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September 18, 2025

Nate Senn
Florida Department of Environmental Protection
Siting Coordination Office
2600 Blair Stone Road, MS 5500
Tallahassee, FL 32399-2400
Nate.Senn@FloridaDEP.gov

Re: Site Certification Application TA25-20: Duke Energy Florida DeLand West – Dona Vista 230-kilovolt Transmission Line Project, Volusia and Lake Counties, Completeness Review and Preliminary Statement of Issues

Dear Mr. Senn:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the Site Certification Application for the above referenced project and provides the following response pursuant to Section 403.5066, Florida Statutes (FS), and in accordance with FWC's authorities under Article IV, Section 9 of the Florida Constitution, Chapter 379, FS, and Chapter 68A-27, of the Florida Administrative Code (FAC).

Project Description

Duke Energy Florida (DEF) is proposing the construction of a 230-kilovolt transmission line that will extend approximately 26.3 miles through portions of Volusia County, Lake County, the City of Umatilla, and the City of Eustis. The project originates at the existing DEF-owned DeLand West substation in Volusia County and terminates at the existing DEF-owned Dona Vista substation in Lake County, largely following DEF's existing transmission lines. Multiple route segments and multi-segment alignments were considered for the preferred corridor. Identification of the segments was based on co-location with other existing linear facilities, environmental impacts, land use, engineering, safety, cost criteria, and stakeholder input. Approximately 95% of the preferred corridor is co-located with existing transmission and distribution rights-of-way, roads, and overhead electrical lines. The existing rights-of-way have historically been cleared and are maintained free of canopy tree species.

The typical width of the transmission line right-of-way will be 100 feet where the route will be cross-country and 55 feet where the route will be adjacent to road right-of-way. The planning corridor is generally 300 feet wide, narrowing to 100 feet as it traverses the Ocala National Forest. There are several wider areas where the alignment is uncertain, with the widest area being 1,700 feet near the Dona Vista substation. The corridor as presented contains approximately 1,226.4 acres. The land uses found within the proposed corridor consists of approximately 313.7 acres of agriculture, 279.9 acres of urban areas, 214.5 acres of wetlands and other surface waters, 212.7 acres of upland forests, 104.1 acres of rangeland, and 101.1 acres of transportation and utilities.

The planned construction will include temporary access roads, easement stabilization, and limited vegetation clearing as necessary. Concrete foundations will be installed through excavation and direct embedment followed by the raising of single-pole towers. The typical heights of the above-ground structures will range from approximately 90 feet to 110 feet, but in some locations reach up to 140 feet, depending on elevation to avoid roads or other existing facilities. The applicant proposes to minimize wetland and surface water impacts to the extent practicable. Impacts will be reduced by spanning transmission lines across the St Johns River along an existing bridge and other infrastructure. Other creeks, ponds, and impoundments will be spanned

with structures placed within adjacent uplands where practicable to minimize wetland fill required for poles or structural pads. Many of the wetlands within the DeLand West – Dona Vista (DWDV) corridor were previously impacted through construction of access roads associated with existing DEF right-of-way. Additional wetland fill and canopy clearing may be required for easement stabilization, work pads, and should additional DEF right-of-way be needed. Low-lying vegetation and root mats will remain where practicable to reduce erosion potential and state water quality standards for turbidity will be maintained. Where crossings of existing drainage swales, ditches, or canals are required, appropriately sized culverts will be installed to accommodate flow regimes. Restoration of the right-of-way will begin after transmission line construction activities have been completed.

Potentially Affected Resources

The *Transmission Line Siting Act Application No. TA25-20* submitted by DEF indicates that ecological resources within the proposed corridor were evaluated utilizing a combination of field reconnaissance, database queries, aerial maps, and literature review that focused on listed and managed species with the potential to occur within the project area including:

- One or more wood stork (*Mycteria americana*, Federally Threatened [FT]) nesting colony core foraging areas (CFA). The CFA constitutes an 18.6-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) Consultation Area for the following federally listed species:
 - Everglade snail kite (*Rostrhamus sociabilis plumbeus*, Federally Endangered [FE])
 - Red-cockaded woodpecker (*Picoides borealis*, FT)
 - Florida scrub-jay (*Aphelocoma coerulescens*, FT)
 - Florida manatee (*Trichechus manatus latirostris*, FT)
 - Sand skink (*Neoseps reynoldsi*, FT)
- Potential habitat for the following listed and managed species:
 - Bluenose shiner (*Pteronotopis welaka*, State Threatened [ST])
 - Florida pine snake (*Pituophis melanoleucus mugitus*, ST)
 - Gopher tortoise (*Gopherus polyphemus*, ST)
 - Short-tailed snake (*Lampropeltis extenuata*, ST)
 - Florida burrowing owl (*Athene cunicularia floridana*, ST)
 - Florida sandhill crane (*Antigone canadensis pratensis*, ST)
 - Little blue heron (*Egretta caerulea*, ST)
 - Southeastern American kestrel (*Falco sparverius paulus*, ST)
 - Tricolored heron (*Egretta tricolor*, ST)
 - American alligator (*Alligator mississippiensis*, FT due to similarity of appearance)
 - Eastern indigo snake (*Drymarchon couperi*, FT)
 - Bald eagle (*Haliaeetus leucocephalus*)
 - White ibis (*Eudocimus albus*)
 - Florida black bear (*Ursus americanus floridanus*)

The report indicates there were several sandhill cranes and little blue herons observed within the DWDV corridor and that if listed species are observed during construction, specific consultation with the appropriate agencies will be conducted. Mitigation or avoidance methods will be implemented as necessary. The report indicates that the preferred corridor traverses the Ocala

National Forest, Lower Wekiva River Preserve State Park, Seminole State Forest, St. Johns River, Wekiva River System, two conservation easements, and three local parks.

Post construction of the new transmission line, maintenance will occur through regular inspection and management of vegetation. DEF will develop a right-of-way maintenance program based on site-specific vegetation and habitat. Endangered or threatened species, if present, are considered and accommodated in the maintenance program. Vegetation management is accomplished through a variety of methods, including trimming, mowing, and use of herbicides, targeting species that are incompatible with the safe operation of, maintenance of, and access to the transmission system.

Preliminary Statements of Issues

Given the project description and the listed species information provided, FWC staff considers this application complete for review purposes. FWC staff will work with the applicant to provide any appropriate Conditions of Certification (COCs) for state- and federally listed species discussed in the following sections.

Florida Pine Snake

Florida pine snakes have historically occurred in this area, and suitable habitat may also occur in the preferred corridor. Florida pine snakes are naturally secretive in nature and can spend up to 80 percent of their time in underground refuges like stump holes, gopher tortoise burrows, and the burrows of nine-banded armadillos and mice. This species is often associated with southeastern pocket gophers (*Geomys pinetis*); however, they can persist and thrive in areas without this species. Florida pine snakes are active from March through October but show the greatest activity in May, June, July, and October when they move more frequently and travel farther distances. Florida pine snakes are sensitive to habitat fragmentation and often negatively impacted by roadways. Additional information can be found in the *Florida Pine Snake Species Conservation Measures and Permitting Guidelines* (<https://myfwc.com/media/25003/floridapinesnakegl.pdf>). If a Florida pine snake is observed during construction, FWC staff recommends that work activities cease, and the snake be allowed to leave on its own accord. It would also contribute to FWC's research efforts if sightings could be reported to the staff member at the close of this letter, preferably with a photograph and GPS coordinates.

Gopher Tortoise

The improved pasture found within the preferred project corridor may provide potential habitat for the gopher tortoise. The applicant should refer to the *Gopher Tortoise Permitting Guidelines* (revised April 2023) (<http://www.myfwc.com/license/wildlife/gopher-tortoise-permits/>) for survey methodology and permitting guidance prior to any development activity. Burrow surveys should cover a minimum of 15 percent of potential gopher tortoise habitat to be impacted by development activities including staging areas (refer to Appendix 4 in the *Guidelines* for additional information). Specifically, the permitting guidelines include methods for avoiding impacts (such as preservation of occupied habitat) as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. Any commensal species observed during burrow excavation should be handled in accordance with Appendix 9 of the *Guidelines*. For questions regarding gopher tortoise permitting, contact Cassie Rios by phone at (352) 620-7732 or at Cassie.Rios@MyFWC.com.

Short-Tailed Snake

The project site is located within the potential range of the short-tailed snake and suitable habitat may occur onsite. Short-tailed snakes are naturally secretive, spending most of their time burrowed in sand and may also use fallen logs and gopher tortoise burrows as refuges. Short-tailed snakes are most active from March through April and October through November. They are sensitive to habitat degradation due to fragmentation and loss, but can sometimes persist in subdivisions if some natural ground cover is retained and properly managed. Additional information can be found in the *Species Conservation Measures and Permitting Guidelines for the Short-Tailed Snake* (<https://myfwc.com/media/22867/shorttailedsnakeguidelines-2019.pdf>). If a short-tailed snake is observed during your project, FWC staff recommends that work activities cease and the snake be allowed to leave on its own accord. It would also contribute to FWC's research efforts if sightings could be reported to the staff member at the close of this letter, preferably with a photograph and GPS coordinates.

Florida Burrowing Owl

Suitable habitat for Florida burrowing owls may be found within the preferred corridor. Burrowing owls typically occupy areas with short groundcover like agricultural fields and prairies. FWC staff recommends that pre-construction surveys be conducted to ensure that no burrowing owl burrows occur onsite. Additional information and guidance for conducting burrowing owl surveys can be found in the *Species Conservation Measures and Permitting Guidelines for Florida Burrowing Owl* (<https://myfwc.com/media/2028/florida-burrowing-owl-guidelines.pdf>). If burrowing owls are observed onsite, the applicant should coordinate with FWC staff identified at the close of this letter to discuss avoidance, minimization, and permitting options.

Florida Sandhill Crane

The improved pasture may provide foraging habitat for the Florida sandhill crane, and the freshwater emergent marshes and lakes found within and adjacent to the preferred corridor may provide potential nesting habitat for this species. FWC staff recommends that surveys for nesting Florida sandhill cranes be conducted prior to construction activities and during the December through August breeding season. If construction occurs over several years, it may be necessary to conduct surveys each year as Florida sandhill cranes do not nest in the same location every year. If active nests are identified onsite, the *Species Conservation Measures and Permitting Guidelines for Florida Sandhill Crane* (<https://myfwc.com/media/11565/florida-sandhill-crane-guidelines.pdf>) recommends that the nest site be buffered by 400 feet (122 meters) to avoid disturbance by human activities. If nesting is discovered after construction has begun or if maintaining the recommended buffer is not possible, the applicant can contact FWC staff identified below to discuss potential permitting needs. Additional information and guidance for conducting Florida sandhill crane surveys can be found in the *Guidelines*.

Southeastern American Kestrel

Suitable habitat for southeastern American kestrels may be found within the preferred corridor. FWC staff recommends that kestrel surveys be conducted from April to August within potentially suitable foraging habitat according to the methodology outlined in the *Species Conservation Measures and Permitting Guidelines for Southeastern American Kestrel* (<https://myfwc.com/media/24482/seamkestrelgl.pdf>). Surveys from May to July are ideal to avoid confusion with the migratory subspecies of American kestrel (*Falco sparverius sparverius*). Surveys may be completed outside of the April to August survey season when necessary, with any kestrels observed assumed to be southeastern American kestrels. Surveys are valid until the

beginning of the following breeding season (March). If surveys encounter active nest cavities, FWC staff recommends avoiding project activities within 490 feet (150 meters) of the nest during the breeding season (March through July) to avoid disturbance. If nesting is discovered after construction has begun, or if maintaining the recommended buffer is not possible, the applicant should contact FWC staff identified below to discuss potential permitting needs. In areas of suitable kestrel habitat, the *Guidelines* also recommend retaining snags whenever possible.

Wading Birds

The potential exists for wading bird nesting activity in the forested wetlands, lake edges, and herbaceous wetlands in and adjacent to the preferred corridor. Surveys should be conducted during their breeding season, which extends from March through August. If there is evidence of nesting during this period, FWC staff recommends that any wading bird nest sites be buffered by 100 meters (330 feet) to avoid disturbance by human activities. The *Species Conservation Measures and Permitting Guidelines for the Little Blue Heron, Reddish Egret, Roseate Spoonbill, Tricolored Heron* (<https://myfwc.com/media/18634/threatened-wading-birds-guidelines.pdf>) and the *Species Conservation Measures and Permitting Guidelines for the Snowy Egret and White Ibis* (<https://myfwc.com/media/22868/whiteibissnowyegretguidelines-2019.pdf>) can be referenced for biological information, survey methodology, measures for avoiding impacts, and recommended conservation practices. The snowy egret and white ibis were removed from *Florida's Endangered and Threatened Species List*, but the adults, active nests, eggs, and young are protected under the Federal Migratory Bird Treaty Act and state Rule 68A-16.001, FAC. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, the applicant may contact the FWC staff identified below to discuss potential permitting alternatives.

Florida Manatee

Florida manatee use of the St Johns River where the preferred corridor spans is documented by aerial survey, mortality, and satellite telemetry data. *The Standard Manatee Conditions for In-water Work* (2011) located at https://myfwc.com/media/7246/manatee_stdcondin_waterwork.pdf will be included in the COCs and followed for all in-water activity to satisfy the requirements of 379.2431(2) and 373.414(1)(a)2, FS.

Florida Black Bear - Technical Assistance

The FWC has received 296 reports of human-bear conflicts within a 5-mile radius of the project site since 2015. Florida black bears are frequent/common in this area which is within the Central BMU identified in the 2019 Bear Management Plan. While black bears tend to shy away from people, they are adaptable and will take advantage of human-provided food sources. This includes sources that are currently available near this site, sources that may be available during construction, and sources available after construction including unsecured garbage, pet food, and bird seed. Once bears become accustomed to finding food around people, their natural wariness is reduced to the point that there can be an increased risk to public safety or private property.

During construction, construction sites should be kept clean, with refuse that might attract bears kept separate from construction debris and stored securely in bear-resistant containers or removed daily from the construction site before dark. Refuse that might attract bears includes all food and drink-related materials, as well as any items with strong scents like cleaning agents. Additional information about Florida black bears can be found on FWC's website at <http://www.myfwc.com/wildlifehabitats/managed/bear>.

FWC will work with Duke Energy Florida during the next phase of drafting the COCs on how best to address these management and proprietary concerns.

FWC staff appreciates the opportunity to provide comments for this application and looks forward to working with the applicant throughout the siting process. For specific technical questions regarding the content of this letter, please contact William Hinton at (386) 288-8190 or by email at William.Hinton@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,

A handwritten signature in black ink that reads "Josh Cucinella". The signature is fluid and cursive, with the first name "Josh" and last name "Cucinella" clearly legible.

Josh Cucinella
Land Use Planning Program Administrator
Office of Conservation Planning Services

jc/wh
DEF DeLand West - Dona Vista 230kV_63753_09182025

cc: Jason Rust, Duke Energy Florida, jason.rust@duke-energy.com
Siting Coordination Office, sco@dep.state.fl.us