

OUC St. Cloud East - Magnolia Ranch North 230-kV Transmission Line (TA 21-18) Post-Certification Submittal Requirements Summary

Condition Number	Requirement and Timeframe	Due Date	Name of Agency whom the submittal is required to be provided
Section A: General Conditions (I. Scope: Subpart D)	Within 180 days following the corridor narrowing as defined by Section 403.522(10), F.S., the Licensee shall provide an aerial photograph(s)/map(s) of the specific Right-of-Way (ROW) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified transmission line right-of-way, which shall be known as the Delineation of the Certified Transmission Line ROW and attached as Attachment B – Final ROW Maps	Within 180 days of corridor narrowing	DEP; SCO
Section A: General Conditions (VII. Notification: Subpart E)	Within 60 days after certification of the Project, the Licensee shall file a notice of the certified route with the Department and the clerk of the circuit court for each county through which the corridor will pass.	Within 60 days following certification	DEP; SCO; County Clerk of the Circuit Court
Section A: General Conditions (XXII: Post-Certification Submittal Requirements Summary)	Within 90 days after certification, and within 90 days after any subsequent modification or certification, the Licensee shall provide the SCO a complete summary of those post-certification submittals that are identified in these Conditions when due-dates for the information required of the Licensee have been identified. A summary shall be provided as a separate document for each transmission line, if any. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the SCO, in a sortable spreadsheet, electronically, in the format shown below or equivalent.	Within 90 days of certification	DEP; SCO
Section A: General Conditions (XXVIII: Process for Review of ROW Location)	Prior to the finalization of the ROW location, three copies of the most recent available aerial photographs at a scale of 1" = 400' with wetland locations generally identified shall be submitted to DEP Siting Coordination Office, and one copy each to DEP Central District Office, SFWMD, SJRWMD, DOT, DEO, Orange County, and Osceola County delineating the certified corridor, and the selected transmission line ROW. In addition, Licensee shall note on the aerial photographs, new construction within the corridor that has occurred since the photograph was taken.	Prior to finalization of ROW location	DEP; SCO; SFWMD; SJRWMD; DOT; DEO; Orange County; and Osceola County
Section A: General Conditions (XXVIII: Process for Review of ROW Location; Subpart D)	After Licensee has acquired the necessary property interests in the entire length of the transmission line ROW, Licensee shall: (1) File a statement with the clerk of the circuit court for each county through which the corridor passes certifying that all lands required for the transmission line ROW within the corridor have been acquired. Licensee shall also file with the county Planning Department a map at the scale of 1" = 400' showing the boundaries of the acquired ROW. (2) File with DEP Siting Coordination Office a map at a scale of 1" = 400' showing the boundaries of the acquired ROW, if such boundaries are different from those shown in the filing required by paragraph A above. Such maps shall comply with the requirements of paragraph A. If the boundaries have not changed, Licensee shall file a statement with DEP Siting Coordination Office accordingly.	Following easement acquisition for entire length of ROW	DEP; SCO; Counties Circuit Court; County Planning Department
Section A: General Conditions (XXVIII: Process for Review of ROW Location; Subpart E)	Once the ROW has been determined, the Licensee will submit to Orange County and Osceola County, respectively, the information that is consistent with County ROW permits for the portions of the line which pass through each affected county.	Following final ROW determination	DEP; SCO; Orange and Osceola County Public Works
Section A: General Conditions (XXIX: Environmental Resources; Subpart A. General)	Prior to the commencement of construction of new facilities and/or new associated facilities the Licensee shall provide to the DEP Central District for review, with a copy to the SCO, all information necessary for a complete Application for Individual and Conceptual Approval Environmental Resource Permit and authorization to Use State-Owned Lands (ERP), DEP Form 62-330.060(1), F.A.C., or other applicable ERP authorization form(s). A copy of the submittal shall also be provided to the SCO.	Prior to construction	DEP; SCO
Section A: General Conditions (XXIX: Environmental Resources; Subpart b)	Concurrent with submittal of the DEP form required in Subparagraph A.1.a. above, the Licensee shall submit, as applicable, a survey of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department compliance review. Available DEP-approved wetland and surface water delineations within the boundaries of a certified site or a portion thereof may be used and reproduced for this delineation submittal and verification. Formal DEP-approved wetland and surface water delineations are valid only for a period of five years	Prior to construction	DEP; SCO

Section A: General Conditions (B: Surface Water Management Systems; Subpart 5)	At least 48 hours prior to beginning the authorized activities, the Licensee shall submit to the DEP Central District a fully executed Form 62-330.350(1), "Construction Commencement Notice," (October 1, 2013), http://www.flrules.org/Gateway/reference.asp?No=Ref-02505 , indicating the expected start and completion dates. A copy of this form may be obtained from the Department, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction and, in such a case, submittal of Form 62-330.350(1) is not required.	At least 48 hours prior to construction	DEP; SCO
Section A: General Conditions (B: Surface Water Management Systems; Subpart 7)	Within 30 days, or such other date as agreed to by DEP and the Licensee, after completion of construction of any new portions of the SWMS, the Licensee shall submit to the DEP Central District and copy the SCO, a written statement of completion and certification by a registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required "As-Built Certification and Request for Conversion to Operation Phase" (DEP Form 62-330.310(1), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.	Within 30 days of completion of surface water management system construction	DEP; SCO
Section B: Specific Conditions (1. General (a.))	Prior to commencing construction of any portion of the transmission line, which may cross over, on, under, or otherwise use, the SFWMD's right-of way, the Licensee must submit complete drawings showing the proposed facilities to the SFWMD for documentation of compliance with Chapter 40E-6, Florida Administrative Code (F.A.C.), and the Right of Way Criteria Manual for Use of Works or Lands of the District, incorporated by reference in Rule 40E-6.091(1), F.A.C.	Prior to construction over, on, under, or otherwise use of SFWMD right-of-way	DEP; SCO; SFWMD
Section B: Specific Conditions (2. Access (a.))	Should the Licensee desire to utilize the SFWMD's right-of-way for access during construction of the transmission line and/or for inspection, maintenance, and/or operation of the transmission line after construction, the Licensee shall submit to the SFWMD a detailed plan identifying the following: proposed route; type, weight, length, and number of vehicles to be used; daily trips for each vehicle; proposed material and/or vehicle/equipment storage within the right-of-way; and dates of proposed access of the right of way. Prior to the use of any portion of the SFWMD right-of-way, the Licensee must post a financial assurance, which shall be a minimum of \$5,000 per one-half mile, or a greater amount as determined by SFWMD, depending on the scope of work, the route, use of or travel over SFWMD bridges and/or facilities, types of vehicles, and duration. In addition, the Licensee must obtain liability insurance covering the Licensee's use of that portion of the right-of-way.	Prior to construction or operation/maintenance use of SFWMD right-of-way for access	DEP; SCO; SFWMD
Section B: Specific Conditions (IV. FWC A. General Listed Species Surveys; Subpart 2).	Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The Licensee will submit avoidance or mitigation measures to the FWC for post certification review and approval at least 60 days prior to commencing clearing or construction activities within the surveyed area.	At least 60 days prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (IV. FWC B. Specific Listed Species Surveys; Subpart 1).	Before land clearing and construction activities within the OUC St. Cloud East-Magnolia Ranch North 230 kV Transmission Line area, the Licensee shall conduct an assessment for terrestrial listed species and shall note all habitat, occurrence, or evidence of listed species. Wildlife surveys shall be conducted during the reproductive or active season for each species that falls before the projected clearing activity schedule unless otherwise approved by the FWC. For species that are difficult to detect, the Licensee may make the assumption that the species is present and plan appropriate avoidance or mitigation measures after consultation with the FWC. The Licensee will submit avoidance or mitigation measures to the FWC for post-certification review and approval at least 60 days prior to commencing clearing or construction activities within the surveyed area. The surveys required by these Conditions of Certification may be conducted prior to issuance of the final order of certification, in which case this Condition would be considered satisfied.	At least 60 days prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (IV. FWC C. Listed Species Locations; Subpart 3).	If avoidance of state-listed wildlife species is not feasible, the Licensee shall consult with the FWC to determine the steps appropriate for the species potentially impacted to avoid, minimize, mitigate, or otherwise appropriately address potential impacts. These steps shall be memorialized in a Species Management Plan attached herein as Attachment E and fully enforceable, and submitted to the FWC.	Prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (IV. FWC D. Gopher Tortoise Surveys; Subpart 3).	The Licensee shall coordinate with the FWC and provide detailed gopher tortoise relocation information in accordance with the FWC-approved Gopher Tortoise Management Plan and Gopher Tortoise Permitting Guidelines as a post-certification submittal. This information shall provide details on the location for on-site recipient areas and any off site FWC-approved temporary contiguous habitat, as well as appropriate mitigation contributions per tortoise, as outlined in the Gopher Tortoise Permitting Guidelines.	Prior to construction	DEP; SCO; FWC

Section B: Specific Conditions (IV. FWC E. Wading Birds; Subpart 3).	If wading bird nesting is identified on site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the wading bird nesting areas and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.	Prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (IV. FWC F. Florida Sandhill Crane; Subpart 3).	If Florida sandhill crane nesting is identified on site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the nesting areas and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.	Prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (IV. FWC G. Southeastern American Kestrel; Subpart 3).	If southeastern American kestrel nesting is identified on site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the nests and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.	Prior to construction	DEP; SCO; FWC
Section B: Specific Conditions (V. Department of State - Division of Historical Resources; A)	Prior to new construction in areas not previously surveyed, the Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the Certified facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and	Prior to construction within areas not previously surveyed	SCO; DHR
Section B: Specific Conditions (V. Department of State - Division of Historical Resources; B)	If historical or archaeological artifacts or features are discovered at any time within the Certified facility, the Licensee shall notify the appropriate DEP District office(s) and the DHR, R.A. Gray Building, 500 South Bronough Street, Room 423, Tallahassee, Florida 32399-0250, telephone number (850) 245-6333, and the Licensee shall consult with DHR to determine appropriate action.	If historical or archaeological artifacts are discovered	SCO; DHR
Section B: Specific Conditions (VII. Orange County B. Tree Protection Removal)	Construction activities associated with the transmission line project result in the removal of a protected tree within a conservation area, OUC shall comply with Chapters 62-330 and 62-331, F.A.C. in lieu of Section 15-278, Orange County Code. Compliance with the F.A.C. requirements shall be demonstrated in a post certification submittal, as described in Sections A.XXI and A.XXIX above.	Prior to construction within Orange County	DEP; SCO; Orange County
Section B: Specific Conditions (VII. Orange County C. Right-of-Way Utilization Permit)	Chapter 21, Article VI, ("Right-of-Way Utilization Regulations") provides the necessary regulations for use of any Orange County right-of-way or traveled ways and shall apply to all private contractors, private citizens, utility companies, municipalities and to any person or group proposing to install, construct, maintain or repair any facility or structure within any of the existing or planned rights-of-way, or traveled ways or drainage easements dedicated or planned to be dedicated to the public or Orange County, or maintained by Orange County. See § 21-172, Orange County Code. Section 21-196 requires the submittal of an application for either a right-of-way utilization permit, an underground utility contractor work permit, or both.	Prior to construction within Orange County	DEP; SCO; Orange County
Section B: Specific Conditions (VIII. Osceola County D. Best Management Practices)	Osceola County is the owner of parcels 12-26-31-0000-0010-0000, 11-26-31-0000-0010-0000, and 01-26-31-0000-0010-0000 which comprise the Lake Lizzie Nature Preserve. OUC shall comply with the following conditions when working in the OUC right-of way that passes through the Lake Lizzie Nature Preserve: 1. OUC shall provide construction plans for that portion of the power line adjacent to County owned property for informational purposes; 2. OUC shall contact Osceola County Parks & Recreation Office (Mr. Robert Mindick at 407-742-0200, or appropriate person) prior to beginning construction in OUC right-of-way that passes through Lake Lizzie Nature Preserve; and 3. OUC shall provide a double row of silt fence around all construction areas where the ground will be disturbed in manner that could lead to erosion of soils in order to minimize potential impact to the Lake Lizzie Nature Preserve.	Prior to construction within Lake Lizzie Nature Preserve	DEP; SCO; Osceola County
Section B: Specific Conditions (IX. Additional Stipulated Conditions; Subpart B and C)	Prior to construction on the Well #17 Parcel, OUC shall submit to the City of Cocoa, for review and written approval, design plans and specifications for transmission line poles and structures. Power lines located above the Well #17 Parcel will be allowed if the condition stated in Paragraph C below is satisfied by OUC. C. A minimum 60' vertical clearance under maximum operating conditions and wind scenarios is required for all OUC-owned electric transmission lines crossing Cocoa's water facilities on the Well #17 Parcel.	Prior to construction on the Well #17 Parcel	DEP; SCO; City of Cocoa

Section B: Specific Conditions (IX. Additional Stipulated Conditions; Subpart F)	OUC shall coordinate with the City of Cocoa before OUC constructs any pole or structure within 50' of any above or below ground Cocoa facility (such as pipes, valves, etc.) located within an existing easement along Wewahootee Road that is not on the Well # 17 Parcel. Before OUC constructs any such pole or structure, OUC shall submit to the City, duly engineered construction plans and specifications, designed to ensure that the proposed construction and any related excavation will not cause adverse impacts on Cocoa's water facilities.	Prior to construction within 50' of any above or below ground City of Cocoa facility located in an easement along Wewahootee Road	DEP; SCO; City of Cocoa
Section B: Specific Conditions (I. Dept of Transportation; Supart F Use of Air Space	Any newly proposed structure or alteration of an existing structure will be subject to the requirements of Chapter 333, Florida Statutes, and Rule 14-60.009, Florida Administrative Code. Additionally, notification to the Federal Aviation Administration (FAA) is required prior to beginning construction, if the structure exceeds notification requirements of 14 CFR Part 77, Objects Affecting Navigable Airspace, Subpart B, Notice of Construction or Alteration. Notification will be provided to FAA Southern Region Headquarters using FAA Form 7460-1, Notice of Proposed Construction or Alteration in accordance with instructions therein.	Notification required prior to construction if any structure exceeds notification requirements of 14 CFR Part 77, Subpart B	DEP; SCO; Federal Aviation Administration