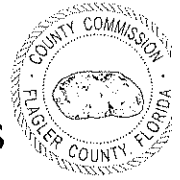


Flagler County

Board of County Commissioners



1769 East Moody Boulevard, Building 2 ♦ Bunnell, Florida 32110 ♦ (386) 313-4000 ♦ fax: (386) 313-4101 ♦ www.FlaglerCounty.org

February 5, 2010

Anne Seiler
Environmental Specialist
Department of Environmental Protection
Siting Coordination Office
3900 Commonwealth Boulevard, MS 48
Tallahassee, FL 32399

RE: FLORIDA POWER AND LIGHT'S ENERGY SECURE NATURAL GAS PIPELINE AND CORRIDOR
SITE CERTIFICATION APPLICATION NG09-02 – AGENCY REPORT

Dear Ms. Seiler:

Enclosed is Flagler County's Agency Report for the Florida Power and Light Energy Secure Natural Gas Pipeline and Corridor Project Siting Application.

If there are any questions, please contact the County's Planning Department at (386) 313-4009.

Respectfully submitted,

Adam Mengel
Planning Director

cc: Barbara P. Linkiewicz, Director, Environmental Licensing, Florida Power & Light Company
Distribution List (via e-mail only)

**FLAGLER COUNTY
AGENCY REPORT OF FLORIDA POWER AND LIGHT
ENERGY SECURE NATURAL GAS TRANSMISSION CORRIDOR AND PIPELINE
SITING APPLICATION
NO. NG09-02
DOAH CASE NO. 09-4151
OGC CASE NO. 09-3259
FEBRUARY 2010**

SECTION I. CORRIDOR LOCATION ISSUES

There are no outstanding corridor location issues.

SECTION II. OUTSTANDING SUFFICIENCY ISSUES

There are no outstanding sufficiency issues.

SECTION III. VARIANCES TO STANDARDS

No variances to County standards have been requested, so none are anticipated.

SECTION IV. SPECIAL USE PERMISSIONS

No special use permissions have been requested, so none are anticipated.

SECTION V. RECOMMENDATION FOR CERTIFICATION

Flagler County recommends the certification of the proposed natural gas pipeline and corridor. This recommendation is made contingent upon the conditions contained herein being addressed/met.

SECTION VI. PROPOSED CONDITIONS FOR CERTIFICATION

6.1 REQUEST FOR RESTRICTED AREAS

No requests for restricted areas are necessary.

6.2 POST CERTIFICATION REVIEW OF SPECIFIC PROBLEMS

Demonstrate post certification compliance with Flagler County Code, Chapter 26, Article II relative to right-of-way crossings within the unincorporated area of Flagler County, such as but not limited to crossings at County Road 205 and County Road 304.

Demonstrate post certification compliance with Flagler County Code, Chapter 26, Article II relative to canals, ditches and swales comprising the primary and secondary drainage system within the unincorporated area of Flagler County, such as but not limited to crossings at City Limits Canal (Bunnell), Parker Canal and Codyville Canal.

Demonstrate post certification compliance relative to waterbody and wetland crossings, threatened and endangered species, flora and fauna with the following Flagler County criteria: Flagler County Land Development Code, Article VI Resource Protection Standards and Flagler County Comprehensive Plan Future Land Use Element Policies 1.7, 4.2, 4.3, 4.4, 4.7, 4.8, 4.9, 4.11, 9.4, and 11.2, Coastal Management Element, Policy 1.2.01, Conservation Element Policies 2-5; 3-1, Objective 4, Policies 4-2, 4-3, Objective 7, Policies 7-1, 7-2, 9-4, 9-5, Objective 10, Policies 10-1, 10-2, Policy 11-1, 11-2 and 11-3. Note: For purposes of demonstrating compliance with Flagler County Comprehensive Plan Future Land Use Element Policies 4.2 and 4.3, 'harvesting' should be distinguished from 'silvicultural activities' as inclusive of both commercial and noncommercial removal, while 'silvicultural activities' is singularly of a commercial nature.

Demonstrate post certification compliance relative to spill prevention, pollution control, and countermeasures plan pursuant to Flagler County Code of Ordinances, Chapter 13, Article I and Conservation Element Policies 2-5; 4-2, 4-3, Objective 7, Policies 7-1, 7-2, 9-4, 9-5, 10-1, 10-2, 11-1, 11-2 and 11-3.

Provide copy of wetland resource post certification review as outlined in 62-807.570(2)(b)2., Florida Administrative Code, if applicable.

SECTION VII. BEST MANAGEMENT PRACTICES

All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), unless a project specific erosion and sediment control plan is approved as part of any permit or authorization, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the applicant shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The applicant shall correct any erosion or shoaling that causes adverse impacts to the water resources.

Any open-cut trench work occurring within or adjacent to wetland systems will be completed in a manner that does not alter the hydrology of adjacent wetland systems resulting from the temporary placement of excavated material.

Road crossings shall be made through jack and bore, closed-end jacking, directional boring, or other method to the satisfaction of the county engineer in accordance with Sec. 26-46(a) of the Flagler County Code of Ordinances.

Canal, ditch, and swale crossings shall be made to meet the minimum depth of cover requirements as listed in Sec. 26-46(b) of the Flagler County Code of Ordinances.