

Detailed Description of Request

The project is a request for renewal of a special use permit to allow excavation and fill activities on approximately 123 acres in an "A" (agriculture) district located south of State Road 24 and east of the Levy County border. This special use permit is issued to V. E. Whitehurst & Sons, Inc. to allow excavation and filling with "clean debris" and "land clearing debris" as defined by the Florida Administrative Code on 122 acres in an "A" (Agriculture) District. No modification or expansion is proposed.

The Whitehurst landfill at this site has been an excavation and fill operation since 1979.

Explanation of Why the Request is Consistent with the County's Comprehensive Plan

The filling of this land is consistent with the Future Land Use Element, the Solid Waste Element, and the Conservation and Open Space Element of the Comprehensive Plan, and is compatible with surrounding land uses. This operation has been properly regulated to ensure proper disposal methods are followed. There are three active excavation and fill operations in the immediate vicinity of this site.

Future Land Use Element Policy 6.1.7 states that clean debris and construction and demolition debris landfills may be permitted through the special use permit process in areas identified as Rural/Agriculture, subject to performance criteria in the land development regulations, including the protection of groundwater quality.

Solid Waste Element Objective 1.3 requires that the County regulate, consistent with local, state, and federal regulations, all privately-operated landfills, including C&D landfills, and solid waste management facilities to ensure proper disposal methods and protection of natural resources including groundwater. The conditions of this special use permit restrict the materials allowed for fill to "clean debris" and "land clearing debris." The regulations limit the excavation depth to 15 feet above the top of the Floridan Aquifer which creates a fifteen foot buffer between the bottom of landfill and the top of the Floridan Aquifer.

Solid Waste Element Policy 1.3.1 requires that each landfill operator, including C&D landfill operators, shall be required to maintain accurate daily logs of, and to report to the County, the volume or weight of materials disposed by material type.

Solid Waste Element Policy 1.3.2 states that solid waste disposal systems shall be designed to prevent air, water and soil pollution, and danger to public health and safety.

Solid Waste Element Policy 1.3.3 requires that land-based solid waste disposal systems shall provide for the eventual closure and reuse of the site.

Conservation and Open Space Element Objective 4.3 regulates extraction activities so that they do not adversely affect the quality of air, groundwater, surface water, land, and wildlife.

Conservation and Open Space Element Policy 4.3.1 required that the County develop a comprehensive approach to mineral resources. Previous land development regulations that addressed mineral resources were reviewed, consolidated, and revised to provide for comprehensive natural resource protection.

Conservation and Open Space Element Policy 4.3.2 required that the County review its regulatory approach to filling activities, including landfilling, and the storage and handling of construction and demolition debris. The County revised its approach to ensure natural resources protection and consistency with state law.

Conservation and Open Space Element Policy 4.3.3 states that the development regulations shall address mining, land excavation, and filling activities, and shall include provisions for reclamation and reuse, and assure successful completion of approved reclamation and reuse plans. Mining, land excavation, and filling activities shall be consistent, at a minimum, with the Alachua County Excavation and Fill Ordinance and the Alachua County Surface Mining and Land Reclamation Ordinance which provide for permit requirements and standards for site location, site design, environmental protection and reclamation.

Conservation and Open Space Element Policy 4.3.4 states that the quality and quantity of ground and surface waters shall not be significantly altered through extraction operations.

Conservation and Open Space Element Policy 4.3.5 states that extraction operations shall minimize potential adverse impacts to surrounding areas and use specific mitigation criteria to minimize air, noise, and traffic impacts.

Explanation of Why the Request is Consistent with the County's Unified Land Development Code

Section 400.02 was adopted for the purpose of promoting the public health, safety and general welfare of the residents and property owners of Alachua County, and to encourage the orderly, harmonious and judicious use of land, consistent with the goals, policies and strategies of the Alachua County Comprehensive Plan.

Section 402.125 states that, in granting any special use permit, the board of county commissioners may prescribe appropriate conditions and safeguards in order to protect public health, safety, and welfare, in conformity with the ULDC.

Section 402.126 describes that an amendment to an existing special use permit shall be considered minor where it will not cause an expansion to the existing use, or additional impacts to surrounding properties, natural resources, or public infrastructure.

Section 404.90 states that the purpose of this article is to regulate mining and land excavation and filling activities with provisions for reclamation and reuse such that these activities do not adversely affect established residential areas, conservation or

preservation areas identified on the future land use map, or adversely affect transportation corridors, the quality of air, groundwater, surface water, land and wildlife in the county.

Section 404.91 states that the requirements of this article shall apply to all new or expanded mining or excavation and fill operations, and shall not affect the validity of any special use permit, mining master plan, development plan or mining permit approved by January 30, 2006. No existing operation shall be expanded or otherwise modified without first being authorized in accordance with this article. In addition, any mining or excavation and fill operation shall be subject to the requirements of this article as part of any annual report, as required by section 404.102, or as a result of an application to expand or modify the facility.

Section 404.94 states that excavation and fill operations may be permitted, subject to the requirements of this article and other applicable requirements in this ULDC, only within areas designated rural/agriculture on the future land use map.

Section 404.95 states that approval of a special use permit and development plan for a mining or excavation and fill operation shall be valid for a maximum of five years or for a period specified in the special use permit necessary for the completion of all operations, including necessary reclamation.

Sec. 404.96 states that the standards listed below shall apply to all mining or excavation and fill operations.

(a) Unless permitted by a special use permit, the activities listed below are prohibited in association with a mining or excavation and fill operation.

- (1) Mining, excavation or filling shall not be permitted in surface waters or wetlands, except as provided in the applicable requirements of this ULDC. Nor shall water be diverted from natural stream channels and drainage ways shall not be interrupted or relocated except as provided in the approved development plan.
- (2) Mining, excavation or filling shall not be permitted in groundwater of the Floridan or intermediate aquifer systems, except as provided in the applicable requirements of the Florida Administrative Code. Groundwater withdrawals permitted as part of an approved mining or excavation and fill operation shall not result in a lowering of the potentiometric levels of an aquifer beyond the boundaries of the approved mining or excavation and fill operation.
- (3) Vibration resulting from any mining or excavation and fill operation sufficient to cause damage of any kind to persons or property not included within the approved area of operation.
- (4) Where specifically permitted by the conditions of a special use permit, blasting or other use of explosives shall comply with all applicable federal, state and county standards.

- (5) All surface drainage from site runoff shall be directed away from open pit excavations to avoid groundwater contamination. Pollutants or substance of any kind which may be detrimental to water quality shall not be permitted to enter the surface drainage system or the groundwater system through sinkholes on or adjacent to the site.
- (b) In a mining or excavation and fill operation, disposal of materials as fill is limited to construction and demolition debris or further limited to clean debris and land clearing debris, as specified by the approved special use permit for the site.
- (1) Construction and demolition debris shall be limited to glass, brick, concrete, asphalt material, gypsum wallboard, and lumber (excluding CCA pressure-treated), nonrecyclable scrap metal (steel, iron, aluminum), clay construction materials (brick, pipe), and plastics (pipe, sheeting), uncontaminated soil and rock and land-clearing debris from construction projects. Asbestos materials are specifically excluded. Contamination of construction and demolition debris with any amount of other types of solid or hazardous waste will cause it to be classified as other than construction and demolition debris.
 - (2) Clean debris shall be limited to brick, glass, ceramics, and uncontaminated concrete including embedded pipe or steel. Land clearing debris shall be limited to uncontaminated soil and rock, tree remains, trees, and other vegetative matter from land clearing for a construction project.
- (c) Mining or excavation and filling activities shall be limited from 6:00 a.m. to 8:00 p.m., Monday through Saturday. More limited hours of operation may be imposed at the time of approval of the special use permit.
- (d) Mining or excavation and fill operations shall be permitted only at sites served by roads adequate to accommodate the projected truck traffic. Access shall not be permitted from an interior road through a platted subdivision unless the excavation and fill is specifically designed to facilitate the completion of the subdivision in which the haul route is located. Haul roads through platted subdivisions must be closed prior to the issuance of the first Certificate of Occupancy along the haul road. If access to a site is over an unpaved segment of public road, the operator shall be responsible for maintenance of the unpaved segment in a satisfactory operating condition.
- (e) On the site of mining or excavation and fill operations, the use of milled or crushed asphalt is permitted for road stabilization. Asphalt used for this purpose may be stored temporarily within an unexcavated area or a reclaimed area of the site. The material shall be removed from a roadway when it is no longer in use, and onsite disposal or burial of asphalt is prohibited. The development plan shall include an identification of all areas proposed as asphalt or material storage areas and a procedure for the disposal of material utilized for temporary road stabilization.

(f) Mining or excavation and fill activities shall be operated in a manner that shall minimize fugitive dust emissions. Dirt roads within the site and unpaved public roads in the vicinity used for access to and circulation with the project may require dust retardant treatment at the expense of the operator. The use of suppressants as a dust retardant technique shall be evaluated by the DRC and receive approval before their use is permitted. Natural vegetation shall not be removed within any required setback or buffer areas, or from any area of the site prior to excavation of that area.

Section 404.98 contains the following additional excavation and fill operation requirements.

(a) The method of excavation shall be planned so that the greatest volume of earth can be moved without resulting in deep holes scattered throughout the site. The use of the land shall be so that excavation is brought to the permitted depth at one part of the property and then proceeds to the remainder of the property.

(b) Where the Floridan Aquifer is unconfined, excavation shall be permitted no deeper than 15 vertical feet above the top of the Floridan Aquifer, to ensure that a minimum of 15 feet of undisturbed soil remains above the wet season high water table or limestone. Field adjustments shall be made as necessary to accomplish this intent. A land surveyor licensed in the State of Florida shall establish accessible benchmarks at 500 foot centers within the limits of the areas of the active excavation reflecting the limits of excavation depth to ensure 15 feet of undisturbed soil remains above the top of the Floridan Aquifer.

(c) Permanent vegetative cover shall be established in five or ten acre increments. Upon filling of five acres of the site, a soil cap shall be placed and permanent vegetative cover shall be established so that no more than ten acres of the site is being actively filled. For those areas that are not planned for backfilling, 1:4 (rise:run) side slopes shall be created and permanent vegetative cover established on these slopes. Final grading and establishment of permanent vegetation shall occur on an area-by-area basis as backfilling is completed so that reclamation takes place in conjunction with excavation and fill. Reclamation shall be continuous, and shall commence immediately after activity within an area of the site. Revegetation of all areas shall be accomplished no later than 90 days after the completion of other aspects of reclamation. Vegetation types utilized shall consist of grasses to be used for hay/sod production or native species replicating natural habitat that are well adapted to the soil's condition and terrain features prevalent on the site.

Section 404.102 requires an annual report of any approved special use permit for any mining or excavation and fill operation shall be submitted no later than October 1st of each year.