

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

FLORIDA POWER CORPORATION	)	
	)	
Petitioner,	)	
	)	CASE NO.: 82-0521
IN RE:	)	
CENTRAL FLORIDA-KATHLEEN	)	
500 kV TRANSMISSION LINE	)	
CORRIDOR MODIFICATION,	)	
	)	

FIRST MODIFICATION
OF FINAL ORDER OF CERTIFICATION

On July 26, 1982, the Governor and Cabinet, Sitting as the Siting Board entered a Final Order of Certification approving a corridor for Florida Power Corporation's Central Florida to Kathleen 500 kV transmission line.

On December 10, 1982, the Department received an amended Petition for Modification from Florida Power Corporation (FPC) requesting that the certified corridor boundaries immediately south of the Withlacoochee State Forest be modified to be as follows:

At the southwest corner of Section 4, Township 24 South, Range 23 East, the corridor will run due south, expanded to 1,060 feet with the eastern 60 feet to east of the westerly sectionline of Sections 9 and 16, T24 S, R23E for approximately one and one-half miles through "Devil's Creek Swamp".

Notice of the amended Petition for Modification and the proposed agency on it was duly noticed in the Florida Administrative Weekly, and mailed to all parties at the last address of record. The notice provided that any substantially affected person would have 14 days in which to petition for a hearing. No person so petitioned.

FINDINGS OF FACT

1. The certified corridor is 1,020 feet wide from the southwest corner of Section 4, Township 24 South, Range 23 East, south for approximately one and one-half miles paralleling the Southwest Florida Water Management District (SWFWMD) proposed levee, with the eastern 20 feet inside the SWFWMD west property line. This corridor alignment, with the 20 feet on SWFWMD's property was intended to permit FPC to build its

access/maintenance road in the easternmost portion of its right-of-way on the SWFWMD property, thus permitting SWFWMD to use the access/maintenance road as a partial base for a possible levee. The colocation of the road and the levee could result in less fill being placed in the Devils's Creek Swamp area.

2. It is SWFWMD's position that the entire levee, if ever constructed, must be wholly located on SWFWMD's property. Therefore, to obtain the benefits of colocation, the entire access/maintenance road would have to be constructed on SWFWMD's property. However, the road cannot be wholly constructed on the 20 feet within the SWFWMD property boundary. The crown of the road will be 20 feet wide. The side slopes will be at a ratio of one foot down for each three feet out. Therefore, to have room for the base of the road on SWFWMD property it will be necessary to expand the certified corridor 40 feet to the east for the one and one-half miles distance referred to in paragraph one.

3. The proposed modification to the certified corridor for the one and one-half miles immediately south of the Withlacoochee State Forest will have minimal additional impacts on the environment over those anticipated from the original certified corridor.

CONCLUSIONS OF LAW

1. Since the corridor for which certification was granted was set forth in Special Condition of Certification I, the Secretary of the Department of Environmental Regulation has been delegated the authority pursuant to §403.5315(1), F.S., to modify the corridor in accordance with General Condition of Certification XV.

2. Petitioner is entitled to the modification as requested in that the modification, in and by itself, will not cause or result in any significant adverse environmental impact.

ORDER

1. The certified corridor boundaries immediately south of the Withlacoochee State Forest are modified as follows:

At a point identified as the southwest corner of Section 4, Township 24 South, Range 23 East, the corridor turns due south, expands, to ~~1,702~~ 1,060 feet with the eastern ~~20~~ 60 feet inside the SWFWMD west property line, and proceeds directly south paralleling the SWFWMD proposed levee for approximately one and one-half miles through "Devil's Creek Swamp" to a point where the transmission line corridor and the SWFWMD proposed levee diverge.

2. The second page of attachment I referenced in Special Conditions of Certification I is amended accordingly, (See attached copy) and Finding of Fact No. 28, Findings of Fact, Conclusions of Law, and Recommended Order dated June 15, 1982, attached to the Final Order of Certification is hereby amended accordingly.

DONE and ORDERED this 10 day of Jan, 1983.

Terry Cole for
VICTORIA J. TSCHINKEL
Secretary

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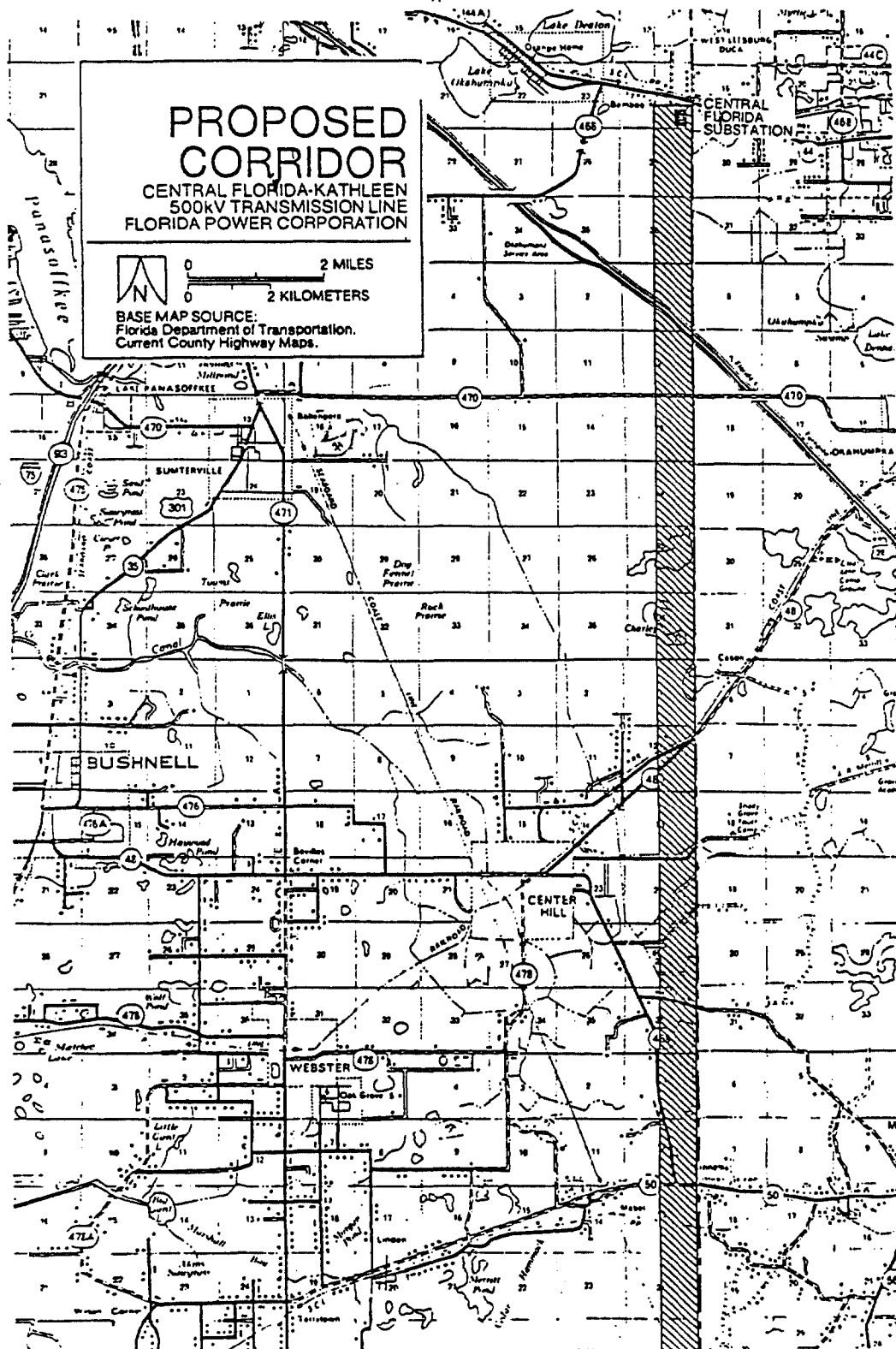
FILING AND ACKNOWLEDGEMENT

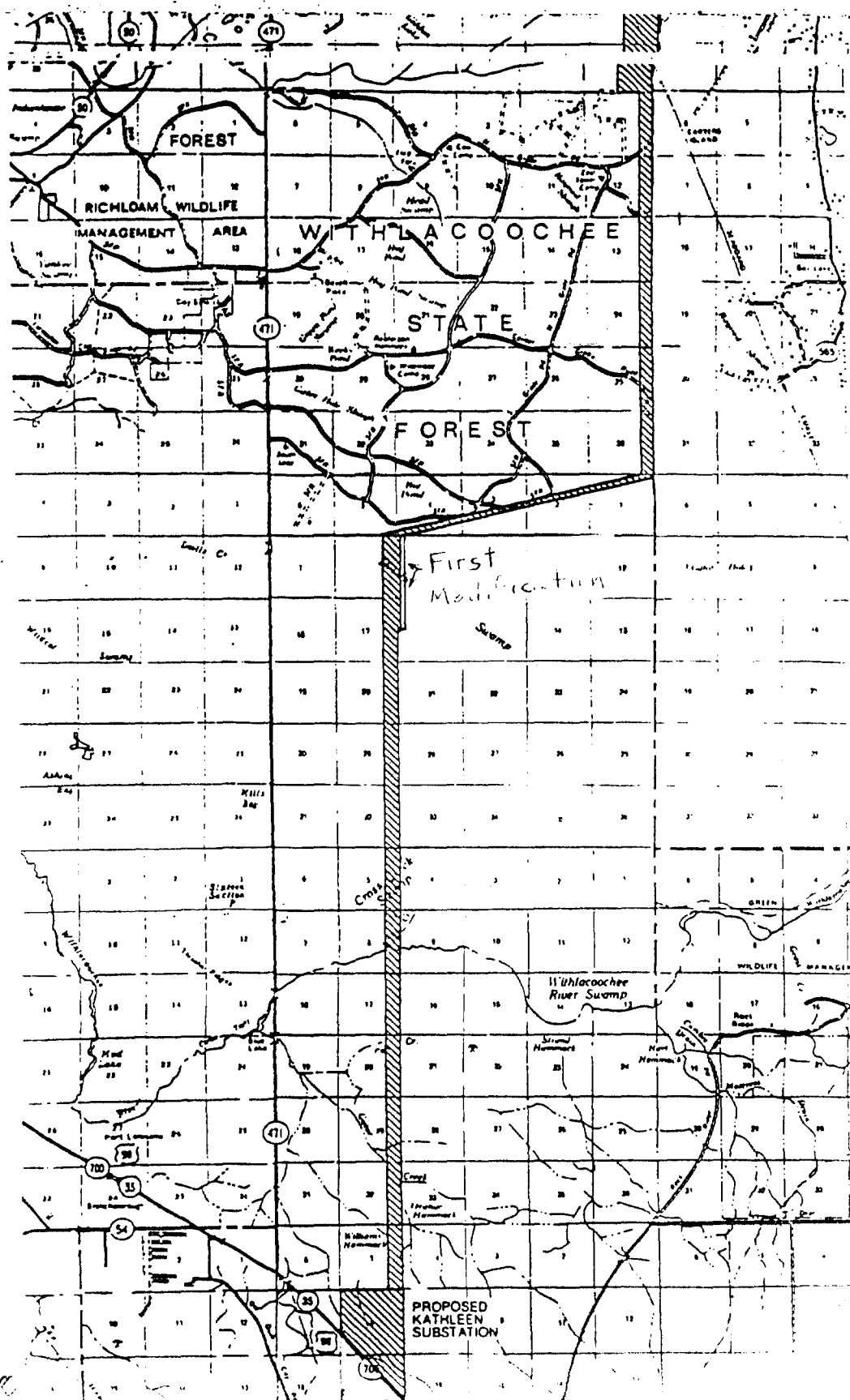
FILED, on this date, pursuant to S120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Thomas Mullins
Clerk

1/11/83
Date

ATTACHMENT I





CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing
First Modification of Final Order of Certification has been
furnished by United States Mail to all parties shown on the
attached list this 11th day of January, 1983.

A handwritten signature in dark ink, appearing to read 'John C. Bottcher', is written over a horizontal line.

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