



Interoffice Memorandum

November 7, 2017

TO: Mayor Teresa Jacobs  
and the Board of County Commissioners

FROM: Mark V. Massaro, P. E., Director, Public Works Department

CONTACT PERSON: **Diana M. Almodovar, P. E., Manager**  
**Development Engineering Division**

PHONE NUMBER: (407) 836-7974

SUBJ: **Dallas Boulevard Borrow Pit Expansion**  
**Excavation Permit #11-E4-1019**

Mr. K. Erik Jacobsen of Farmland Reserve, Inc. applied for the expansion of the Dallas Boulevard Excavation Permit #11-E4-1019. The 32.58 acre borrow pit expansion includes Phases 3, 4 and 5 and is located immediately south of the existing borrow pit.

On November 30, 2011, the Environmental Protection Division (EPD) issued Conservation Area Determination CAD-11-10-046 for the Dallas Boulevard Master Borrow Pit Plan (Phases 1 through 5). There were no wetland impacts within Phases 1 through 4; however, EPD issued Conservation Area Impact (CAI) Permit No. CAI-17-02-004 for the Phase 5 wetland impacts on October 19, 2017.

On January 10, 2012, the Board of County Commissioners approved Excavation Permit #11-E4-1019 for the excavation of Phases 1 and 2. On January 17, 2017, the Public Works Department, Development Engineering Division approved the excavation permit for Phases 3 and 4, not realizing that these phases were not part of the original January 10, 2012 Board approval. The ongoing work in Phases 3 and 4 is consistent with the original Dallas Boulevard Master Borrow Pit Plan and with all standard permit conditions.

This permit would allow for the total export of 1,613,221 cubic yards of clean fill material from Phases 3, 4 and 5 to be utilized for various approved construction projects throughout Orange, Brevard, Osceola and Seminole Counties.

The agriculturally zoned property is located on the south side of S. R. 528, east of Dallas Boulevard. The Parcel ID Number is 01-24-32-0000-00-001.

Staff recommends approval of the Dallas Boulevard Borrow Pit Phases 3, 4 and 5 expansion subject to General Law with the following additional requirements:

1. The approved haul route will be S. R. 520 east and west to approved project sites.
2. Operating and hauling from 7:00 a.m. to 7:00 p.m., Monday through Saturday.
3. Notify Development Engineering Inspection at (407) 836-7920 twenty-four hours prior to commencement of operations.

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4. All construction activities shall stay at least 50 feet away from any jurisdictional wetland until an approved CAI permit is issued.
5. Prior to clearing, grading or any other disturbance to soil or vegetation, all conditions of CAI Permit No. CAI-17-02-004 must be met, including:
  - a. Specific Condition #4 - The mitigation plan will be the purchase of 0.91 credits from the TM-Econ Mitigation Bank Phase IV.
  - b. Specific Condition #5 - Prior to initiating any construction within the wetlands to be impacted, EPD shall receive a Certificate of Credit purchase from the TM-Econ Mitigation Bank Phase IV stating that the transaction regarding the transfer of 0.91 mitigation credits has been completed.
6. Approval of this permit does not constitute either a land-use classification change to the Orange County's Comprehensive Plan or a rezoning of any type. Furthermore, solid waste disposal, solid waste management, and the disposal of materials from the construction of demolition of a road or other transportation facility, as contemplated by Section 163.3194 of Florida Statutes, is not in any way a purpose of this permit.
7. No work authorized under this approval shall begin without compliance with all applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this permit and the excavation plans, the condition of approval shall control to the extent of such conflict or inconsistency.
8. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of a state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

**Action Requested:** **Approval of Dallas Boulevard Borrow Pit Phases 3, 4 and 5 expansion and authorization to issue Excavation Permit #11-E4-1019 to Farmland Reserve, Inc. District 4.**

MVM/DMA/mjt  
Attachments

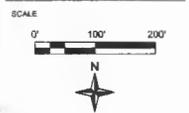


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 PHONE: 407.243.1133  
 CACHIER@DEWBERRY.COM 474

DALLAS BOULEVARD  
 BORROW PIT  
 PHASES 3-5  
 ORANGE COUNTY, FLORIDA

SEAL  
 Robert M. Johnson  
 11/17/2017

KEY PLAN




No.	DATE	BY	Description
REVISIONS			

DRAWN BY: SKH  
 APPROVED BY: RML  
 CHECKED BY: RML  
 DATE: OCTOBER 2017

TITLE  
**BORROW PIT ENLARGEMENT**

PROJECT NO. DALL 16Borrow PB - Phase 3-5

**C07**

SHEET NO.

-  Florida turnpike
-  Interstate 4
-  Toll Road
-  Major Roads
-  Road Under Construction
-  Proposed Road
-  US Road
-  State Road
-  County Road
-  Toll Ramp
-  Interstate Ramp
-  One Way
-  Brick Road
-  Rail Road
-  Proposed SunRail
-  Block Line
-  Lot Line
-  OIA
-  OEA
-  County Boundary
-  Parks
-  Golf Course
-  Lakes and Rivers
-  Point of Interest
-  Public School
-  Fire Station
-  Hospital
-  Urgent Care Center
-  Power Plant



This map is for reference only and is not a survey

Created 11/7/2017