

# **TAMPA INTERNATIONAL AIRPORT**

## **Soil Use Regulation**

The Regulations in this Part are adopted by the Hillsborough County Aviation Authority ("Authority") pursuant to Chapter 2012-234, Laws of Florida, Section 6(2)(xx), as amended ("Hillsborough County Aviation Authority Act") to ensure that, for environmental health and human safety, soil excavation or disturbance activities do not take place on Tampa International Airport Property ("Property") without requisite authorization from the Authority as described herein.

### **SECTION 1. LAND USE**

The Authority is the fee simple owner of the Property and the use of the Property as a public-use and federally-funded airport makes it incompatible with a residential land use. In addition, under Grant Assurance Obligation 21, Compatible Land Use, the FAA obligates Tampa International Airport to restrict the use of the airport to activities and purposes compatible with normal airport operations, i.e. non-residential uses.

### **SECTION 2. EXCAVATION AND SOIL DISTURBANCE ACTIVITIES**

No person, entity, contractor, or lessor shall dig, excavate, or otherwise disturb soil located on the delineated area of Tampa International Airport Property, indicated on Exhibit A unless express written authorization is provided by the Authority's Executive Vice President of Facilities or his designee in accordance with Section 3 below. To address potential exposure to contaminated soils, the Authority requires that every construction project be evaluated for the potential releases of fuel and/or chemicals during construction and these shall be examined by the Authority's Planning and Development Department. In addition, the Authority's Environmental Services Department shall review all requests for disturbance or excavation of soils within the Property, in accordance with the Authority's Environmental Management Standard Procedure (S760.01) and Section 3 below. Disposal of excavated soils shall be made in accordance with Chapter 62-780, F.A.C., and any other applicable local, state, and federal requirements.

### **SECTION 3. PROHIBITION**

- A. Any person, entity, or contractor that engages or plans to engage in soil excavation or disturbance activities on the Property delineated on Exhibit A, and within the scope of work under a landscaping, maintenance, design or construction contract let by the Authority or acting within the scope of the direct landscaping, maintenance, design or construction contract is deemed to have received express written authorization by virtue of the landscaping, maintenance, design or construction contract let by the Authority.
- B. Any person that engages or plans to engage in soil excavation or disturbance activities on the Property delineated on Exhibit A who is employed by the Authority is deemed to have received authorization so long as that person is acting within the normal scope of his or her employment and is following the Environmental Management Standard Procedures (S760.01).
- C. Any other person, entity, contractor, or lessor that engages or plans to engage in soil excavation or disturbance activities on the Property delineated on Exhibit A, shall be required to apply for a Tenant Work Permit provided by the Authority, and obtain express written authorization pursuant to Section 2 above prior to conducting such activities.
- D. The failure and/or refusal of any person, entity, contractor, or lessor that engages or plans to engage in soil excavation or disturbance activities on the Property delineated on Exhibit A to secure authorization from the Authority to conduct soil excavation or disturbance activities, shall constitute a violation of this Regulation.
- E. In the event of emergency circumstances such as inspection, maintenance, testing, or repair that warrants access to contaminated soil, the Authority's Environmental Services Department will coordinate such access.

### **SECTION 4. JUDICIAL RELIEF**

Any violation of this Regulation, including any failure to comply with the requirements hereof, may be enforced by injunction, including mandatory injunction, or otherwise judicially enforced in any other manner provided by law, and any such suit or action may be initiated and maintained by Tampa International Airport/the Authority. In the event such action is initiated, Tampa International Airport/the Authority shall be entitled to recovery of its costs and attorney's fees incurred in and about such proceeding.

**EFFECTIVE DATE**

This Regulation shall be effective immediately upon its adoption.

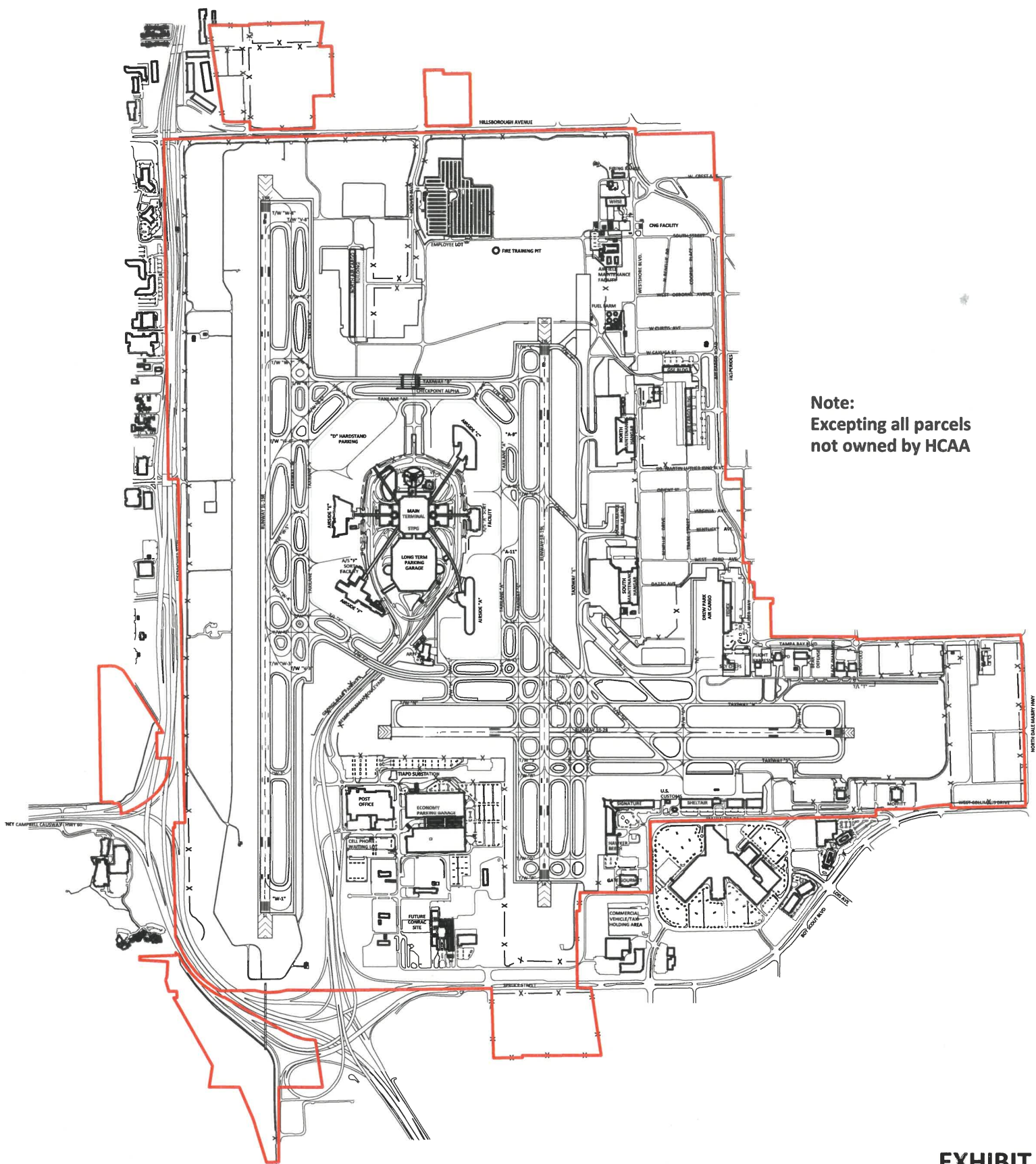
ADOPTED by the Authority this 7<sup>th</sup> day of March, 2019.

Board Chairman

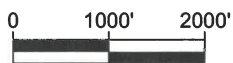
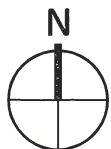


Board Secretary





**Note:**  
 Excepting all parcels  
 not owned by HCAA



*Handwritten initials: To CM*

**EXHIBIT A**  
**SOIL USE REGULATION**  
**AREA OF COVERAGE**



January 2019