

FEB 15 1983

RESOLUTION NO. 83-SW-04

A RESOLUTION SELECTING PREFERRED WASTEWATER MANAGEMENT ALTERNATIVES TO COMPLETE PHASE II OF BOTH THE SOUTHWEST ORANGE COUNTY 201 FACILITIES PLAN AND PREPARATION OF THE ENVIRONMENTAL IMPACT STATEMENT; PROVIDING AN EFFECTIVE DATE.

PREMISES

1. Orange County and the City of Orlando are participating jointly in a Southwest Orange County Facility Planning Program and preparation of the "Piggy-Back" Environmental Impact Statement ("EIS") for providing wastewater management within the Southwest Orange County 201 Planning Area for the next twenty (20) years pursuant to the Federal Water Pollution Control Act, as amended by the Clean Water Act, consistent with the statutory objective to restore and maintain the chemical, physical and biological integrity of the Nation's waters, and pursuant to the National Environmental Policy Act (NEPA).

2. The Southwest Orange County 201 Facility Planning Program was begun in 1980 as a joint effort between Orange County and the City of Orlando to determine the most cost-effective method for managing wastewater in the designated planning area.

3. Preparation of the EIS was begun at the same time to ensure integration of environmental considerations in conjunction with the facilities planning.

4. The 201 Facilities Plan and EIS are being prepared in three Phases as set forth in an approved Plan of Study, directive of work and other memorandums, applications and agreements with the U.S. Environmental Protection Agency ("EPA").

5. This Resolution completes Phase II of both the 201 Facilities Plan and preparation of the EIS by selection of preferred wastewater management alternatives which are the most cost-effective and environmentally acceptable.

6. The Board of County Commissioners of Orange County ("Board") seeks to respond to the concerns of residents and citrus grove owners in Western Orange County relating to condemnation of their land and intends specifically to condition its selection of the effluent disposal alternative to avoid condemnation of dwelling units and citrus groves as set forth herein.

7. The Board has called for a public meeting for this purpose and has given notice to interested persons, environmental groups and public officials so that opinions may be expressed and questions presented.

ACCORDINGLY, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Two reports containing analyses, data and findings prepared as required for Phase II of both the 201 Facilities Plan and preparation of the EIS entitled "Southwest Orange County 201 Facilities Plan -- Draft Alternatives Analysis" (October 1, 1982) and

"Alternatives Evaluation -- Environmental Impact Statement -- Task Element III" (January 28, 1983), as well as other studies and reports relied upon or referred to therein, are hereby approved and the recommendations contained therein are accepted.

Section 2. The recommended alternatives for the service areas, interceptor systems, treatment and disposal are hereby found to be the most cost-effective and environmentally acceptable alternatives and are selected as the preferred wastewater management alternatives of the Board of County Commissioners of Orange County as set forth in "Southwest Orange County 201 Facilities Plan -- Draft Alternatives Analysis" (October 1, 1982).

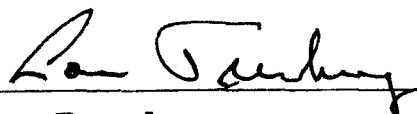
Section 3. The recommended alternative for effluent disposal set forth in concept in that report comprising a combination of citrus irrigation and rapid infiltration basins is also selected as the preferred effluent disposal alternative of the Board of County Commissioners of Orange County as limited in this Section. Notwithstanding any of the findings and recommendations of the two reports described above nor any of the provisions of this resolution, the selection of the preferred effluent disposal alternative shall be subject to the following:

(a) This preferred alternative is conceptual only, and there has been no final determination of the amount of effluent to be disposed of through the use of rapid infiltration basins or of the amount of land required west of the East 1/2 of Range 27 East in Orange County, Florida (which is approximately 1/4 mile east of Tiny Road) for the transmission pipeline, for rapid infiltration basin(s), or for the distribution center and distribution network.

(b) This is the preferred effluent disposal alternative only if it can be implemented without condemnation of dwelling units or producing citrus grove(s). A producing grove is defined as a citrus grove which has been regularly cultivated for the last five years or since it was planted, if less than five years. Regularly cultivated means that the grove has been fertilized at least semi-annually, and that harrowing, spraying and other usual and customary horticulture practices have been regularly performed. One or two rows of citrus trees along a public right of way will not be construed as a producing grove.

(c) In the event that this preferred effluent disposal alternative cannot be implemented in this manner, there will be a public meeting to select a preferred effluent disposal alternative at which any interested person may participate without having waived any rights by previous participation in the meeting at which this preferred disposal alternative was selected.  
Section 4. This Resolution shall take effect upon adoption.

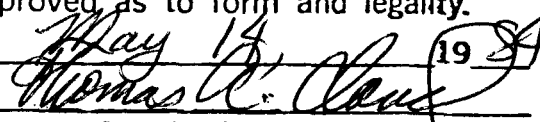
RESOLVED THIS 15th DAY OF February, 1983.

  
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Lou Treadway  
Chairman, Board of County Commissioners

ATTEST:

  
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Deputy Clerk Board of County  
Commissioners

FOR THE USE AND RELIANCE  
OF ORANGE COUNTY ONLY.  
Approved as to form and legality.

  
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County Attorney

May 14, 1983