

Attachment E – Mitigation Plan

History

TECO certified the Polk Power Station (PA92-32) pursuant to the Power Plant Siting Act (PPSA), ss. 403.501-518, Florida Statutes (F.S.) in 1994. The Polk Power Station is planned to operate at an ultimate capacity of 1150 megawatts (MW). There are currently 5 power generating turbines on the site. Unit 1 is a 260 MW combined cycle combustion turbine. Units 2-5 are 165 MW simple cycle gas turbines. The future expansion of the Polk Power Station will require additional cooling water. TECO has formed the Regional Reclaimed Water Partnership Initiative with the Southwest Florida Water Management District (SWFWMD) and the City of Lakeland in order to use reclaimed water to supplement cooling water to the Polk Power Station and reduce groundwater withdrawals from the Southern Water Use Caution Area as well as help reduce nutrient loading to the Alafia River.

Project Description

To construct approximately 15 miles of 30-36-inch diameter underground pipeline from the City of Lakeland's Wetland Treatment System (WTS) to the Polk Power Station. The project includes the clearing of approximately 2.816 acres of mixed hardwood wetlands (FLUCCS Code 617) and shrub swamps (FLUCCS Code 647) primarily associated with Hookers Prairie, a Class III Florida Waterbody.

Project Location

The project northern terminus is located at 4095 E. State Road 60, in Mulberry. The project southern terminus is located at 9995 State Road 37 South, Mulberry, at the Polk Power Station. The project corridor is located in Sections 1, 12, 13, 14, 23, 26, and 35, Township 30 South, Range 23 East, Sections 6 and 7, Township 30 South, Range 24 East, Sections 2, 11, 14, 22, 23, 27, and 34, Township 31 South, Range 23 East, and Section 3, Township 32 South, Range 23 East, in Polk County. This Notification of Compliance does not include the portion of the project located between Mulberry Phosphate's property and Cozart Road.

The Licensee shall comply with the following conditions prior to commencement of any construction activities:

1. Submittals required herein (e.g., progress reports, as-built drawings, etc.) shall include the Licensee's name and Environmental Resource Tracking Number (PA No.): 530305815-003, and shall be directed by e-mail to SW_ERP@dep.state.fl.us with a subject line of compliance PA No. 53-0305815-003, or by mail to:

Department of Environmental Protection
Southwest District
Submerged Lands and Environmental Resource Program
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

2. To mitigate for impacts to 2.054 acres of moderate quality mixed hardwood wetlands (FLUCCS Code 617), and 0.762 acres of moderate quality shrub swamps (FLUCCS Code 647), the Licensee shall purchase 0.233 freshwater forested credits from the Peace River Mitigation Bank. Prior to any construction or impacts authorized by this notification, the Licensee shall provide the Department with documentation that 0.233 freshwater forested credits have been deducted from the credit ledger of the Peace River Mitigation Bank SWFWMD permit number 43029983.

3. Prior to any construction or impacts authorized by this notification within the area encumbered by conservation easement, the Licensee shall provide the Department with documentation that The Mulberry Phosphates, Inc. conservation easement has been modified to allow the construction of the pipeline.

4. The structure/work authorized by this permit shall not be placed/conducted on any property, other than that owned by the Licensee, without the prior written approval of that property owner. This authorization does not cover the portion of the project located between Mulberry Phosphate's property and Cozart Road nor any construction in, on, or over submerged lands owned by the State of Florida.

The Licensee shall comply with the following conditions prior to the transfer to operation phase and beneficial occupancy:

5. All pipeline corridors and staging areas shall be restored to pre-construction site conditions, including contours and elevations, within 15 days of pipeline installation. The permittee shall segregate and return the upper 12-inches of wetland topsoil to the top of the trench during backfilling.

6. A "Time Zero" Monitoring Report shall be submitted within 14 days of completion of the re-grading activities within the natural or reclaimed wetland impact areas and shall include the following:

a. Date the re-grading was completed;

b. Color photographs to provide an accurate representation of each re-graded area. The photographs shall be taken from fixed reference points and directions which are shown on a scaled plan-view.

7. Subsequent Monitoring Reports shall be submitted to the District office semiannually for the first year and annually thereafter until the success criteria outlined in Condition No. 8 are achieved. The Restoration Monitoring Reports shall include the following for each restoration area:

a. Color photographic prints taken from the reference points established in the Time Zero Monitoring Report.

b. Plant species composition with estimates of the contribution of each species to percent cover.

c. Total contribution to percent cover by non-native wetland species and species not listed in 62-340, F.A.C.

8. The restoration shall be deemed successful when the following criteria has been continuously met for a period of six months, without intervention in the form of irrigation, removal of undesirable vegetation, or replanting of desirable vegetation:

a. Native wetland species have achieved a minimum of 80% coverage.

9. The Licensee shall meet the restoration success criteria as defined in Condition No. 8. The responsibility to assess if the restoration areas are meeting the success criteria shall not fall solely on the Department. In the event the Licensee becomes aware the restoration areas are not meeting the success criteria (based on either site observations or review of monitoring reports) after three years of monitoring, the Licensee shall be responsible to submit an alternative restoration plan to the Department for review and approval.