



Stephen J. Mitchell Chairman  
Ken Anthony Vice Chairman  
Alfred S. Austin Secretary

Hillsborough County Commissioner Ken Hagan Treasurer  
City of Tampa Mayor Pam Iorio Assistant Secretary/Assistant Treasurer

# 149

March 28, 2007

Mr. John Meyer  
Tampa Bay Regional Planning Council  
4000 Gateway Centre Blvd., Suite 100  
Pinellas Park, FL 33782

Subject: DRI #149 Development Order Vandenberg Airport Expansion  
DRI Order Expiration  
Hillsborough County Aviation Authority

Dear Mr. Meyer:

On July 10, 1986, the Hillsborough County Aviation Authority (the Authority) filed an application for Development Approval of a Development of Regional Impact with the Hillsborough County Board of County Commissioners; the subject Development of Regional Impact (DRI) was adopted by the Board of County Commissioners on September 12, 1989.

Because of changes in the Statutes, the Authority does not plan on requesting an extension of the DRI Order beyond December 2005. According to the 2002 revisions to the Florida Statutes (s) 163.3177, "*...Development or expansion of an airport consistent with the adopted airport master plan that has been incorporated into the local comprehensive plan in compliance with this part, and airport-related or aviation-related development that has been addressed in the comprehensive plan amendment that incorporates the airport master plan, shall not be a development of regional impact. Notwithstanding any other general law, an airport that has received a development-of-regional-impact development order pursuant to s. 380.06 (DRI), but which is no longer required to undergo development-of-regional-impact review pursuant to this subsection, may abandon its development-of-regional-impact order upon written notification to the applicable local government. Upon receipt by the local government, the development-of-regional-impact development order is void.*"

The 1986 Master Plan completed for Vandenberg Airport, and under which current development activities are being conducted, was adopted into the Hillsborough County Comprehensive Plan in 1991. In addition, in a resolution adopted on May 12, 2003 by the Hillsborough County City-County Planning Commission, the 2003 Master Plan Update for Vandenberg Airport was found to be consistent with the Hillsborough County comprehensive plan. A copy of the executive summary for this resolution is attached herewith.

RECEIVED

APR 2 2007

PLANNING & GROWTH  
MANAGEMENT

Mr. John Meyer  
March 28, 2007  
Page Two

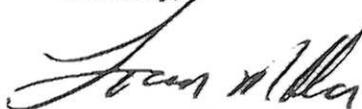
On January 8, 2007, the Tampa Bay Regional Planning Council found that the Transportation Element Text Change (TPA-06-27) was consistent with the Strategic Regional Policy Plan and on February 9, 2007, the Department of Community Affairs found the same Transportation Element Text Change in compliance with Chapter 163 Part II, Florida Statutes.

We are hereby notifying the Tampa Bay Regional Planning Council that the Authority will not file a Notice of Change to request an extension of DRI Order #149 which expired on December 31, 2005. On September 12, 2006, the Authority submitted the DRI Annual Report to all agencies as was required under the DRI. No additional annual reports will be submitted.

The Authority will continue voluntary annual surface and groundwater monitoring at selected locations for a reduced list of parameters. Copies of the monitoring reports will be sent to interested agencies

Please do not hesitate to contact me directly at (813) 870-8701 if you have any questions regarding the above subject matter.

Sincerely,



Louis E. Miller

Attachment

cc: John Healey, Hillsborough County Planning and Growth Management  
Edward B. Cooley, III, Senior Director of Operations and Public Safety  
Lou Russo, Senior Director of Planning and Development  
Jim Jones, Director of Engineering  
Nadine Jones, Director of Planning and Environmental Programs  
Paul Phillips, Director of General Aviation  
Joelle Francois, Deputy Director of Environmental Engineering



## EXECUTIVE SUMMARY

Meeting Date: May 12, 2003  
Agenda Item/Subject: Vandenberg Airport Master Plan Update

### SUMMARY

The Hillsborough County Aviation Authority has updated the master plan for the Vandenberg Airport. Airport conditions have changed since the previous airport master plan update of 1991. The update also presents two alternative plans for upgrading the airfield and airport maintenance facilities at Vandenberg Airport. The purpose of this item is to determine consistency with the Hillsborough County Comprehensive Plan.

### BACKGROUND

The Planning Commission is required to review all long-range plans and master plans of area authorities in accordance with Chapter 163.3194(2) of the Florida Statutes and as required by Chapter 97-351, Laws of Florida and make a recommendation to that authority as to the consistency of such plan with the local jurisdiction's adopted comprehensive plan.

The master plan update contains goals and objectives to meet future aviation demand. Areas that are addressed in the airport master plan update include: a new runway and parallel taxiway, a new general aviation terminal, additional aircraft hangers and a new maintenance facility.

Due to the size of the master plan update document, major issues/points are summarized in the staff report. The full document is available for review in the Planning Commission Library. Additionally, a personal copy is available upon request.

### RECOMMENDATION

Planning Commission staff recommends that the Planning Commission approve the attached resolution finding the proposed master plan update, **CONSISTENT** with the Hillsborough County comprehensive plan, specifically Future Land Use Element Policy C-30.2, Transportation Element Objectives 6.1, 6.7, Policies 6.3.4, 6.4.1, 6.4.2, 6.4.3, and 6.7.1 and forward this finding to the Hillsborough County Aviation Authority (HCAA).

Prepared by: Will Augustine

April 28, 2003

RBA

# 149

Richard Ake  
Clerk of the Circuit Court  
Hillsborough County, Florida



Clerk to Board of  
County Commissioners  
County Center, 12th Floor  
601 E. Kennedy Blvd.  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 276-2029, ext. 6730

October 7, 1994

TIM BUTTS DRI COORDINATOR  
TAMPA BAY REGIONAL PLANNING COUNCIL  
9455 KOGER BOULEVARD SUITE 219  
ST PETERSBURG FL 33702

Re: Resolution No. R94-0243 - Amending the Development Order for  
Vandenberg Airport Expansion (DRI #149)

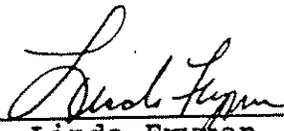
Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was  
adopted by the Hillsborough County Board of County Commissioners on  
September 27, 1994.

We are providing this copy for your files.

Sincerely,

RICHARD AKE  
CLERK OF CIRCUIT COURT

By:   
Linda Fryman  
Manager, BOCC Records

LF:ADF  
Attachment  
Certified Mail

cc: Board files (orig.)  
J. Thomas Beck, Florida Department of Community Affairs  
Edward B. Cooley, Jr., Hillsborough County Aviation Authority  
Vincent Marchetti, Assistant County Attorney  
Gene Boles, Director, Planning and Development Management

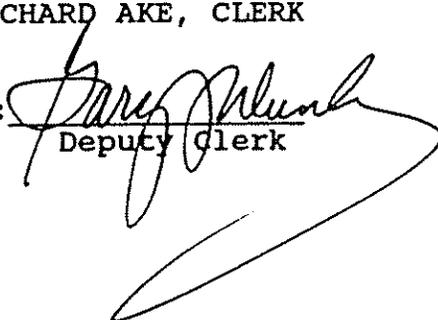
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STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R94-0243 Amending the Development Order for Vandenberg Airport Expansion (DRI #149) approved by the Board in its regular meeting of September 27, 1994, as the same appears of record in MINUTE BOOK 220 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 7th day of October, 1994.

RICHARD AKE, CLERK

By:   
Deputy Clerk

Resolution No. R94-0243

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA  
AMENDING DRI #149 DEVELOPMENT ORDER  
FOR VANDENBERG AIRPORT EXPANSION

Upon motion of Commissioner Jan Platt, seconded by  
Commissioner Ed Turanchik, the following Resolution was  
adopted by a vote of 5 to 0 with Commissioner(s) \_\_\_\_\_  
\_\_\_\_\_ voting "No".

WHEREAS, on July 10, 1986, the Hillsborough County Aviation  
Authority ("HCAA") filed an Application for Development Approval  
of Development of Regional Impact with Hillsborough County Board  
of County Commissioners pursuant to the provisions of Section  
380.06, Florida Statutes; and

WHEREAS, on June 10, 1994, Hillsborough County Aviation  
Authority (the "Developer") filed a Notice of Proposed Change to  
a previously approved Development of Regional Impact Subsection  
380.06(19), Florida Statutes, for the VANDENBERG AIRPORT  
EXPANSION DRI (the "Notice of Change"), attached hereto as  
**Exhibit "A"**; and

WHEREAS, the Notice of Change proposed to modification to  
Subsection IV.E.1.b (herein said change shall be referred to as  
the "Proposed Change") shall amend language to read, "Peak flows  
shall not be required to be attenuated and the runoff shall not  
require attenuation due to the more than adequate capacity of the  
Tampa Bypass Canal. Stormwater treatment of the first one and  
one half (1-1/2) inch of rainfall is required"; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING  
ASSEMBLED, THIS 27th DAY OF September, 1994, AS  
FOLLOWS:

I. The following findings of Fact are made:

- A. Hillsborough Aviation Authority submitted to Hillsborough County the Notice of Change, which is attached hereto as Exhibit A and incorporated herein (hereafter, all proposed modifications as set forth in the Notice of Proposed change shall be referred to as the "Proposed Change").
- B. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan.

- C. That the proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
  - D. All statutory procedures have been adhered to.
  - E. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.
- II. Subsection IV.E.1.b. of the Development Order is hereby amended to read "Peak flows shall not be required to be attenuated and the runoff shall not require attenuation due to the more than adequate capacity of the Tampa Bypass Canal. Stormwater treatment of the first one and one half (1-1/2) inch of rainfall is required".
- III. The Development Order is hereby reaffirmed in its entirety except as amended by this Resolution.
- IV. The Developer's certification, attached hereto as Exhibit B, affirms that a copy of the Notice of Change has been' delivered to all persons as required by law.
- V. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.
- VI. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.
- VII. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.
- VIII. The amendments contained herein do not constitute a substantial deviation, pursuant to Chapter 380.06, Florida Statutes, F.S.

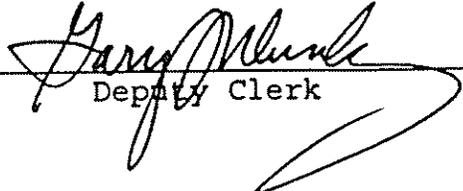
STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

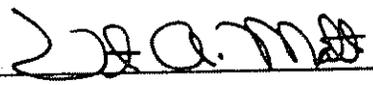
I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting on September 27, 1994, as the same appears of record in Minute Book 220 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal, this 7th day of October, 1994.

RICHARD AKE, CLERK

By:   
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: 

Approved as to Form and Legal Sufficiency

EXHIBIT "A"  
TO NOTIFICATION OF PROPOSED CHANGE  
FOR VANDENBERG AIRPORT EXPANSION DRI

The Vandenberg Airport Expansion Development Order shall be amended as follows:

IV. SPECIFIC CONDITIONS

Section IV.E.1.b of the Development Order is amended to read as follows:

E. Stormwater Management and Water Quality

- 1.b. Peak flows shall not be required to be attenuated and the runoff shall not require attenuation due to the more than adequate capacity of the Tampa Bypass Canal. Stormwater treatment of the first one and one-half (1-1/2) inch of rainfall is required.

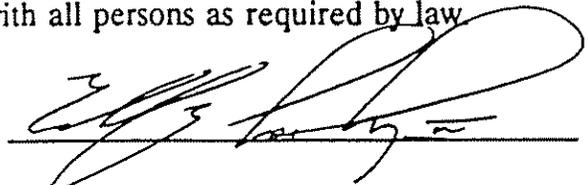
EXHIBIT "B"

DEVELOPER'S CERTIFICATION

STATE OF FLORIDA )  
COUNTY OF HILLSBOROUGH )

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared Edward B. Cooley, Jr., authorized representative of the Hillsborough County Aviation Authority, the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI), Subsection 380.06(19), Florida Statutes, for the Vandenberg Airport Expansion DRI #149 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Hillsborough County Aviation Authority filed the Notice of Change on June 10, 1994.
2. The Notice of Change was filed with all persons as required by law



Edward B. Cooley, Jr.  
Authorized Agent  
Hillsborough County Aviation Authority

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of September, 1994, by Edward B. Cooley, Authorized Agent for the Hillsborough County Aviation Authority. He is personally known to me or has produced a Florida Driver's License as identification and did take an oath.



Notary Public

Notary Stamp:

**BRENDA J. GRESS**  
Notary Public, State of Florida  
My comm. expires Mar. 21, 1996  
No CC183181

Richard Ake  
Clerk of the Circuit Court  
Hillsborough County, Florida



Clerk to Board of  
County Commissioners  
Room # 214-H  
P.O. Box 1110  
Tampa, Florida 33601  
Telephone 272-5845

CERTIFIED MAIL

October 4, 1989

Tampa Bay Regional Planning Council  
9455 Koger Boulevard  
Suite 219  
St. Petersburg, Florida 33702

Attn: Suzanne Cooper  
DRI Coordinator

Re: DRI #149 Development Order - Vandenberg Airport Expansion  
H.C. Document No. R89-0243

Gentlemen:

Enclosed please find an executed copy of the referenced resolution regarding DRI #149, adopted by the Hillsborough County Board of County Commissioners on September 12, 1989.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE  
CLERK OF CIRCUIT COURT

By: Edna L. Fitzpatrick  
Edna L. Fitzpatrick  
Director, BOCC Records

*mailed by  
Hillsborough  
County 10/6/89*

ELF:LT

cc: Board files (orig.)  
State of Florida Dept. of Community Affairs  
Vincent Marchetti, Assistant County Attorney  
Ben Morris, c/o Allen, Dell, Frank & Trinkle  
Joseph Moreda, Community Planner, Planning & Zoning

Enclosure

DRAFT 9/12/89

RESOLUTION NO. R89-0243  
RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA  
DRI #149 DEVELOPMENT ORDER FOR  
THE VANDENBERG AIRPORT EXPANSION

Upon motion by Commissioner Colson,  
seconded by Commissioner Selvey,  
the following Resolution was adopted by a vote of 4 to  
3, Commissioner(s) Padgett, Platt, and Busansky  
voting "No."

WHEREAS, on July 10, 1986, the Hillsborough County Aviation Authority ("HCAA") filed an Application for Development Approval of a Development of Regional Impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said Application proposed expansion of the existing Vandenberg Airport on approximately four hundred seven (407) acres, located in Central Hillsborough County (hereinafter referred to as "Vandenberg Airport" or the "Development"); and

WHEREAS, the described project lies within the unincorporated area of Hillsborough County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, the Zoning Hearing Master, appointed pursuant to the Zoning Code of Hillsborough County (Ordinance 85-10), has reviewed the Application for Development Approval and has filed a recommendation on said Application with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Hillsborough County has on September 12, 1989, held a duly noticed public hearing on said Application for Development Approval and has heard and considered testimony and other documents and evidence; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council; and

WHEREAS, the Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens and county and city agencies, as well as the review and report of the Hillsborough County Administration.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS 12th DAY OF September, 1989, AS FOLLOWS:

## I. FINDINGS OF FACT

A. The project is consistent with the Florida Aviation System Plan and with State, Regional and Local Comprehensive Plans, including Hillsborough County's Land Use and Aviation Elements.

B. The Hillsborough County Aviation Authority, a public body corporate under the laws of Florida (hereinafter referred to as "Developer"), submitted to Hillsborough County, Florida, an Application for Development Approval ("ADA"), Sufficiency responses and Revised Map H, which are attached hereto and marked Composite Exhibit "A" and incorporated herein by reference. Hereinafter the word "Application" shall refer to the Application for Development Approval, Sufficiency Responses and other exhibits duly submitted and recorded.

C. The real property which is the subject of the Application is legally described as set forth in Exhibit "B."

D. The proposed development is not in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.

E. All development will occur in accordance with the Development Order and Application.

F. A comprehensive review of the impact generated by the Development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission ("HCCCPC"), and the Tampa Bay Regional Planning Council ("TBRPC") and other affected agencies.

G. The authorized agent of the Vandenberg Airport is the Director of Aviation of the Developer, or his authorized agent, whose address is Post Office Box 22287, Tampa, Florida 33622.

## II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the Application as set forth in Composite Exhibit "A," the reports, recommendations and testimony heard and considered by the Zoning Hearing Master, it is concluded that:

1. The Development will not unreasonably interfere with the achievement of the objectives of the Adopted Land Development Plan applicable to the area.

2. The Development is consistent with the local land development regulations and is consistent with the local government comprehensive plan adopted pursuant to the Hillsborough County Local Government Comprehensive Planning Act, Chapter 75-390, Laws of Florida, as amended, and state and regional comprehensive plans.

3. The Development is consistent with the report and recommendation of the TBRPC.

B. In considering whether the Development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in Section 380.06, Florida Statutes, and more specifically Section 380.06(14), Florida Statutes.

C. The review by Hillsborough County, the HCCCPC, the TBRPC and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the Application.

D. The Application is approved subject to all terms and conditions of this Development Order.

E. The Hillsborough County 2010 Future Land Use Plan Map for Hillsborough County designates the area within which this land lies as "Rural Residential."

F. The Hillsborough County Zoning Atlas designates the area within which this land lies as SPI-AP-V, (i.e. Special Public Interest District - Airport-Vandenberg).

### III. GENERAL PROVISIONS

A. This Resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the Vandenberg Airport Expansion Development of Regional Impact.

B. The legal description set forth in Exhibit "B" is hereby incorporated into and by reference made a part of this Development Order.

C. All provisions contained within Composite Exhibit "A" shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer and its assignees or successors in interest including any governmental agency or entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

F. In the event that any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at the Vandenberg Airport, the Developer may delegate or may transfer or assign any or all of its responsibilities to improve and maintain those facilities.

I. Development activities or changes constituting a substantial deviation from the terms or conditions of this Development Order as defined by the criteria of Subsection 380.06(19), Florida Statutes, shall result in further Development of Regional Impact ("DRI") review pursuant to Section 380.06, Florida Statutes.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. In the event of a deviation, the County Administrator may issue a notice of such noncompliance to the Developer, or the County Administrator may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Subsection 380.06(18), Florida Statutes, as amended, and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form BLMN-07-85, as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the Planning and Zoning Department which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioner's hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following the submittal of the Annual Report; and

3. A statement listing all Applications for Incremental Review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the Annual Report; and

4. A statement setting forth the name(s) and address(es) of any assignee or successor in interest to this Development Order; and

5. A statement describing how the Developer has complied with each term and condition of this Development Order applicable when the Annual Report was prepared.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any policy, rule, regulation or ordinance of Hillsborough County, its agencies and commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable policies, rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1987).

N. The Developer has elected, pursuant to Subsection 380.06(5)(c), Florida Statutes, to be bound by the provisions of Chapters 403 and 373 in effect at the time that this Development Order is issued. Accordingly, to the extent that the provisions of Subsection 380.06(5)(c), Florida Statutes, affect the determination as to which laws, rules or regulations are applicable to the Development, said determination shall apply, notwithstanding any condition in this Development Order to the contrary.

#### IV. SPECIFIC CONDITIONS

##### A. Development Schedule and Deadline.

1. The development of the project shall proceed in accordance with the following schedule:

<u>CATEGORY</u>	<u>ACRES</u>
Airfield	224
General Aviation commercial	65
General Aviation non-commercial	13
Special purpose aviation	9
Airport Support	10
* Open space/Reserve	<u>86</u>
Total Lane Area	407±

\* Open space/Reserve is defined as an obstacle free area reserved for future development.

2. If the Developer elects to amend the proposed schedule, it shall submit said amendments to Hillsborough County for review and approval, as required by Section 380.06(19), Florida Statutes, which approval shall not be withheld for mere acceleration or deceleration if the terms of this Development Order are otherwise fully complied with.

3. The physical development of the Vandenberg Airport Expansion shall begin within one (1) year of the effective date of this Development Order.

4. This Development Order shall remain in effect for a period up to and including December 31, 2005.

5. The Development shall not be subject to down zoning or intensity reduction until December 31, 2005, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred, or this Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the local government to be essential to the public health, safety or welfare.

B. Air Quality

1. Hillsborough County shall reserve the right to require mitigation measures to alleviate any impacts of the project on ambient air quality.

2. The Hillsborough County Aviation Authority (HCAA) shall be required, at minimum, to employ the fugitive dust emissions abatement procedures referenced in the First Sufficiency Response (13-3) and as required by Hillsborough County.

C. Noise

1. The measurement of aircraft noise and any necessary control or abatement of aircraft noise currently lies within the jurisdiction of the Federal Aviation Administration in consultation with the Environmental Protection Agency and Federal Department of Transportation as prescribed in the Federal Aviation Act.

2. The adopted policies of the Aviation Element of the Future of Hillsborough Comprehensive Plan shall be followed to assure that noise sensitive land uses are appropriately located away from the airport.

D. Soils/Wind and Water Erosion.

1. The soil conservation measures referenced in the Application (ADA pages 14-4 and 14-6) and the measures to reduce fugitive dust referenced in the Application's First Sufficiency Response ("FSR") page 13-3, at a minimum, shall be implemented.

2. The methods identified in the Application (ADA pages 14-4 and 14-5) to overcome problems associated with particular soil types shall be implemented, as appropriate.

E. Stormwater Management and Water Quality.

1. Prior to the issuance of any additional permits for impervious surface or other significant alteration to the existing drainage system, the Drainage Plan for the portion(s) to be constructed shall be submitted to the West Coast Regional Water Supply Authority ("WCRWSA") and TBRPC for review and to Hillsborough County, the Environmental Protection Commission ("EPC") of Hillsborough County, the Florida Department of Environment Regulation ("DER") and the Southwest Florida Water Management Department ("SWFWMD") for approval. The following parameters shall be included in the Drainage Plan:

a. The stormwater management system shall be designed, constructed and maintained to meet or exceed Chapters 17-4 and 17-25, F.A.C., and 40D-4, Rules of SWFWMD. Treatment shall be provided by biological filtration wherever feasible.

b. Peak flows and total volume of run-off from the project site, attributable to the project, shall not exceed pre-development conditions.

c. Best Management Practices for reducing water quality impacts, as recommended by Hillsborough County, EPC, DER and SWFWMD in accordance with the applicable regulations of these agencies, shall be implemented, including a cleaning program for runways, taxiways, aprons, parking and roadway areas within the Development.

d. The stormwater management facilities shall include baffles, skimmers, grease traps or other mechanisms suitable for preventing oils and greases from discharging to the Tampa Bypass Canal ("TBC").

e. It shall be demonstrated, via detailed calculations, that any proposed modifications to the stormwater management/drainage system which currently services the Development will not cause the lowering of the adopted levels of service for stormwater management systems located outside of the boundaries of the Development. Review of the detailed calculations shall also be conducted by, in addition to the above-referenced agencies, the Hillsborough County Planning and Zoning Department or its successor.

2. In order to protect water quality in the TBC (a source of potable water for the City of Tampa), there shall be no degradation of adopted water quality standards by the Development's stormwater exiting the site. The Developer shall implement a semi-annual surface water quality monitoring program. The program must be instituted before any construction activity takes place which would require stormwater management facilities and must continue through out the life of the Development. If more stringent water quality monitoring is required by SWFWMD or DER in applicable permits, the conditions of the permit shall supersede this requirement. Any violation of Chapter 17-550, F.A.C., or Section 403.853, Florida Statutes, determined to be caused by the Development, shall require corrective measures as set forth by DER. The following shall apply:

a. Sampling locations and parameters shall be determined in cooperation with Hillsborough County, EPC, WCRWSA, DER, SWFWMD and TBRPC, City of Tampa and shall include all points discharging directly or indirectly to the TBC.

b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control Standards and Requirements.

c. The monitoring results shall be submitted to Hillsborough County, EPC, City of Tampa, WCRWSA, DER and SWFWMD. Should the monitoring indicate that applicable state water quality standards are not being met by the Developer, or its assigns, the violation shall be reported to Hillsborough County immediately and all construction within the sub-basin(s) where the violation is noted shall cease until the violation is corrected; or if specific construction or operational activities can be identified as causing the violation, all such activities shall cease until the violation is corrected. TBRPC shall receive the results of the analyses with the annual reports.

d. At a minimum, monitoring shall be conducted semi-annually during May and September following issuance of the Development Order. Monitoring parameters shall include the following:

- Total phosphorus
- Total nitrogen
- Orthophosphate P
- Organic N
- Ammonia N
- Chlorophyll-a
- Dissolved oxygen
- Lead
- Zinc
- Copper
- Biological oxygen demand (5-day)
- Oil and grease
- T coliforms
- F coliforms
- pH
- Specific conductivity

3. The Developer shall implement a semi-annual water quality monitoring program of each of the on-site wells used for potable water supply. This program shall be instituted immediately and shall continue until such time as public water is provided to the project. The following shall apply:

a. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control Standards and Requirements.

b. The monitoring results shall be submitted to Hillsborough County, EPC, City of Tampa, WCRWSA, DER and SWFWMD. TBRPC shall receive the results of the analyses with the annual reports.

c. Violation of Section 403.853, Florida Statutes, Drinking Water Standards, or Chapter 17-550, F.A.C., Drinking Water Criteria, or applicable standards shall require corrective measures as set forth by DER.

4. In order to protect the water quality of groundwater in and around the TBC, a groundwater quality monitoring program shall be instituted within six (6) months of the issuance of this Development Order subject to no appeals and

shall be continued through out the life of the project semi-annually. Any violation of Chapters 17-3, 17-4 and 17-61, F.A.C., determined to be caused by this Development, shall require corrective measures as set forth by DER. The following shall apply:

a. Sampling locations, parameters and frequencies shall be determined in cooperation with Hillsborough County, EPC, City of Tampa WCRWSA, DER, SWFWMD and TBRPC.

b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control Standards and Requirements.

c. The monitoring results shall be submitted to Hillsborough County, EPC, City of Tampa, WCRWSA, DER and SWFWMD. Should the monitoring indicate that applicable state water quality standards are not being met, the violation shall be reported to Hillsborough County, WCRWSA, DER and SWFWMD immediately and corrective measures, as set forth by DER, shall be implemented. TBRPC shall receive the results of the analyses with the annual reports.

d. The fuel farm groundwater monitoring plan shall include monitor wells equipped with continuous functioning detection devices pursuant to applicable sections of Chapter 17-61, FAC or other appropriate DER regulations and the plan shall be approved by Hillsborough County and DER, and implemented prior to construction of the fuel farm.

5. Failure to conduct groundwater and surface water tests required in this Development Order and submit said results to the appropriate permitting agencies within the established time frames shall result in a stop order for such activity identified as causing the violation. The stop order shall be lifted upon correction of the violations or deficiencies to the satisfaction of Hillsborough County, DER and SWFWMD.

6. The Developer, or its assigns, shall operate and maintain all on-site stormwater management facilities unless otherwise required or approved by Hillsborough County.

7. The Developer shall provide written approval from the U.S. Army Corps of Engineers ("C.O.E."), as appropriate, to Hillsborough County and SWFWMD for construction or modification to the drainage system entering the TBC prior to the start of such construction.

8. DER regulatory law and other Florida law shall govern the apportionment of fault should a violation of primary and/or secondary drinking water standards occur at the boundary of a developer's property contiguous with the WCRWSA's permitted water supply source (Tampa Bypass Canal).

9. Elevations for all habitable structures and buildings with permanent equipment shall be at or above the base flood elevation.

10. All encroachments into the 100-year floodplain shall require that loss of hydrologic storage capacity is compensated on-site in accordance with the requirements of Hillsborough County, EPC, and SWFWMD.

11. Except as otherwise permitted by the County Stormwater Management Department, all major drainage outfalls are to be designed to convey the 50-year conveyance with a foot of freeboard without increasing high waters off-site.

12. Stormwater detention/retention pond design requirements for the Development shall be as listed below unless otherwise approved by the Hillsborough County Environmental Protection Commission and the Hillsborough County Engineering Review Manager:

- a. The side slopes shall be no greater than 4:1.
- b. The banks shall be completely vegetated to the design low water elevation.
- c. The sides and the bottom of each pond shall not be constructed of impervious material.

F. Wetlands/Vegetation and Wildlife/Open Space.

1. Any activity interfering with the integrity of the wetlands (such as clearing, excavating, draining or filling), without written authorization from the Director of the Environmental Protection Commission or his designated agent, pursuant to Section 17 of the Hillsborough County Environmental Protection Act and of Chapter 1-11, Rules of the Environmental Protection Commission shall be prohibited.

2. The portions of the Vandenberg Airport Expansion site which meet the definition of preservation and conservation areas, as defined in the Council's adopted growth policy, Future of the Region, Sections 10.1.2 and 10.3.1, are designated on Map H attached as part of Composite Exhibit "A."

3. In order to protect the natural values of preserved/conserved wetland areas, prior to wetland disturbance, the applicant shall submit a copy of the SWFWMD plan submittal to TBRPC for review and to DER (if required), Hillsborough County, EPC, and SWFWMD for approval. The plan shall address, but not be limited to, wetlands to be preserved, proposed wetland/lake alterations, control of exotic species, mitigation of lost wetlands, control of on-site water quality and methods for wetlands restoration/enhancement.

4. All losses of wetland areas shall require 1:1 in-kind wetland replacement. Mitigation for wetland area losses shall be implemented prior to or concurrent with the wetlands being disturbed. The mitigation ratio required by EPC can be greater than 1:1 depending on the type of wetland system for which mitigation is proposed.

5. Existing wetlands which are permitted to be altered or eliminated should be used as donor material for revegetation of mitigation areas where feasible.

6. All mitigation areas and littoral shelves shall be monitored semi-annually for four (4) years. Monitoring results shall be provided in each annual report. Monitoring shall include species diversity composition, spreading and exotic species encroachments. Additional planting shall be required to maintain an eighty-five percent (85%) survival/cover of planted species at the end of three (3) years.

7. In the event that any species listed in Sections 39-27.003-.005, F.A.C., are observed frequenting the site for nesting, feeding or breeding, proper protection/mitigation measures shall be employed immediately in cooperation with the Florida Game and Fresh Water Fish Commission ("FGFWFC").

8. The Developer shall be responsible for maintaining all open space areas within the project site. All open spaces shall be consistent with HCAA and the Federal Aviation Administration ("FAA") requirements. Open space areas designated on the Master Site Plan shall be held inviolate against diversion to other uses. Future proposed use of such areas shall require additional DRI review.

9. Monitoring periods of 3 and 5 years are required for herbacious and forested wetland systems, respectively. Quarterly monitoring and maintenance should be scheduled for the first year, semi-annually for the second and third years and annually for the fourth and fifth years. Also, monitoring reports must be submitted to EPC following each monitoring event.

#### G. Traffic

1. The proposed public road from Wilkens Road to Eureka Springs Road on the north side of and adjacent to the drainage canal that runs west-southwest and empties into the Tampa Bypass Canal or such alternative access acceptable to Hillsborough County shall be constructed by the Hillsborough County Aviation Authority prior to 70 percent completion of the project, or the equivalent in terms of trip generation. Prior to commencing design of the Required Improvement, the Developer shall enter into a design and construction agreement with the Hillsborough County Capital Projects Departments, for the Required Improvement. Said agreement shall be based upon the applicable sections of the standard Hillsborough County Design and Construct Agreement which is entered into with contractors. The agreement shall not modify the terms and conditions of this Development Order.

2. Prior to the approval of any request to the County for the vacating of the County's interest in any public street, alleyway, road or other place used for travel, the Developer shall comply with all laws and ordinances requiring the granting of access to abutting land owners who are affected by the vacating of the County's interest.

#### H. Public Facilities.

1. Prior to or simultaneous with construction plan review and approval for all or a portion of the Development, the Developer shall stipulate to the satisfaction of Hillsborough County, in accordance with applicable regulations, the manner by which the Developer will participate in the provision or expansion of potable water supply (if applicable), supply lines and facilities to service the Vandenberg Airport Expansion. Prior to or simultaneous with construction of any facility requiring potable water, Developer will show available water capacity and an adequate distribution system in connection therewith. Vandenberg Airport is located within the City of Tampa water service area. The Developer, or its assigns, shall be responsible for maintenance of the on-site water facilities unless dedicated to the City of Tampa.

2. Prior to or simultaneous with construction plan review and approval for all or a portion of the Development, the Developer shall stipulate to the satisfaction of Hillsborough County, in accordance with applicable regulations, the manner by which the Developer will participate in the provision of wastewater treatment service. Prior to or simultaneous with construction of any facility requiring a wastewater treatment system, Developer will show available wastewater treatment capacity and an adequate collection system in connection therewith. The project is within the Hillsborough County service area. The Developer, or its assigns, shall be responsible for maintenance of the on-site wastewater facilities unless dedicated to Hillsborough County. The approval by Hillsborough County is subject to the approval of the State of Florida Department of Health & Rehabilitative Services ("HRS"), the Hillsborough County Health Department and other applicable review agencies. All septic tanks and community wastewater treatment plants shall be removed upon connection to public sewer.

3. Disposal of commercial or hazardous waste into septic tanks or the sewer system shall be prohibited.

4. The developer shall connect to public sewer when available and shall pay for all cost for connection.

5. If a community wastewater plant is utilized the project shall implement wastewater reuse/disposal systems wherever feasible to meet the needs of the Community Wastewater Plants.

6. The Developer may request the use of a Community Wastewater Plant. Said Community Wastewater Treatment Plant proposal approval shall be subject to review and approval pursuant to the Board of County Commissioners Interim Wastewater Plant Policy effective July 12, 1989.

7. Prior to the addition or relocation of any septic tanks, the Developer shall provide adequate documentation to Hillsborough County, EPC, WCRWSA, DER, SWFWMD and TBRPC that the additional septic tanks will not impact water quality in the TBC. Septic tank flows shall not be allowed to exceed five thousand (5,000) gallons per day. Denial of permits for any additional or relocation of septic tanks shall necessitate connection to an Community Wastewater Treatment Plant, public sewer or other alternate means subject to approval by Hillsborough County.

8. Prior to or simultaneous with construction plan review and approval for all or a portion of the Development, the Developer shall ensure the provision of adequate fire hydrants (in number and appropriate location), fire flows and water pressure to serve each building and operation for which fire protection is required in accordance with applicable regulations. The installation of a sprinkler system, fire hydrants or fire plan shall be options to ensure the provision of acceptable fire flows. Developer will provide verification from the Hillsborough County Fire Department that sufficient fire flow required to serve such building is available.

9. If a community wastewater treatment plant ("CWWTP") is approved for treatment of effluent generated by the Vandenberg Airport expansion, HCAA shall either provide the plant on-site or shall work with adjacent property owners to ensure that the CWWTP is provided in the area servicing both Vandenberg

Airport and the adjacent property(ies). HCAA shall provide evidence to Hillsborough County, EPC, and DER that the plant meets applicable requirements. If the plant is constructed, it shall:

a. only be located where a detailed hydrogeological analysis of the site determines low potential for groundwater contamination;

b. include a dual media filtration treatment process to facilitate removal of virus and bacteriological constituents; and

c. comply with DER requirements for monitoring the groundwater in the vicinity of the plant.

10. The selection of any spray irrigation site shall be based on a complete analysis of the treated effluent and a detailed hydrogeological analysis of the site to determine the potential for groundwater contamination from any hazardous waste or other pollutant. The results of the analysis of the treated effluent shall be provided to Hillsborough County, EPC, City of Tampa, WCRWSA, DER and SWFWMD in the first annual report following certification of the plant. The results of the hydrogeological analysis of any spray irrigation site shall be provided to applicable review agencies prior to approval of the requested spray irrigation site by such agencies.

11. Developer shall verify to the satisfaction of Hillsborough County that adequate solid waste disposal, water, wastewater, electricity, fire, emergency medical services and police capabilities and facilities are available for the building(s) that require such facilities.

12. Concurrent with the provision or availability of non-potable water which meets or exceeds public access standards for water quality, the Developer shall use non-potable water for landscape and open space irrigation unless otherwise approved by Hillsborough County, DER and SWFWMD. The Developer shall submit a plan to Hillsborough County, DER, SWFWMD and TBRPC for using non-potable water for irrigation in the first annual report following issuance of the first Certificate of Occupancy. Applicable Hillsborough County regulations and procedures may be adequate to meet this requirement. The Vandenberg Airport Expansion development shall utilize, to the maximum extent possible, the lowest quality water reasonably available and suitable for irrigation or similar non-potable uses.

13. Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Subsection 533.14, Florida Statutes (1985)), and native vegetation shall be used in landscaping to the greatest extent possible.

14. The collection, transportation and disposal of solid waste are controlled by Hillsborough County ordinance and shall take place in accordance with the terms of said ordinance.

15. The Developer shall be responsible for maintenance and operation of any on-site wells. There shall be no utilization or construction of any on-site wells as a source of potable water unless approved by Hillsborough County and appropriate reviewing agencies.

16. The Vandenberg Airport sewer lines shall be monitored for leaks and ruptures once every three (3) years until such time as said lines are dedicated to Hillsborough County. The entity(ies) to carry out the monitoring shall be the Developer, or its assigns. Faulty lines shall be replaced as quickly as possible.

17. The Developer shall provide to all Vandenberg Airport businesses information that:

a. Indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially designated containers/areas; and

b. Describes construction requirements for hazardous waste holding areas; and

c. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

18. An emergency response and hazardous waste management plan shall be required for the fuel farm and all areas of the Vandenberg Airport which generate or handle hazardous wastes to minimize hazards to human health and the environment. The plan shall require that, and show how, all spills and leaks associated with fueling, maintenance and overhaul will be collected and disposed of in accordance with state and federal regulations. The plan shall also describe the procedures and actions required of facility personnel, as well as describe the arrangements agreed to by local EMS, fire and police departments and hospitals in the event of an emergency. The plan shall be included in the first annual report following occupancy of such use within the Vandenberg Airport.

19. Large quantity generators of hazardous substances shall implement a site-specific surficial aquifer monitoring program as designed by DER.

20. All temporary hazardous waste storage facilities shall meet the criteria set forth in TBRPC policies, 3.913(a), (d) and (e), Future of the Region, to the extent that there is no conflict with Hillsborough County hazardous waste management plans.

21. All occupants at the Vandenberg Airport that generate hazardous waste shall be encouraged to utilize waste exchanges.

22. Large quantity generators and tenants of the Vandenberg Airport which produce waste which is not suitable for recycle, exchange or reuse shall be encouraged to develop permissible on-site hazardous waste treatment capabilities to ensure public safety prior to transport.

23. All stationary tanks on-site shall comply with the appropriate sections of Chapter 17-61, F.A.C., and be permitted by the appropriate agencies.

24. When the new underground tanks are installed at the relocated fuel farm, all prior existing underground tanks shall be emptied and removed from the ground in accordance with applicable DER regulations.

25. When warranted by FAA or required by Hillsborough County, a land parcel shall be provided on-site to accommodate a crash-fire-rescue facility.

I. Energy Conservation.

1. The Vandenberg Airport Expansion operations shall be encouraged to do the following:

a. Establish energy policies, energy use monitoring and energy conservation using a qualified energy use analyst;

b. Institute programs to promote energy conservation by employees, buyers, suppliers and the public;

c. Institute programs to reduce levels of operation of all air-conditioning, heating and lighting systems during non-business hours and the use of energy efficient cooling, heating and lighting systems;

d. Institute and utilize recycling programs;

e. Employ innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and cogeneration;

f. Install total energy systems on large facilities when cost effective;

g. Use the most energy efficient technology economically feasible in the construction and operation of the project's facilities;

h. Use landscaping and retention of existing vegetation as a means for energy conservation;

i. Obtain energy audits provided by energy companies or other qualified agencies;

j. Install water heater timers and set water heaters at 130' F or lower;

k. Use landscaping and building orientation to reduce heat gain, where feasible, for all Vandenberg Airport construction;

l. Utilize energy efficient packaging and/or recyclable materials.

2. A report on the status of implementation of the energy conservation measures referenced on pages 25-2 and 25-3 of the ADA and other such measures shall be included in each annual report.

J. Equal Opportunity/Economy.

1. The Developer shall encourage the promotion of entrepreneurship and small and minority-owned business startups and provide for non-discriminatory employment opportunities within the Development. A report on equal opportunity employment programs utilized by project businesses and the programs' effects should be incorporated in the annual reports following issuance of the first Certificates of Occupancy for project businesses.

2. The Developer shall encourage all contractors and subcontractors to involve minority groups in the development of the project. All establishment areas shall be available to all on a fair and impartial basis.

K. Historical or Archaeological Resources.

The discovery of any historical or archaeological resources shall be reported to the Florida Division of Historical Resources and Hillsborough County, and the disposition of such resources shall be determined in cooperation with the Florida Division of Historical Resources and Hillsborough County.

L. General.

1. All of the Developer's commitments set forth in the ADA, and as summarized in Attachment 1 entitled "Developer Commitments," shall be honored, except as they may be superseded by specific terms of the Development Order.

2. Any change to the project which departs significantly from the parameters set forth in the schedule set forth in this Development Order shall require a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes.

3. All outstanding amounts for initial review by TBRPC shall be paid within fifteen (15) days of billing with appropriate documentation provided.

4. Payment for any future activities of the TBRPC with regard to this Development, including, but not limited to, monitoring or enforcement actions, shall be paid to TBRPC by the Developer in accordance with the DRI Fee Schedule.

5. The Developer shall record a notice of adoption of this Development Order pursuant to Section 380.06(15), Florida Statutes.

STATE OF FLORIDA )  
 )

COUNTY OF HILLSBOROUGH )

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of September 12, 1989 as same appears of record in Minute Book 160 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 4th day of October, 1989.

RICHARD AKE, CLERK

By: Edna G. Fitzpatrick  
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY W. A. Mauld

Approved As To Form And  
Legal Sufficiency

COMPOSITE EXHIBIT "A"

TO VANDENBERG AIRPORT EXPANSION DEVELOPMENT ORDER

APPLICATION FOR DEVELOPMENT APPROVAL,

SUFFICIENCY RESPONSE

AND REVISED MAP H

AFFIDAVIT

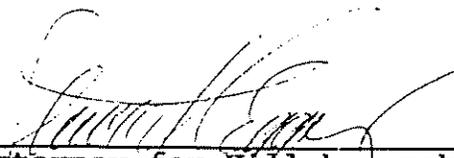
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgments, personally appeared STEWART C. EGGERT as attorney for Hillsborough County Aviation Authority, the applicant/owner of the Vandenberg Airport Expansion DRI, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Hillsborough County Aviation Authority filed its application for development approval for the Vandenberg Airport expansion Project on July 10, 1986. The first sufficiency response was filed on December 30, 1986 and a second sufficiency response was filed on May 19, 1987.

2. The aforementioned documents were filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), the Tampa Bay Regional Planning Council ("TBRPC") and those other governmental agencies as required by law.

3. Revised Map H-1, referred to in the Development Order as Revised Map H was filed with Hillsborough County, TBRPC and DCA.

  
\_\_\_\_\_  
Attorney for Hillsborough  
County Aviation Authority

Sworn to and subscribed before me this 20th day of September, 1989.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

RECEIVED  
Planning and Zoning  
Department  
SEP 20 1989  
2009/11/04 11:56 AM

NOTARY PUBLIC, State of Florida  
My Commission Expires Feb. 3, 1990

VIII. EXHIBIT B  
Legal Description

LEGAL DESCRIPTION (PARCEL I)

A portion of Sections 19, 30, and 31 Township 28 South, Range 20 East of Hillsborough County, Florida being more particularly described as follows.

Beginning at the East 1/4 corner of Section 30, Township 28 South, Range 20 East, Run North 89°15'54" West along the South Line of the Northeast 1/4 of said Section 30 a distance of 1318.18 feet to the Southwest Corner of the Southeast 1/4 of the Northeast 1/4 of said section; thence North 89°15'29" West along the South line of the Northeast 1/4 of said Section 30 a distance of 42.01 feet to a point; thence South 42°35'45" West a distance of 305.56 feet to a point; thence South 00°08'45" West a distance of 499.16 feet to a point; thence South 89°18'25" East a distance of 250.00 feet to the East Line of the Northwest 1/4 of the Southeast 1/4 of said Section 30; thence South 00°00'30" West along the East Line of the Northwest 1/4 of the Southeast 1/4 of said Section 30 a distance of 600.00 feet to the Southeast Corner of the Northwest 1/4 of the Southeast 1/4 of said section; thence South 00°03'00" West along the East Line of the Southwest 1/4 of the Southeast 1/4 of said Section 30 a distance of 1326.34 feet to the Southeast Corner of the Southwest 1/4 of the Southeast 1/4 of said section; thence North 89°25'02" West along South Line of said Section 30 a distance of 1346.89 feet; thence South 00°13'13" East distance of 757.15 feet to a point; thence North 89°22'46" West a distance of 632.16 feet to a point; thence South 00°13'13" East a distance of 225.03 feet to a point; thence North 89°18'36" West a distance of 672.80 feet to a point; thence South 00°09'05" East a distance of 1012.96 feet to a point; thence South 89°22'04" East a distance of 661.82 feet to a point; thence South 00°11'08" East a distance of 617.19 feet to the North Right-of-Way line of SUB-MAIN "A" Canal; thence South 71°58'49" West along said Right-of-Way a distance of 1433.09 feet to the East Right-of-Way line of Tampa Bypass Canal; thence North 00°19'56" West along said Right-of-Way a distance of 49.26 feet to a point; thence North 89°40'04" West along said Right-of-Way a distance of 90.00 feet to a point; thence North 00°22'42" East along said Right-of-Way a distance of 2361.04 feet to a point; thence North 89°37'18" West along said Right-of-Way a distance of 25.00 feet to a point; thence North 00°22'42" East along said Right-of-Way a distance of 9.28 feet to a point; Thence North 00°19'46" East along said Right-of-Way a distance of 1651.35 feet to a Point of Curvature; Thence along the arc of said Right-of-Way having a Delta Angle of 28°08'23" Right, a radius of 750.00 feet, and an Arc distance of 368.65 feet; thence South 89°19'56" East along said Right-of-Way a distance of 775.76 feet to a point; thence North 42°34'03" East along said Right-of-Way a distance of 3127.49 feet to a Point of Curvature; thence along the arc of said right-of-way having a Delta Angle of 29°24'13" Left, a radius of 1850.00 feet and an arc distance of 949.40 feet; thence North 00°00'16" East along said Right-of-Way a distance of 791.82 feet to the North line of Section 30; thence South 89°07'08" East along said North line a distance of 167.09 feet to the intersection of the Southwest Right-of-Way of Interstate 75; thence South 40°27'41" East along said Right-of-Way a distance of 3168.25 feet to a point of Curvature; thence along the arc of said Right-of-Way having a Delta Angle of 3°30'17" Left, a Radius of 5555.58 feet and an arc distance of 339.82 feet to a Point

being on the South Line of the Northwest 1/4 of Section 29, Township 28 South, Range 20 East; thence North 89°36'23" West along said Northwest 1/4 a distance of 1102.63 feet to the POINT OF BEGINNING.

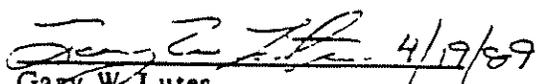
Containing 356.881 acres more or less.

Less existing Right-of-Way

Bearings are based on the Florida State Plane Coordinate System (west zone)

#### Surveyor's Certificate

I hereby certify that the above described property was prepared under my direct supervision and conforms to Chapter 21-HH6 of the F.A.C.

  
Gary W. Lutes  
Professional Land Surveyor #4367

Greiner, Inc.  
5601 Mariner Street  
Tampa, Florida 33609

Phone No. (813) 286-1711

LEGAL DESCRIPTION (PARCEL II)

A portion of Sections 19, 20, 29, and 30, Township 28 South, Range 20 East of Hillsborough County, Florida being more particularly described as follows:

Commence at the Northeast corner of Section 30, Township 28 South, Range 20 East; Run thence N 89°07'05" W along the North line of said Section 30 a distance of 577.38 feet to the Point of Beginning being the Northeasterly Right-of-Way line of Interstate 75; Thence S 89°07'05" E along North Line of said Section 30 a distance of 123.78 feet to a point; thence N 34° 02' 46" E a distance of 1107.90 feet to a point; Thence S 47°25'23" E a distance of 1750.00 feet to a point; Thence S 51°06'28" W a distance of 1373.20 feet to the Northeast Right-of-Way line of Interstate 75; Thence N 40°27'41" W along said Right-of-Way a distance of 1485.33 to the Point of Beginning, containing 45.748 acres more or less.

Less existing Right-of-Way.

Bearings are based on the Florida State Plane Coordinate System (West Zone).

Surveyor' Certificate

I hereby certify that the above described property was prepared under my direct supervision and conforms to Chapter 21-HH6 of the F.A.C.

 4/17/89  
Gary W. Lutes  
Professional Land Surveyor #4367

GREINER, INC.  
5601 Mariner Street  
Tampa, FL 33609

Phone: (813) 286-1711

LEGAL DESCRIPTION (PARCEL III)

That part of lot 76 & 77 of STATE HIGHWAY FARMS Subdivisions recorded in Plat Book 26, Page 12 of the Public Records of Hillsborough County, Florida lying in Section 31, Township 28 South, Range 20 East, Hillsborough County, Florida more particularly described as follows:

Commence at the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of Section 31; thence run South 00°11'30" East (bearings refer to transverse mercator [west zone] grid line) along the East boundary line of the Northwest 1/4 of the Southeast 1/4 of said Section 31 a distance of 263.83 feet to an intersection with the southeasterly boundary line of the SUB MAIN "A" CANAL; thence North 71°59'01" East along said boundary line a distance of 66.28 feet to the Northeast corner of Lot 76 STATE HIGHWAY FARMS, said point being the POINT OF BEGINNING; thence South 00°11'30" East along the east boundary of Lot 76 a distance of 290.06 feet; thence North 89°19'39" West a distance of 142.93 feet; thence South 75°15'40" West a distance of 136.14 feet; thence South 00°00'27" West a distance of 128.41 feet to an intersection with the south boundary line of Lot 76; thence North 89°19'39" West a distance of 234.82 feet; thence South 05°22'14" East a distance of 98.47 feet; thence North 89°39'36" West a distance of 303.25 feet to an intersection with the East Right-of-Way line of the TAMPA BY-PASS CANAL; thence North 1°11'35" West along said Right-of-Way line a distance of 245.24 feet; thence North 88°48'19" East a distance of 44.91 feet; thence North 1°11'40" West a distance of 50.40 feet to an intersection with the southeasterly Right-of-Way line a SUB MAIN "A" CANAL; thence North 71°59'01" East a distance of 803.10 feet to the POINT OF BEGINNING.

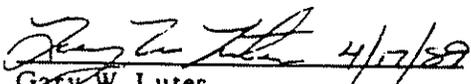
Containing 242,192 square feet or 5.560 acres more or less.

Less existing Right-of-Way

Bearings are based on the Florida State Plane Coordinate System (west zone)

Surveyor's Certificate

I hereby certify that the above described property was prepared under my direct supervision and conforms to Chapter 21-HH6 of the F.A.C.

 4/17/89  
Gary W. Lutes  
Professional Land Surveyor #4367

Greiner, Inc.  
5601 Mariner Street  
Tampa, Florida 33609

Phone No. (813) 286-1711

ATTACHMENT 1  
DEVELOPER COMMITMENTS

## DEVELOPER COMMITMENTS

### GENERAL PROJECT

1. "All properties to be acquired and occupants requiring relocation will be handled in accordance with provisions set forth in the Uniform Relocation Assistance and Real Property Acquisition Act of 1970." (\*ADA, 12- )
2. "Wetland mitigation plans shall be submitted for review and approval, upon obtaining the property required for the expansion of the airport." (\*FSR, 12-1)
3. "HCAA has agreed to work closely with the Hillsborough County City County Planning Commission (HCCCPC), to ensure that long range land use planning recommendations are consistent with the expanded airport facility." (FSR, 12-1)
4. "HCAA has registered all underground storage tanks with the Environmental Protection Agency (EPA) in accordance with provisions set forth in 40CFR Part 280." (FSR, 12-1)

### ENVIRONMENT AND NATURAL RESOURCES

#### Water

1. "... future Airport development would incorporate state-of-the-art drainage/water quality control systems to mitigate environmental degradation." (ADA, 15-3)
2. "used oils, engine cleaning solvents, paint strippers, and other chemicals associated with aircraft fueling, maintenance, and overhaul will be collected and disposed of in accordance with Hillsborough County Aviation Regulation 3.03 to prevent contamination of either the surface or groundwater supplies." (ADA, 15-51)
3. "The stormwater management system for this Airport and the treatment of stormwater runoff will follow the rules and regulations of SWFWMD and FDER. A retention basin system will be designed according to applicable SWFWMD design criteria and guidelines. Best Management Practices, as outlined by the Areawide Water Quality Management Plan for the Tampa Bay Region, will be used when designing the stormwater management system for Airport." (ADA, 15-5)
4. "Oil and grease skimmers will trap oil and grease prior to discharge to the receiving water body." (ADA, 15-6)
5. "Hazardous waste disposal will not be permitted to discharge into septic tank systems." (FSR, Water Quality, 2)

### Wetlands

1. "...a wetland jurisdictional determination will be completed for the property and a wetlands mitigation plan, complete with mapping, will be provided if areas of impact within delineated wetlands are identified." (FSR, Wetlands, 1)

### Vegetation and Wildlife

1. Wildlife that prefers open habitat will not be severely impacted by the proposed project, since open grassed areas would be created adjacent to the proposed runway and in the clear zones. Measures taken to protect existing habitats will include selectively pruning trees within the clear zones and safety areas in conformance with applicable FAA guidelines. (ADA, 18-4)

### ECONOMY

1. This project will be financed through a combination of State and Federal grants and by revenue bonds issued by HCAA and paid for out of revenues generated at the airport. No general obligation bonds or local taxes will be used to finance, build, or operate the airport. (ADA, 20-6) (Developer clarification: It is not intended that local taxes will be used to finance, build or operate the airport.)
2. "HCAA funds will be made available through Aviation Authority fund, and Revenue Bonds." (FSR, 20-8).

### PUBLIC FACILITIES

#### Wastewater Management

1. "All new and relocated septic tanks will be appropriately permitted and constructed to all standards applicable at that time." (ADA, 21-2)
2. "The responsibility for the operation and maintenance of these facilities will rest with HCAA. Actual maintenance of the septic tanks will be contracted through a licensed/bond contractor." (ADA, 21-2)
3. "The exact location of relocation and/or consolidated septic tank locations will be dependent on soil characteristics and applicable rules, regulations, and ordinances in effect at the time permits for such construction activities are requested." (FSR, 21-1)
4. "HCAA will connect to central wastewater treatment facilities when they become available at financially feasible costs." (\*SSR, 1)

5. "Fifty residential dwelling units will be removed from the immediate area surrounding the existing airport as a result of property acquisition activities. Since all of these dwelling units are served by septic tanks, 50 septic tanks will be removed from the site as a result of the expansion..." (SSR, 1)
6. "As with all septic tank facilities, their replacement will be based on their performance. That is to say, when maintenance activities indicate that replacement is appropriate, the septic tanks will be replaced on an individual basis." (SSR, 2)

#### Drainage

1. The following design criteria will be used:
  - o Internal, pavement runoff collection systems (swales and culverts) will be designed for a ten-year recurrence interval design storm;
  - o Major drainage ditches passing through the project area will be designed to accept the off-site inflow from upstream areas and the local contribution from the project area for the one hundred-year return period, twenty-four hour duration design storm;
  - o The secondary drainage culverts that convey flows from the project area to the Tampa Bypass Canal will be improved by either increasing the number of culvert pipes (control elevations such as weir crests are to remain the same as existing conditions) or adding erosion control features such as ditch paving at the inlet and/or outlet; or a combination of these modifications. (ADA, 22-2)
2. "The water quality treatment ponds shown on Map G-1 are intended to be shallow ponds that will only detain water after rainfall runoff to the ponds. Approximately ten acre-feet of detention will be required in the stormwater treatment system." (ADA, 22-2)
3. "The proposed surface water management system will discharge to the Tampa Bypass Canal at existing culverts and ditch locations." (ADA, 22-5)
4. "There are no adverse impacts expected to lake levels or to Eureka Springs as a result of the construction and operation of the proposed surface water management system." (ADA, 22-5)
5. "Any ditch relocations through the proposed development will have their inverts set no lower than the apparent existing flow line in the existing ditches to further minimize the impact on ground and surface water resources in the project area." (ADA, 22-5)
6. "The Hillsborough County Aviation Authority will operate and maintain the on-site drainage system after completion of the development." (ADA, 22-6)

7. "The applicant will agree to use best housekeeping procedures to insure clean apron and parking areas rather than stipulating to the sole use of vacuuming in cleaning apron and parking areas." (FSR, Drainage, 4)
8. "All drainage, stormwater, and surface water facilities will be designed to conform to applicable rules and regulations as will all fuel storage facilities. As such, they will include provisions for the treatment of stormwater to improve the quality of the discharge of stormwater off-site and to contain any floating debris, oils, greases, and fuel on-site in the stormwater treatment ponds." "... the developer will design the stormwater treatment facilities for an additional fifty percent (or 3/4 of an inch of runoff) treatment volume as a reasonable protection method for the potential potable water source, i.e. Tampa Bypass Canal." (FSR, H.22)
9. "... discharge structures will be designed to contain floating debris, oils, and grease in the ponds." (FSR, 23-3)
10. "The project's conveyance system at the outfall will be designed to meet the criteria used in the design of downstream works." (SSR, 5)
11. "Drainage facilities within the project or otherwise affected by the project will be improved as required." (SSR, 5)

#### Solid Waste Hazardous Waste

1. "Hazardous and non-hazardous materials shall be separated into color coded receptacles and tanks to insure proper disposal and/or treatment, in areas where hazardous materials may be found." (FSR, 24-3)
2. "Off-site disposal of hazardous waste generated at Airport will be disposed of by qualified contractors, ... which currently provide disposal services at Airport." (FSR, 24-4)

#### Water Supply

1. "HCAA will be responsible for the operation and maintenance of the internal water supply system." (ADA, 23-3)
2. "...HCAA will work with Hillsborough County as appropriate to insure that all fire and safety codes are met." (ADA, 23-4)
3. "Fire protection systems and storage for the entire project will be provided in accordance with the latest recommendations of the National Code of Fire Underwriters and in conformance with Federal Aviation Administration requirements, as well as the Standard Building and Plumbing Codes, including all appropriate Hillsborough County ordinances." (ADA, 23-4)

4. Water conserving plumbing fixtures are planned to be incorporated throughout the development. (ADA, 23-5)

#### Energy

1. "At the time of design and construction of the relocated administration/terminal facility, approximately five to ten years in the future, a re-examination of alternative energy sources (including solar energy systems) will be completed to determine the appropriateness of such devices." (ADA, 25-3)

#### Fire

1. "When warranted by FAA and financially justified, HCAA will provide first response capabilities on-site for fire fighting." (ADA, 30-1)
  2. "A total of ten (10) acres of land will be reserved on-site for airport support facilities as shown on Map H. This area will provide a site to accommodate a crash-fire-rescue (CFR) facility." (ADA, 30-1)
- \* ADA - Application for Development Approval  
FSR - First Sufficiency Response  
SSR - Second Sufficiency Response

## IMPACT ON NATURAL RESOURCES

### AIR QUALITY

Initiate control measures for construction, mining and other activities which produce heavy vehicular traffic and/or meteorological conditions resulting in significant air pollution. (11.1.4, F.R.)

Procedures should be developed to periodically review control strategies in nonattainment areas to assure reasonable further progress in meeting ambient air quality standards. (11.2.1, F.R.)

The Vandenberg Airport site is located within Hillsborough County, a nonattainment area for ozone and total suspended particulates.

Air pollution emissions associated with airport operations are primarily related to aircraft emissions and emissions from fuel storage facilities.

An estimated daily pollutant loading rate at build-out of 9,586 pounds per day (ppd) of carbon monoxide; 286 ppd of hydrocarbons; 59 ppd of nitrogen oxides; 11 ppd of sulfur oxides; and 188 ppd of total suspended particulates is expected.

The applicant indicates that no steps will be taken to reduce air emissions associated with the airport, although it is recognized that the projected increase in air traffic will result in higher emissions of airport-related air pollutants.

Automobile-related air quality impacts have not been assessed in the ADA since the transportation impact was not retained as a regional issue.

It is recommended that the Hillsborough County Aviation Authority (HCAA) be required at minimum, to employ the fugitive dust emission abatement procedures referenced in the Sufficiency Response (S.R.) TBRPC Comments Section, 13-3.

### LAND

Unique land forms and geological features shall be preserved. (10.8.3, F.R.)

New development shall avoid extensive alteration of existing topographic features. (10.8.4, F.R.)

The four natural soil types are found on the project site, Bradenton Fine Sand, Felda Fine Sand, Manatee Fine Sandy Loam, and Terra Ceia Peaty Muck. Two additional types, Landfill/Spoil Berm and Fish Farm, are the result of past land activities. The natural soils exhibit mainly severe to very severe limitations for low buildings, pond

embankments, and airports and paved parking areas, due to high water table, soil composition, flood hazard and other factors.

In order to overcome the serious soil limitations on the site, the following measures will be employed:

1. Avoid placing structures and pavement on soils having high shrink-swell potential and soil bearing capacity limitations.
2. Remove all unsuitable soils where they fall within the limits of the proposed structures, roadways and paved areas.
3. Bring sites to construction grade by placing clear, suitable fill material compacted to an appropriate density for roadways, structures and paved areas.

No mineral deposits of commercial value are known on-site.

Erosion will be controlled by retaining the existing natural cover wherever possible. Mulch cover, sand bag barriers, hay bales, temporary detention ponds and controlled land grading will be utilized during construction. To assure long term stability, swales and ponds will be designed with side slopes adequate for the establishment of erosion control vegetation, including sodding ditches with 2:1 slopes, landscaping will provide additional wind and runoff erosion controls. It should be noted that 4:1 slopes are a standard minimum requirement in order to avoid erosion.

Unique geologic features which occur in the vicinity include artesian springs, which indicate potentially significant near-surface geologic features.

The degree of site alteration required to overcome soil limitations is not discussed and dust control during construction is not adequately addressed.

It is recommended that implementation of the methods identified on pages 14-4 and 14-5 of the ADA to overcome soil limitations be a Development Order condition.

It is further recommended that implementation of the erosion control methods identified on pages 14-4 and 14-6 of the ADA be a Development Order condition.

#### WATER QUALITY AND DRAINAGE

Environmental regulations to protect the human life and health shall be strictly enforced. (6.12.1, F.R.)

Regulations should be developed to promote appropriate land use practices compatible with floodplain areas and provide for performance standards for these land uses. (8.1.4, F.R.)

Ensure that public water supplies meet State Drinking Water Standards. (8.3.3, F.R.)

Adequate long-term water quality monitoring of surface and groundwater resources, particularly potable water resources shall be continued for areas which are presently being monitored and developed for areas which are not presently monitored to provide a sound data base and to identify trends upon which future regulatory and land use decisions can be based. (8.6.4, F.R.)

Regulations should be developed to promote appropriate land use practices compatible with floodplain areas and provide for performance standards for these land uses. (8.10.1, F.R.)

Commercial hazardous waste management facilities and/or regional hazardous waste storage or treatment facilities shall not be located above or adjacent to major sources of potable water or transmission mains or sewer lines. (13.3.3, F.R.)

An identification and location study of septic tanks associated with all commercial and industrial activities shall be conducted. An evaluation should be conducted concerning potential adverse effects on groundwater resources, water supply wells, and ground water recharge potential. (13.6.4, F.R.)

Disposal of commercial and industrial hazardous waste into sewer systems shall be eliminated. (13.8.1, F.R.)

The area of Hillsborough County encompassing the project site is nearly level with numerous interspersed ponds, swamps and marshes. Groundwater resources within the Tampa Bay Area basin are contained in several limestone formations comprising the Floridan Aquifer. Most important of these formations is the uppermost Tampa limestone, the prime source of water for numerous highly productive wells in the area. In general, water is recharged to the aquifer when water seeps into the surficial aquifer, flows downward for areas of high elevation toward outfalls or low lands. Eureka Springs County Park, east of the existing airport, was named after the artesian springs that occur there. The Tampa Bypass Canal (TBC) has been a source of outflow from the Floridan Aquifer since its construction in 1976. As a consequence, groundwater levels in the Floridan Aquifer near the Vandenberg Airport have been declining. The quality of groundwater resources varies. The U.S. Geologic Survey (USGS) has studied groundwater quality in the vicinity of the airport. Existing information indicates that groundwater contamination of indeterminate severity probably exists as a result of leachate migration beyond the boundaries of the Eureka Springs West Landfill.

Historically, the principal watercourse in the vicinity of the site has been Six Mile Creek (Hillsborough River Sub-basin). However, the TBC

and numerous man-made ditches are now of greater significance. Numerous ponds and depressions contain water during the wet season. Existing manmade ditches from the airport and nearby agricultural lands drain to the TBC. Surface water quality in the vicinity of the airport is generally considered to be good, and there have been no reports of existing airport activity affecting either the quality or flow. Available information indicates that leachate from the Eureka Springs West Landfill could be a potential source of direct surface water contamination. The North Landfill Canal conveys runoff from the landfill to the TBC.

Surface water drainage in the vicinity of the site is slow, partially due to low relief. The applicant indicates that criteria for the drainage system will include: pavement runoff collection systems (swales and culverts) will be designed for a 10-year storm; major drainage ditches passing through the project area will be designed to accept the off-site inflow from upstream areas and the local contribution from the project area for the 100-year/24-hour storm; the secondary drainage culverts that convey flows from the project area to the TBC will be improved by either increasing the number of culvert pipes (control elevations such as weir crests to remain the same as existing conditions) or adding erosion control features such as ditch paving at the inlet and/or outlet; or a combination of these measures.

Water quality treatment ponds are intended to be shallow ponds that will only detain water after rainfall. The total treatment pond area is approximately ten acres, with the majority of the proposed new ponds (about eight acres) serving the proposed new runway and service area northeast of the existing runway. Some of the proposed water treatment ponds are included with the initial improvements to the existing runway and service area. The proposed treatment ponds in the northeast area will be designed to accommodate the runoff from about 180 acres which includes all proposed impervious surfaces and adjacent vegetated areas that might accumulate runoff which could contain pollutants requiring treatment in the stormwater treatment system.

The applicant indicates that the peak flow and total volume of runoff from this proposed development will be increased above the pre-development condition. The applicant suggests that the TBC has excess capacity and therefore no features are proposed to reduce runoff peak flows or total volumes. The first one-half inch of runoff will be detained and treated in vegetated, shallow ponds and swales. The proposed surface water management system will discharge to the Tampa Bypass Canal via existing culvert and ditch locations. It should be noted that the above proposals do not conform to Chapters 17-25 and 40D-4, as required by the Southwest Florida Water Management District (SWFWMD).

The SWFWMD has expressed concern in regard to how changes to existing drainage and runoff characteristics will impact water quality in the TBC. The TBC will be the receiving waterbody for the airport's drainage and stormwater. Airport expansion can generate additional sources of fuel and chemical pollution, either through routine activities or accidental spills. Fuel and chemical residues can remain

contaminants of stormwater for long periods of time.

Further, in regard to Stormwater Management per Chapter 17-25, F.A.C., during periods of low flow in the Hillsborough River water is pumped from the TBC into the Hillsborough River to augment the City of Tampa's potable water supply. Consideration should be given to increase the level of treatment by at least 50 percent as an additional level of protection for a potable water source.

The TBC is also proposed to supply up to 60 million gallons per day of potable water in the future on a regular basis for the three-county area of Pasco, Hillsborough and Pinellas Counties.

Letters from the West Coast Regional Water Supply Authority (WCRWSA) (8/13/86, 1/26/87 and 7/29/87) stress the need to protect the TBC via surface water and groundwater quality monitoring (including a fuel farm groundwater monitoring plan) and to maintain the current peak flow and total volume of runoff from the project rather than increasing it. The letters also recommend consideration of an interim wastewater treatment plant and demonstration that additional septic tanks will not threaten the canal.

It is recommended that the following be Development Order conditions:

- o The HCAA shall submit a Master Drainage Plan for the vanderberg Airport Expansion to Hillsborough County, the Florida Department of Environmental Regulation (DER) and SWFWMD for approval and to the City of Tampa, the WCRWSA and TERPC for review.
- o Conditions on the required parameters of this drainage plan, monitoring programs necessary for protection of the TBC, and maintenance and modification of the drainage system appear in the Recommended Regional Conditions section of this report. Best Management practices and/or procedures to reduce pollutants in stormwater runoff shall be utilized.

#### WETLANDS

In regionally significant development proposals, developers shall assess the cumulative impacts of such activities as dredge and fill, waste disposal, and construction on the health of the natural systems. (8.9.3, F.R.)

Conservation areas, such as coastal marshes, freshwater swamps, and mangrove forests shall be protected from development that would significantly alter their function and character. Once

established, at least 1:1 mitigation of these communities shall be required. (10.1.2, F.R.)

The identification, mapping and protection of wetlands shall be cooperative effort between the local jurisdiction and public agencies. No designation of habitat and protective measures shall be accomplished unless the affected public is given an adequate opportunity to be heard at the local level. (10.1.3, F.R.)

A minimum identified buffer or other appropriate protection shall be maintained around acknowledged isolated wetlands where development activities or other activities may disturb the wetlands or associated wildlife. (10.2.1, F.R.)

The hydrologic continuity and water quality of identified isolated wetlands shall be protected. Development activities or other land disturbances in the drainage area of the wetlands shall minimize alterations to the surface or subsurface flow of water into and from the wetland and shall not cause impairment of the water quality or the plant and wildlife habitat value of the wetland. (10.2.2, F.R.)

Preservation areas, such as marine grass beds, significant sand dune systems, and other vital or critical natural systems, shall be protected from any further development except in cases of overriding public interest. (10.3.1, F.R.)

Any project including unavoidable destruction of habitat shall mitigate all lost wetland habitat on a 1:1 in-kind basis, at minimum. Mitigation shall include monitoring with assurance of an 80-85% natural cover area after 2-5 years. (16.8.1, F.R.)

Mitigation should enhance the overall ecological quality of the area. (16.8.3, F.R.)

The ADA indicates that based on field review and interpretation of aerial photography, approximately 26.1 acres have been classified as wetlands hardwood forest and wetlands mixed forest within the project site. The forested wetlands are remnants of previous larger systems wherein alterations and encroachments appear evident.

Wetlands within 500 feet of either side of the proposed runway centerline would be removed to meet Federal Aviation Authority (FAA) standards. All of the 26.1 acres currently classified as on-site wetlands would be removed from the proposed project site. Approximately four acres of forested area adjacent to the site would be trimmed, at the northeast corner of the proposed runway. Plans for mitigating the removal of the existing wetlands have not been developed.

A general preservation and conservation areas map provided by Council staff appears in the Recommended Regional Conditions section of this report. Field inspection and delineation of jurisdictional wetlands by

the appropriate agencies has not been accomplished.

It is an appropriate Development Order condition that wetlands shall be designated as preservation/conservation areas on the Master Site Plan and that such designations shall conform to 10.3.1, F.R. definitions of preservation areas or 10.1.2, F.R. definitions of conservation areas. An amended Site Plan shall be required if they are approved by DER and Hillsborough County Environmental Protection Commission (EPC) for modification.

It is also an appropriate Development Order condition that, prior to wetland disturbance, the HCAA shall submit a comprehensive wetland/lake management plan to TBRPC for review and to Hillsborough County, DER and SWFWMD for approval. Conditions on the required parameters of this plan appear in the Recommended Regional Conditions section of this report.

#### VEGETATION AND WILDLIFE

Protect the habitats and plant communities that tend to be least in abundance and most productive or unique. (10.1.1, F.R.)

Identified areas that contain viable populations of, or suitable habitats for, species listed as endangered, threatened, or of special concern by the State and Federal government, shall be classified as environmentally sensitive, preservation, or conservation areas with future development limited to land uses compatible with the listed species. (10.6.2, F.R.)

Each forest preservation strategy shall consist of the following:

- a. Identification and mapping, or otherwise designating, forests and developed woodland occurring within the area.
- b. Identification of those forest areas and developed woodlands which are Habitat Protection Areas or are forest areas that are periodically flooded within the State wetlands boundary.
- c. Programs that provide incentives for the conversion of other land uses to forested conditions. (10.9.2, F.R.)

Wildlife corridors should be maintained when development activities require clearing of trees in forested, and other wooded areas. (10.9.3, F.R.)

The Vandenberg Airport Expansion site is characterized by rural residential development with small agricultural plots and improved pasture. Much of the area has been variously clear-cut and used for agricultural purposes, and the woodlands present are successional

growth over abandoned farmlands.

The various land use and cover classes on the site include Mixed Residential; Inactive Agricultural Lands; Airport; Other Scrub and Brush; Row Crops; Mixed Forest; Improved Pasture; Wetland-Hardwood Forest; Freshwater Swamp and Mixed Forest.

The only acreage figure given for any of these types is that for improved pasture. Very brief descriptions are given for each type.

Generally the vegetative features on-site are not unique.

Listed wildlife species which may occur on the site include the threatened Southeastern kestrel, Southern bald eagle and Eastern indigo snake and the endangered Wood stork.

No endangered or rare plants were observed on-site during the field review. No explanation was provided as to how the field review was conducted.

Should any species listed in Sections 39-27.003-005, F.A.C. be observed frequenting the site for nesting, feeding or breeding, proper mitigative measures shall be implemented in coordination with the Florida Game and Fresh Water Fish Commission.

#### FLOOD PLAINS/DISASTER PREPAREDNESS

Comprehensive Emergency Management plans that have provisions for preparedness, response, recovery and mitigation are required at the regional and county level. (7.4.1, F.R.)

New development permitted in the flood fringe (the area of the floodplain outside the floodway) shall be required to meet flood hazard construction requirements. (10.4.3, F.R.)

Floodplain management shall be required to prevent erosion, retard runoff and protect the natural functions and values of the floodplain while promoting public usage. (10.5.3, F.R.)

Mitigation should enhance the overall ecological quality of the area. (16.8.3, F.R.)

The proposed development is located within Hillsborough County Evacuation Zone #53. This particular zone is not susceptible to overland storm surge from any future hurricane.

Portions of the proposed expansion do fall within the 25-year and the 100-year flood zone, as pointed out in the ADA, indicating that the area is subject to freshwater flooding and potential drainage problems.

Elevations for all habitable structures and buildings with permanent equipment shall be at or above the base flood elevation.

## HISTORICAL AND ARCHAEOLOGICAL SITES

Local governments are encouraged to take positive steps to promote and preserve their rich cultural, historical, and archaeological sites and resources. (18.4.1, F.R.)

Historical and archaeological sites are considered to be preservation areas if they are of regional, historical or archaeological significance and shall be protected from any further development except in extreme cases of overriding public interest.

- a. Programs shall be designed to identify and preserve all significant sites.
- b. Programs shall be implemented to increase public awareness of the value and significance of historical and archaeological sites.
- c. Nothing in the above stated policies shall prohibit the excavation of archaeological sites by appropriately trained archaeologists, using methods in conformance with generally accepted standards. (18.4.3, F.R.)

Historical and archaeological sites considered conservation areas are those resources of lesser significance. These areas should be protected from further development, wherever possible, and will be excavated and documented in accordance with generally accepted standards and practices. (18.4.4, F.R.)

A letter from the Florida Division of Archives, History and Records Management (May 8, 1984) indicates Florida Master Site File shows that no archaeological or historical sites are recorded for the project area. In addition, the location of the project in Hillsborough County would make it "highly unlikely that there exist any unrecorded sites in that vicinity". The letter concludes with the following statement:..." that the proposed expansion will have no effect on any sites listed or eligible for listing, in the National Register of Historical Places, or otherwise of national, state or local significance."

Any historical or archaeological resources discovered on the development site shall be reported to the Florida Division of Historical Resources and disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Hillsborough County.

## ECONOMY

Capital improvements programs should maximize the development of existing systems before allocating funds to support public facilities in undeveloped areas. (17.1.5, F.R.)

The advance acquisition of potential public and semi-public facility sites should be incorporated into capital improvement programs as a guide to orderly growth and development. (17.2.1, F.R.)

Priority should be given to maximizing the use of existing airline and general aviation airport facilities before encouraging the expansion or development of new facilities. (19.4.1, F.R.)

Adequate public services, energy, and transportation facilities and services to serve new and existing industries and businesses are encouraged. (21.1.2, F.R.)

Develop new methods of financing the construction of public facilities, in order to keep pace with the rapid growth and development. (21.4.2, F.R.)

The Vandenberg Airport Expansion is a single-phase development, ongoing from the present through the year 2005. The economic impacts of this project are described in the Summary of Benefits in this report.

The Vandenberg Airport is exempt from ad valorem taxation and impact fees.

Funding sources for the airport expansion are estimated in the Vandenberg Airport Long Range Master Plan as follows: \$17.6 million from the Federal Aviation Administration (FAA), \$0.95 million from FDOT and \$7.4 million from HCAA.

The Hillsborough County Office of Fiscal Services requested verification that no capital improvements costs will be borne directly by the County as stated in the Sufficiency Response, December 1986, TERPC Response 20-8. No verification has been provided.

## IMPACT ON PUBLIC FACILITIES

### WASTEWATER

All hazardous waste generators should utilize waste exchanges. (13.1.3, F.R.)

Commercial and industrial hazardous waste shall not be discharged into septic tanks. (13.6.3, F.R.)

An identification and location study of septic tanks association with all commercial and industrial activities shall be conducted. An evaluation should be conducted concerning potential adverse effects on groundwater resources, water supply wells, and ground water recharge potential. (13.6.4, F.R.)

Domestic sewage and industrial discharges shall be required to achieve best practical technological standards and to implement reuse system to minimize pollution discharge. (13.9.2, F.R.)

Companies that generate hazardous waste shall reevaluate their waste streams to determine whether the quantity of waste could be reduced or if other raw materials could be substituted in the process that may render the waste non-hazardous. (13.11.5, F.R.)

New developments shall provide land or fees to address the development's impact on public and semi-public facilities through appropriate local policies and ordinances. (17.3.1, F.R.)

Total wastewater flow from the proposed Vandenberg Airport Expansion development is projected to average 4,200 gallons per day (gpd) at completion.

The airport is currently served by six septic tanks; these will be relied upon to provide treatment for the expanded airport. The northern septic tank appears to be located extremely close to a drainage ditch which outfalls to the TBC. According to the applicant, it is possible that the existing septic tanks will be relocated and/or additional septic tanks will be engaged. The need for additional septic tanks appears likely as the current capacity of the six tanks is 4,200 gpd; exactly the projected wastewater generation rate of the planned airport expansion. The applicant states that the septic tanks will be maintained by a licensed/bonded contractor. The Hillsborough County Health Department has indicated that it will not allow septic tank treatment for flows higher than 5,000 gpd.

The applicant has no plans for groundwater monitoring on-site, although the United States Geologic Survey (USGS) has monitoring wells at the nearby landfill. The applicant provided no information on the wet-season water table or the potential for sinkholes.

Treatment will likely be available from the proposed Hillsborough County Faulkenburg Road Wastewater Treatment Facility within five years, per the Hillsborough County Department of Waste and Wastewater Utilities. The applicant has stated that the development will utilize wastewater treatment facilities upon availability of service and funds for connection. Prior to that time, additional septic tanks may be necessary, as well as the relocation of existing tanks. These activities will be appropriately permitted.

Assurance of adequate wastewater treatment capacity, HCAA provision of the internal wastewater collection system, and HCAA contribution for necessary off-site expansion shall be a Development Order condition.

If Hillsborough County or DER determines that an interim wastewater treatment plant is appropriate for the Airport (as an alternative to septic tanks), the HCAA shall provide the plant on-site and shall guarantee that the plant meets County and DER requirements.

The Vandenberg Airport shall connect to regional wastewater facilities as soon as service is reasonably available to the Airport.

Numerous other conditions in regard to wastewater treatment alternatives, reuse and monitoring appear in the Recommended Regional Conditions section of this report.

#### WATER SUPPLY

Environmental regulations to protect the human life and health shall be strictly enforced. (6.12.1, F.R.)

Ensure that no overdrafting of potable groundwater supplies occurs. (8.3.2, F.R.)

Ensure that public water supplies meet State Drinking Water Standards. (8.3.3, F.R.)

Programs to ensure water reclamation and reuse alternatives for wastewater and stormwater disposal to surface water bodies shall be developed. (8.7.1, F.R.)

The average total daily demand for potable water is projected to be 6,301 gallons per day (gpd); the average total daily demand for non-potable water is projected to be 5,800 gpd for a combined total of 12,101 gpd demand. Potable water will be supplied by on-site wells. The First Sufficiency Response (FSR) provides information on the diameters of the six small on-site wells. None of the wells are interconnected. The Hillsborough County Health Department has identified water supply system improvements (Appendix, FSR) estimated at \$9,100 dollars necessary for the system to pass inspection. HCAA has indicated in conversations with Council staff that these improvements have been completed to the satisfaction of the County Health Department. HCAA will be responsible for the operations and maintenance of the internal water supply system.

The well on the northern portion of the original airport site appears to be within 100 feet of a septic tank. The SWFWMD has expressed concern regarding this well in relation to the location of the septic tank.

A letter dated February 28, 1986 from the City of Tampa Water Department indicates available capacity for the development from the Sligh Avenue/U.S. 301 main. The applicant states that, as water supply service becomes available to the site at financially feasible costs, on-site well usage will be minimized.

Recommended Development Order conditions include:

- o Written confirmation from Hillsborough County to the Florida Department of Community Affairs and TERPC of the availability of both potable and non-potable water supply capacity, pressure and flows sufficient for operations and fire protection for the Vandenberg Airport shall be required prior to the issuance of additional building permits, as appropriate.
- o The entity and capability to provide water service to this development, HCAA maintenance of the internal water supply system and HCAA participation in expansion of services shall be set forth in the Development Order.
- o The entity(ies) responsible for maintenance and operation of any on-site wells shall be identified in the Development Order.
- o A plan for using non-potable water for irrigation shall be required.
- o The water conservation measures shall be required as mandated by the Florida Water Conservation Act (Section 533.14, F.S., 1985).

#### SOLID WASTE

Procedures should be developed for assessing and mitigating the negative air quality impact, if any, associated with hazardous waste transfer, storage, treatment, or disposal facilities. (11.3.2, F.R.)

Measures shall be developed that promote greater coordination, communication, and cooperation among and between regulatory agencies, planning agencies, and public safety agencies concerning all aspects of hazardous/toxic air pollutants monitoring, measurement, and control. (11.3.4, F.R.)

Commercial and industrial facilities are encouraged to work with or designate someone capable of energy analysis, from inside or outside the business/facility, to establish energy policies, monitor energy use and encourage conservation. (12.5.1, F.R.)

All hazardous waste generators should utilize waste exchanges. (13.1.3, F.R.)

The design of commercial hazardous waste storage and handling areas shall be based on the types and characteristics of waste. Storage and handling areas shall have revetments or spill containment systems to retain at least 30 percent of the total volume of the containment building. These areas shall also have fire control systems to reduce risk of fire. Personnel decontamination facilities shall be installed, such as showers or eye wash basins to provide immediate attention to personnel, if necessary. (13.3.4, F.R.)

Hazardous waste storage and handling areas should be compartmentalized to separate non-compatible waste. Separation can be provided by distance between areas, revetments, and/or containment walls. (13.3.5, F.R.)

A contingency plan shall be prepared for each facility that handles 100 kilograms or more of hazardous materials as required by the Resource Conservation and Recovery Act. Training exercises shall be conducted at periodic intervals and should involve facility personnel, local government police and fire departments, environmental departments, public health departments (medical personnel), hospitals and the Florida Department of Environmental Regulation. (13.3.6, F.R.)

Companies that generate hazardous waste shall reevaluate their waste streams to determine whether the quantity of waste could be reduced or if other raw materials could be substituted in the process that may render the waste non-hazardous. (13.11.5, F.R.)

The Vandenberg Airport Expansion is projected to generate 400 pounds per day of domestic solid waste. The proposed airport expansion will double the amount of solid waste generated currently. No estimate of commercial, industrial or hazardous waste generation has been provided. According to the applicant, if hazardous or special wastes are generated, the collection and disposal of these wastes is to be governed by HCAA regulation 3.303. The HCAA contracts with private firms for waste collection service. No letter or reference is provided in regard to the firms' abilities to dispose of the waste.

The following are recommended as Development Order conditions:

- The entity and capability to provide, operate and maintain solid waste disposal capacity shall be set forth in the Development Order.
- All stationary tanks on-site shall comply with the appropriate sections of Chapter 17-61, F.A.C. and be permitted by the appropriate agencies.

Numerous conditions based on Council policies in regard to hazardous waste management, including provision of an emergency response plan, appear in the Recommended Regional Conditions section of this report.

#### ENERGY

Energy audits provided by the energy companies or other qualified agencies serving the region are encouraged. (12.2.1, F.R.)

Governments shall enforce all provisions of the Florida Energy Code for energy efficient construction. (12.2.3, F.R.)

The use of landscaping and building orientation to reduce heat gain should be used where feasible. (12.2.4, F.R.)

Reduced levels of operation of all air conditioning, heating, and lighting systems during non-business hours are encouraged. (12.5.3, F.R.)

The use of energy-efficient packaging and/or recyclable materials is encouraged. Participation in recycling programs is encouraged. (12.5.5, F.R.)

Average daily electrical demand is projected to be 1,135 kilowatts per day at build-out of the proposed Vandenberg Airport Expansion development, with a peak hour demand of 133 kilowatts. All electrical service will be provided by Tampa Electric Company. However, TECO has not indicated ability to service the projected energy demand. No on-site electrical generating facilities are planned.

The following are recommended as Development Order conditions:

The energy conservation measures identified on pages 25-2 and 25-3 of the ADA shall be required to be implemented.

Assurance of adequate electrical service shall be required prior to project approval.

#### RECREATION AND OPEN SPACE

New development shall be compatible with the recreational use of adjacent areas and, where appropriate and feasible, provide for non-vehicular access. (10.12.3, F.R.)

No recreational facilities or open space for recreation will be provided on-site due to public safety considerations. Various open spaces (clear zones) will be provided on-site to insure the safe and efficient operation of the aviation facility. In addition, open spaces will be provided in some areas for landscaping and drainage. All areas will be fenced and maintained by HCAA.

Recommended Development Order conditions include:

- The HCAA shall be responsible for maintenance of all common open space areas within the project site.
- Negative impacts upon Eureka Springs Park determined to be caused by the Vandenberg Airport Expansion shall be mitigated by HCAA to the satisfaction of the Hillsborough County Parks and Recreation Department.

#### HEALTH CARE

Future development activities should, at a minimum, maintain the level of fire, police and EMS services currently available in the region. (7.2.1, F.R.)

New developments shall provide land or fees to address the development's impact on public and semi-public facilities through appropriate local policies and ordinances. (17.3.1, F.R.)

No medical or health care facilities are proposed on the project site. Brandon Community Hospital, a full service medical/surgical hospital is located approximately 7.5 miles southeast of the project site. Hillsborough County Hospital is another full service hospital which is located approximately 5.5 miles west of the project site.

According to a letter in the ADA from Hillsborough County Emergency Medical Services, the paramedic unit serving the airport is located at the intersection of U.S. 301 and I-4. Total response time to the airport would be approximately four to five minutes, with some variation depending upon time of day, traffic conditions, weather, etc. Back-up units are located at the intersections of Busch Boulevard and 56th Street, Palm River Road and S.R. 60, and Kings Way and S.R. 60 in Brandon.

The entity and capability to provide emergency medical service to this development and HCAA participation in expansion of services shall be set forth in the Development Order.

#### POLICE

Future development activities should, at a minimum, maintain the level of fire, police, and EMS services currently available in the region. (7.2.1, F.R.)

New developments shall provide land or fees to address the development's impact on public and semi-public facilities through appropriate local policies and ordinances. (17.3.1, F.R.)

No police protection facilities or services are currently planned for the development.

The Vandenberg Airport is in the jurisdiction of the Hillsborough County Sheriff's Office which currently maintains an office on the airport property. The airport is within the urban response area for police protection and a letter in the ADA from the Sheriff's Office confirms their ability to service the site. No information was provided on future equipment and manpower needs related to the Airport Expansion.

The entity and capability to provide police protection service to this development and HCAA participation in expansion of services shall be set forth in the Development Order.

#### FIRE

Future development activities should, at a minimum, maintain the level of fire, police, and EMS services currently available in the region. (7.2.1, F.R.)

The provision of adequate water supplies and pressure for fire fighting activities as defined by federal, state and local requirements shall be required of all new developments. (7.2.7, F.R.)

The use of fire protection measures as defined by federal, state or local requirements shall be required for all new development. (7.2.8, F.R.)

New developments shall provide land or fees to address the development's impact on public and semi-public facilities through appropriate local policies and ordinances. (17.3.1, F.R.)

The Vandenberg Airport is in the jurisdiction of the Hillsborough County Fire Department and the responding station has an ISO rating of seven, which is not considered acceptable. A letter in the ADA from the Hillsborough County Fire Department indicates that primary fire protection is provided by East Lake Fire Station Number 320, located on Harney Road, south of Hillsborough Avenue. Response time for one career engine company is approximately five minutes. Also available within a five minute response time is Sabal Fire Station Number 390, located at the intersection of Buffalo Avenue and Faulkenburg Road.

The letter further indicates that public water is not readily available to the site at this time and that the developer may be required to provide water sufficient for fire fighting operations in order for the project to be considered acceptable by the Hillsborough County Fire Department.

The worksheet (7/8/86) provided by the Fire Department indicates the development's fire hazard classification is "high" and that additional fire protection needs include one fire station, one engine, one ladder and two career crews at a total estimated cost of \$1,119,036. The

worksheet provided also indicates that the water supply is not adequate and that the Fire Department was unable to estimate the required fire flow needed due to insufficient information. An updated worksheet on fire protection needs has not been provided.

The applicant states that, when warranted by the FAA and financially justified, HCAA will provide first response capabilities on site for fire fighting.

The entity and capability to provide adequate fire flows to this development and HCAA participation in expansion of fire protection services shall be set forth in the Development Order.

Additional conditions in regard to fire protection appear in the Recommended Regional Conditions section of this report.

#### AIRPORTS

Priority should be given to maximizing the use of existing airline and general aviation airport facilities before encouraging the expansion or development of new facilities. (19.4.1, F.R.)

Planning and implementation of multi-modal transportation facilities and services to area airports shall be encouraged. (19.4.2, F.R.)

Land use in and around airports shall be controlled to prevent unnecessary noise, environmental, social and economic conflicts to allow for future increases in operational capacity of the airports. (19.4.3, F.R.)

Aircraft noise exposure analyses for Vandenberg Airport of the average daily traffic levels for 1984 and 2005 were performed using the Integrated Noise Model (Version 3.8). The results of the noise analyses indicated that the 1984 Ldn 65 noise contour extends approximately 670 feet from the ends of the runway centerline. By 2005, the Ldn 65 noise contours would expand 1,200 feet and 1,800 feet, respectively, to the north and south of Runway 18-36, with a 400-foot sideline distance from the centerline of the runway and 2,600 feet to the northeast of Runway 4-22, with a 200-foot sideline distance from the centerline of the runway.

Therefore, the noise levels above Ldn 65 in 1984, and 2005 would be confined either within the boundaries of the Airport or within currently undeveloped areas north, northeast, and south of the Airport. According to the ADA, there are no homes or other noise-sensitive land uses affected by noise levels in excess of Ldn 65 in the vicinity of Vandenberg Airport.

Adjacent to the site, the existing land use provides for suburban residential, recreation and open space, and low-density/low to medium density residential. Current zoning within the area includes Agricultural Districts and Acreage Agricultural Districts.