



March 24, 2009

Mr. Aaron Sarchet
Environmental Specialist
Florida Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Dear Mr. Sarchet:

RE: Progress Energy Florida – Levy Nuclear Project Units 1 and 2
Cross Florida Greenway Recreational Improvement Area Project
DEP File No.: 38-272432-002-ES

Please find enclosed the Proof of Publication related to the public notice published in regards to the above noted file.

If you have any questions regarding this submittal please contact me at (727) 820-5764 or at John.Hunter@PGNmail.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JH', with a large, stylized flourish extending to the right.

Jamie Hunter
Lead Environmental Specialist
Progress Energy Florida

Enclosure

C: Mike Halpin, FDEP Siting Office (w/enc.)

LEVY COUNTY JOURNAL
PUBLISHED WEEKLY
BRONSON, LEVY COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF LEVY:

Before the undersigned authority personally appeared Rick Burnham, who on oath says he is Editor of the LEVY COUNTY JOURNAL, a newspaper published at Bronson, Levy County, Florida; that the attached copy of advertisement,

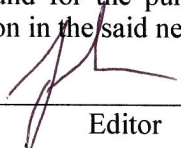
being a Notice of Permit Issuance

in the matter of Department of Environmental Protection
issuing permit Number 16-123456-001-ES to Progress Energy
Florida, Inc. to conduct an upland excavation, etc.

was published in the said newspaper in the issues of:

March 19, 2009

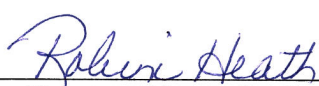
Affiant further says that the said LEVY COUNTY JOURNAL is a newspaper published at Bronson, in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in said Levy County, Florida, each week and has been entered as second class mail matter at the post office in Bronson, in said Levy County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Editor

Sworn to and subscribed before me, and is personally known to me, appeared Rick Burnham, who did take an oath, this

19th day of March, A.D., 2009.



Signature, Notary Public

My commission expires: (SEAL)

NOTARY PUBLIC-STATE OF FLORIDA
 Robin Heath
Commission #DD849302
Expires: MAR. 06, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

**NOTICE OF PERMIT
ISSUANCE**

The Department of Environmental Protection gives notice that it has issued Permit Number 16-123456-001-ES to Progress Energy Florida, Inc. under Part IV, Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code, to conduct an upland excavation along the north bank of the Cross Florida Barge Canal for the construction of a barge slip and concrete parking area, construct a 50-foot wide heavy haul road from CR 40 to the upland excavation area with a bridge over the Inglis Lock Bypass Channel, and construct and operate a stormwater management system for runoff collected from the barge slip and parking area, heavy haul road, and the bridge over the bypass channel. The heavy haul road will include public entry access points on both the north bank of the bypass channel and west along the north bank of the barge canal. Existing Office of Greenways and Trails access roads will be intercepted and rerouted in accordance with the project plans. The total drainage area is 13.6 acres with 4.74 acres of impervious surface. The stormwater management system consists of seven dry swales and associated overflow structures. The swales will average 2 feet in depth. All stormwater in excess of the required treatment volume will discharge into the Cross Florida Barge Canal. The system provides adequate treatment storage and will recover the design storm event in less than 36 hours. The project is located on the Inglis Lock Bypass Channel, a class III waterbody in Section 06, Township 17 South, Range 17 East at Latitude 29°01'34.57", Longitude 82°37'08.57", in Levy County, Florida.

The application and the permit are available for inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Northeast District Office, 785 Baymeadows Way, Suite 200B, Jacksonville, Florida 32256-7590. The Department's agency action shall be final unless

a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. Persons who have filed such a petition may seek to mediate the dispute, and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under section 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions must be filed within fourteen (14) days of publication of the notice or receipt of the written notice, whichever occurs first. A petition by any person entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of the receipt of the written notice. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that

person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department permit identification number and the county in which the subject matter or activity is located;

(b) A statement of how and when each petitioner received notice of the Department action;

(c) A statement of how each petitioner's substantial interests are affected by the Department action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of the facts that petitioner contends warrant reversal or modification of the Department action;

(f) A statement of which Rules or statutes the petitioner contends require reversal or modification of the Department action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the require-

ments set forth above.

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing). The agreement must contain all the information required by rule 28-106.404. The agreement must be received by the clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within ten days after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for holding an administrative hearing and issuing a final order. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons seeking to protect their substantial interests that would be affected by such a modified final decision must file their petitions within fourteen (14) days of receipt of this notice, or they shall be deemed to have waived their right to a proceeding under Sections 120.569 and 120.57. If mediation terminates without settlement of the dispute, the Department may notify all parties in writing that the administrative hearing process under Sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

This action is final and effective on the date filed with the Clerk of the Department unless a petition (or request for mediation) is filed in accordance with the above. Upon the timely filing of a petition (or request for mediation) this order will not be effective until further order of the Department.

Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Pub.: Mar. 19, 2009.