the humans, the other competing needs for that water? That’s another element that hasn’t been adequately addressed.”

Neither the [Army Corps of Engineers](#) nor [Mosaic](#) responded to WMNF’s interview requests.

Watch the interview here:

Read the legal filing here:

[2016 AEIS and SPE NOI phosphate lawsuit – WMNF News](#) by [WMNF News](#) on Scribd