

APPENDICES

APPENDIX II – AGENCY REPORTS

APPENDICES

APPENDIX II-A – PUBLIC SERVICE COMMISSION

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for
Sweatt-Whidden 230 kV transmission line in
Okeechobee, DeSoto, Highlands, and Glades
Counties, by Florida Power & Light Company.

DOCKET NO. 20220045-EI
ORDER NO. PSC-2022-0196-FOF-EI
ISSUED: June 3, 2022

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman
ART GRAHAM
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

FINAL ORDER APPROVING DETERMINATION OF NEED
FOR AN ELECTRICAL TRANSMISSION LINE

APPEARANCES:

WILLIAM P. COX, ESQUIRE, 700 Universe Boulevard, Juno Beach, Florida
33408-0420
On behalf of Florida Power & Light Company.

ASHLEY J. WEISENFELD and MATTHEW JONES, ESQUIRES, Florida
Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida
32399-0850
On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public
Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-
0850
Advisor to the Florida Public Service Commission.

KEITH C. HETRICK, ESQUIRE, General Counsel, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

BY THE COMMISSION:

BACKGROUND

On March 2, 2022, pursuant to Section 403.537, Florida Statutes (F.S.), Chapter 120,
F.S., and Rules 25-22.075, 25-22.076, and 28-106.201, F.A.C., Florida Power & Light Company
(FPL) filed its Notice of Intent to File Petition for Determination of Need for Electrical

Transmission Line. FPL filed its Petition for Transmission Line Need Determination for the Sweatt-Whidden 230 kV Transmission Line on April 1, 2022.

In this docket, the Florida Public Service Commission (Commission) makes that need determination. Separate public hearings will be held before an Administrative Law Judge of the Division of Administrative Hearings to consider environmental and other impacts of the Sweatt-Whidden 230 kV transmission line, as required by the Florida Electric Transmission Line Siting Act, Sections 403.52-403.5365, F.S.

An Order Establishing Procedure, Order No. PSC-2022-0123-PCO-EI, was issued on March 21, 2022. A Prehearing Conference was held on May 5, 2022. The administrative hearing was held on May 16, 2022, and no issue was contested. By our bench decision, we approved the affirmative stipulation of all issues as set forth below.

DECISION

1. Whether there is a need for FPL's proposed Sweatt-Whidden 230 kV transmission line, taking into account the need for electric system reliability and integrity, as prescribed in Section 403.537, F.S.

The record in this case demonstrates that if FPL does not add or improve transmission capacity in the projected service area by December 2025, then sufficient transmission capacity would not be available to prevent overloads of the thermal line rating for certain existing lines under certain contingencies.

FPL has demonstrated a need for the proposed Sweatt-Whidden 230 kV transmission line project, taking into account the need for electric system reliability and integrity. This transmission line is needed to: (a) improve the reliability for FPL customers served from the existing radial 69kV circuit between Okeechobee and Whidden substations; (b) increase the east to west power transfer capabilities of the transmission network of FPL's territory north of Lake Okeechobee; (c) relieve potential overloads and low voltage conditions under contingency events; and (d) reduce line loading on existing transmission circuits. Therefore, the proposed Sweatt-Whidden 230kV transmission line project should maintain and improve the reliability and power transfer capability to FPL's customers in the area.

2. Whether there is a need for FPL's proposed Sweatt-Whidden 230 kV transmission line, taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the citizens of the State, as prescribed in Section 403.537, F.S.

FPL has demonstrated a need for the proposed Sweatt-Whidden 230 kV transmission line project, taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the citizens of the state. The record in this case demonstrates that the proposed Sweatt-Whidden 230 kV transmission line project is the most cost-effective and efficient means to improve reliability for customers served from FPL's existing 69kV circuit between Okeechobee and Whidden substations, provide a transmission route to increase east to

west power transfer capability, mitigate potential overloads and low voltage conditions under contingency events, and reduce line loading on existing transmission circuits.

The estimated cost of the proposed Sweatt-Whidden 230kV transmission line project is \$213.5 million. Approximately 75% of the new transmission line will be located within an existing 69kV transmission line right-of-way. While the final cost is subject to the final route and other conditions that could be imposed through the Transmission Line Siting Act process, the estimated cost appears reasonable.

FPL evaluated two transmission alternatives to the proposed project. Both involved the construction of new 230 kV transmission lines connecting to the Whidden substation, starting from the Ft. Drum substation in Indian River county for Alternative I, and the Martin substation in Martin County for Alternative II. Both had higher estimated construction costs on a nominal and cumulative present worth revenue requirement basis and did not improve reliability in the project service area to the same degree as the proposed Sweatt-Whidden 230 kV transmission line project.

3. Whether FPL's Sweatt Substation in Okeechobee County and its Whidden Substation in DeSoto County are the appropriate starting and ending points for the proposed Sweatt-Whidden 230 kV transmission line.

A new transmission line sited west from FPL's existing Sweatt Substation in Okeechobee County to FPL's existing Whidden Substation in DeSoto County would be the most reliable, cost-effective means to serve the projected load and demand growth within Okeechobee, DeSoto, Glades, and Highlands Counties and all of the counties in FPL's West Region. The record demonstrates that the appropriate starting and ending points are the Sweatt Substation and the Whidden Substation, respectively. The Department of Environmental Protection and ultimately the Transmission Line Siting Board will make the final determination concerning the length and route of the proposed transmission line.

4. Whether the Commission should grant FPL's petition for determination of need for the proposed Sweatt-Whidden 230 kV transmission line project.

FPL has demonstrated a need for the Sweatt-Whidden 230 kV transmission line project starting in December 2025, taking into account the need for electric system reliability and integrity and the need for abundant, low-cost electrical energy to assure the economic well-being of the residents of this state. The appropriate starting and ending points of the line are the existing Sweatt Substation in Okeechobee County and FPL's existing Whidden Substation in DeSoto County, respectively. The Department of Environmental Protection and ultimately the Transmission Line Siting Board will make the final determination concerning the length and route of the proposed transmission line.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that there is a need for Florida Power and Light Company's proposed Sweatt-Whidden 230 kV transmission line project, taking into account the need for electric system reliability and integrity, in accordance with Section 403.537(1)(c), Florida Statutes. It is further

ORDERED that there is a need for Florida Power and Light Company's proposed Sweatt-Whidden 230 kV transmission line project, taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the residents of the state, in accordance with Section 403.537(1)(c), F.S. It is further

ORDERED that Florida Power and Light Company's Sweatt Substation in Okeechobee County and Whidden Substation in DeSoto County are the appropriate respective starting and ending points of the proposed Sweatt-Whidden 230 kV transmission line project. It is further

ORDERED that Florida Power and Light Company's petition for determination of need for the proposed Sweatt-Whidden 230 kV transmission line project is hereby granted. It is further

ORDERED that this docket shall be closed after the time for filing an appeal has run.

By ORDER of the Florida Public Service Commission this 3rd day of June, 2022.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

AJW/MJJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

APPENDICES

APPENDIX II-B – DEPARTMENT OF TRANSPORTATION



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

July 29, 2022

Via E-mail – cindy.mulkey@FloridaDEP.gov

Cindy Mulkey, Program Administrator
Siting Coordination Office
Department of Environmental Protection
2600 Blair Stone Road, MS 5500
Tallahassee, Florida 32399-2400

RE: Florida Power & Light Sweatt-Whidden Transmission Line
Transmission Line Certification Application No.: TA22-19
DOAH Case No.: 22-001246TL
DEP OGC Case No.: 22-1716

Dear Ms. Mulkey:

Enclosed is the Florida Department of Transportation's Amended Agency Report dated July 26, 2022, for the Florida Power & Light Sweatt-Whidden Transmission Line Certification Application TA22-19.

If you have any questions, please call me at (850) 414-5296 or Monica Zhong, Siting Coordinator, at (850) 414-4808.

Sincerely,

/s/ Richard E. Shine

Richard E. Shine
Assistant General Counsel

RS/dw

cc: All Parties of Record
Monica Zhong
Amanda Dyer
Ann Seiler

FLORIDA DEPARTMENT OF TRANSPORTATION
Amended Agency Report Submitted July 29, 2022

FLORIDA POWER & LIGHT
SWEATT-WHIDDEN TRANSMISSION LINE
TRANSMISSION LINE CERTIFICATION APPLICATION TA22-19

AMENDED AGENCY REPORT

The Department of Transportation has conferred with counsel for Florida Power and Light and after discussions, has amended SECTION VI. PROPOSED CONDITIONS OF CERTIFICATION, 6.2 POST CERTIFICATION REVIEW ITEMS to include clarifying comments for the Use of State of Florida Right of Way or Transportation Facilities.

SECTION I. CORRIDOR LOCATION ISSUES

The Florida Power & Light (FPL) Transmission Line Certification Corridor includes State Road 70 which is part of the Florida Department of Transportation's (Department) Strategic Intermodal System (SIS), a high priority network of transportation facilities important to the State of Florida's transportation safety, statewide connectivity, system redundancy for emergency events, and economic competitiveness. A Corridor Action Plan for State Road 70 is under development in collaboration with the communities of Okeechobee, Lake Placid, Arcadia, Myakka City, and Lakewood Ranch. The Plan includes developing an integrated land use and transportation strategy for the State Road 70 corridor. This is a community-based approach to determine how best to serve the needs of current and future users of the corridor and to establish a long-term plan to guide State Road 70 toward the intended vision. The Department has scheduled the expansion of State Road 70 which will require ongoing consultation with FPL to address potential corridor location issues of the respective FPL facilities.

SECTION II. OUTSTANDING SUFFICIENCY ISSUES

No outstanding issues.

SECTION III. VARIANCES TO STANDARDS

No variances requested.

SECTION IV. SPECIAL USE PERMISSIONS

No special use permissions requested.

SECTION V. RECOMMENDATION FOR CERTIFICATION

Florida Power & Light is seeking certification of the proposed Sweatt-Whidden 230 kilovolt (kV) Transmission Line under the Florida Transmission Line Siting Act (TLSA). The proposed transmission line corridor includes FPL's existing 69 kV transmission facilities, substations, and

includes permitted crossings within the Department's right of way that extends approximately 80 miles beginning at the FPL Sweatt substation in Okeechobee County and ending at the Whidden substation located in Desoto County.

The transmission line also crosses the CSX railroad at United States 98 (State Road 700) in Okeechobee County and the South-Central Florida Express AVC along State Road 70. Coordination between FPL and both railroad companies would be required for all locations which cross or encroach upon railroad right of way. Documentation showing the railroads take no exception to the proposed impacts should be included with the final plan set(s) submitted to the Department. The following criteria must be considered with any potential right of way impacts: 1] Safety; 2] Effect on rail operations and expenses; and 3] Railroad company design and construction criteria. The applicant is encouraged to coordinate with CSX Corridor Occupancy Services, Scott Willis at (904) 359 - 1405, and the South-Central Florida Express AVC, Jarrett Mankin at (800) 818 - 0184 to ensure compliance with any applicable laws, regulations, or rail policy requirements.

The Department of Transportation recommends certification of the referenced proposed transmission line siting. This recommendation is made contingent upon the following conditions of Section VI being addressed/met.

SECTION VI. PROPOSED CONDITIONS OF CERTIFICATION

6.1 REQUEST FOR RESTRICTED AREAS

No requests for restricted areas are necessary.

6.2 POST CERTIFICATION REVIEW ITEMS

Access Management to the State Highway System: Any access to the State Highway System will be subject to the requirements of Rule Chapters 14-96, State Highway System Connection Permits, and 14-97, Access Management Classification System and Standards, Florida Administrative Code.

Authority: Chapters 14-96 and 14-97, F.A.C.

Overweight or Overdimensional Loads: Operation of overweight or overdimensional loads by the applicant on State transportation facilities during construction and operation of the utility facility will be subject to safety and permitting requirements of Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, Florida Administrative Code.

Authority: Chapter 316, F.S.; Chapter 14-26, F.A.C.

Use of State of Florida Right of Way or Transportation Facilities: All usage and crossing of State of Florida right of way or transportation facilities will be subject to Rule Chapter 14-46, Utilities Installation or Adjustment, Florida Administrative Code; Florida Department of

Transportation's Utility Accommodation Manual; Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Standard Specifications for Road and Bridge Construction; and pertinent sections of the Florida Department of Transportation's Project Development and Environmental Manual.

The Sweatt-Whidden Corridor Location maps are included in FPL's Application, Appendix A, Figure 2-1 and Figure 2-2, Maps 1 through 35. FPL provided a KMZ file to the Department showing the Sweatt-Whidden Routes which were reviewed by the Department and overlayed on the KMZ files produced by the Department. At this time, the Department has approximately 21 adopted projects, 6 SUN Trail projects, and 19 tentative projects underway where the proposed FPL corridor is located.

State Road 70 and US 27 are SIS facilities under the jurisdictional responsibility of the Department pursuant to F.S. 339.64 Florida Statutes, and these roads are within FPL's proposed TLSA corridor. These SIS facilities provide evacuation routes during significant storm events and the Department is concerned with safe vehicle operations, maintenance of traffic, and continuity of electric service if FPL's transmission and substation facilities are located too close to the edge of the Department's right of way.

Depending on the Department's PD&E study process for the future expansion of State Road 70 and the analysis of all possible alternatives, the Department determined that existing right of way widths may be insufficient and require an average of 220 feet of expanded right of way if infrastructure improvements were selected to expand two lane segments of State Road 70 to four lanes. Due to the above identified safety and operational issues and planned expansion of State Road 70, the Department suggests the following conditions:

- 1] The Department does not request that FPL acquire additional property or easements for the location of replacement transmission towers. To the extent that FPL has existing property or easements, not including centerline easements, sufficiently wide to locate transmission towers and associated facilities 70 to 100 feet setback from the Department's right of way line, to the extent practicable subject to construction, operation, and maintenance requirements for the transmission line project, FPL shall design the project within its existing property or easement to maximize the distance of the replacement transmission towers from the Department's right of way. The relocation will provide improvements to minimum clear zones, safety, and operational requirements for the future expansion of State Road 70. The Department seeks to coordinate with FPL as transmission towers are generally located too close to the edge of the Department's right of way.
- 2] The Department does not request that FPL acquire additional property or easements for the future location or expansion of electric substations within the transmission line corridor and recognizes that FPL's substations are not proposed to be upgraded as part of the TLSA. The Department suggests that to the extent that FPL has existing property or easements, not including centerline easements, sufficiently wide to locate electric substation facilities 80 to 100 feet from the Department's right of way line, to the extent practicable subject to construction, operation, and maintenance requirements for the transmission line project, FPL is requested to design the project within its existing property or easement to maximize

the distance of the electric substations from the Department's right of way. The relocation will provide improvements to minimum clear zones, safety, and operational requirements for the future expansion of State Road 70. The Department seeks to coordinate with FPL as electrical substations are generally located too close to the edge of the Department's right of way.

3] As mutually agreeable during the design process for the FPL project, the parties have agreed to meet every two months to consult and provide updates of the status of the respective projects. (The Department and FPL agree on this condition)

4] Any public meetings conducted by the Department or FPL should notify the public that both the Department and FPL may have projects taking place concurrently and the parties will coordinate their projects to limit impacts to the public.

During the TLSA process the Department has consulted with FPL on the proposed upgrade to their transmission-substation facilities and will continue to collaborate with FPL to explore the colocation of the proposed improvements with the Department's strategic investments in existing and future facilities on State Road 70. Additionally, the Department desires to consult with FPL on environmental coordination regarding protected species and their habitats for future FPL and Department projects, and the coordination with existing Florida Gas Transmission (FGT) facilities located within the TLSA corridor.

Permits required by Chapter 14-46, Florida Administrative Code, for the construction, alteration, operation, relocation, removal, and maintenance of utilities upon Florida Department of Transportation right of way are issued by the District 1 Maintenance Permits office, (863) 519-2319 and the Bartow Operations Permits office, (863) 519-4318.

Authority: Sections 337.401, 337.403 and 337.404, F.S.; Chapters 14-15 and 14-46, F.A.C.

Consultation Regarding Protected Species

Licensee will be required to coordinate with FWC and USFWS (for federal-listed species) regarding surveys of the final transmission line rights of way, and to conduct surveys before land clearing and construction activities occur. Licensee shall submit as a post-certification submittal a copy to the Department of the listed species survey to be conducted and submitted to USFWS or FWC per "Specific Listed Species Surveys" Condition. (The Department and FPL agree on this condition)

Authority: Sections 334.044, F.S.

Standards: The Manual on Uniform Traffic Control Devices; Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Florida Department of Transportation's Standard Specifications for Road and Bridge Construction; Florida Department of Transportation's Utility Accommodation Manual; and pertinent sections of the Department of Transportation's Project Development and Environmental Manual will be adhered to in all circumstances involving the State Highway System and other transportation facilities.

Authority: Chapter 14-15, F.A.C.

Drainage: Any drainage onto State of Florida right of way and transportation facilities will be subject to the requirements of Rule Chapter 14-86, Drainage Connections, Florida Administrative Code, including the attainment of any permit required thereby.

Authority: Chapter 14-86, F.A.C.

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. A subsequent determination by the FAA stating that the structure exceeds any federal obstruction standard of 14 CFR Part 77, Subpart C, for any structure that is located within a 10-nautical-mile radius of the geographical center of a public-use airport or military airfield in Florida will be required to submit information for an Airspace Obstruction Permit from the Florida Department of Transportation or variance from local government depending on the entity with jurisdictional authority over the site of the proposed structure. The FAA Determination regarding the structure serves only as a review of its impact on federal airspace and is not an authorization to proceed with any construction. However, FAA recommendations for marking and/or lighting of the proposed structure are made mandatory by Florida law. For a site under Florida Department of Transportation jurisdiction, application will be made by submitting Florida Department Transportation Form 725-040-11, Airspace Obstruction Permit Application, in accordance with the instructions therein.

Authority: Chapter 333, F.S.; Rule 14-60.009, F.A.C.

SECTION VII. BEST MANAGEMENT PRACTICES

Traffic control during facility construction and maintenance will be subject to the standards contained in the Manual on Uniform Traffic Control Devices; Rule Chapter 14-94, Statewide Minimum Level of Service Standards, Florida Administrative Code; Florida Department of Transportation's Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway; Florida Department of Transportation's Standard Specifications for Road and Bridge Construction; and Florida Department of Transportation's Utility Accommodation Manual, whichever is more stringent.

It is recommended that the applicant encourage transportation demand management techniques by doing the following:

- Placing a bulletin board on site for carpooling advertisements.
- Requiring that heavy construction vehicles remain onsite for the duration of construction to the extent practicable.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the applicant should ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, Florida Statutes, and Rule Chapter 14-26, Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles, Florida Administrative Code.

Authority: Chapter 316, F.S.; Chapter 14-26, F.A.C.

APPENDICES

APPENDIX II-C – DEPARTMENT OF ECONOMIC OPPORTUNITY

July 15, 2022

Ms. Cindy Mulkey
Siting Coordination Office
Florida Department of Environmental Protection
2600 Blainstone Road, MS 5500
Tallahassee, Florida 32399-2400

RE: Florida Power and Light Company Sweatt-Whidden 230KV Transmission Line
Site Certification Application TA22-19

Dear Ms. Mulkey:

Please find enclosed the Florida Department of Economic Opportunity's "Agency Report," prepared and submitted pursuant to Section 403.526, Florida Statutes, for the Florida Power and Light Company Sweatt-Whidden 230KV Transmission Line Site Certification Application TA22-19. On April 18, 2022, Florida Power and Light Company filed its site certification application for the Sweatt-Whidden 230KV Transmission Line under the Florida Electrical Power Plant Siting Act, Chapter 403, Part II, Florida Statutes. If you have any questions concerning this Agency Report, please contact Scott Rogers, Regional Planning Administrator, at (850) 717-8510, or by email at Scott.Rogers@deo.myflorida.com.

Sincerely,



Benjamin Melnick, Deputy Secretary
Division of Community Development

BM/sr

Enclosure: DEO Agency Report

**FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY
AGENCY REPORT
ON
FLORIDA POWER AND LIGHT COMPANY
SWEATT-WHIDDEN 230KV TRANSMISSION LINE
CERTIFICATION APPLICATION NO. TA22-19**

On April 18, 2022, Florida Power and Light Company (FPL) filed its Certification Application (Application No. TA22-19) for the Sweatt-Whidden 230kV Transmission Line (Project) under the Florida Electric Transmission Line Siting Act (Sections 403.52 through 403.5365, Florida Statutes (F.S.)). Under the Act, the Florida Department of Environmental Protection (FDEP) coordinates the certification process with input from various state, regional, and local agencies, along with interested citizens. The Florida Department of Economic Opportunity “Agency Report” on the FPL Sweatt-Whidden 230kV Transmission Line (Certification Application TA21-18) is pursuant to Section 403.526, F.S., of the Florida Electric Transmission Line Siting Act and Rule Chapter 62-17.590, Florida Administrative Code.

I. Project Summary

FPL proposes the construction, operation, and maintenance of the Sweatt-Whidden 230 kilovolt (kV) Transmission Line. The proposed electric transmission line extends approximately 80.5 miles within a transmission line corridor located in DeSoto County, Glades County, Highlands County and Okeechobee County. The termination points of the proposed transmission line are FPL’s existing Sweatt Substation in Okeechobee County and FPL’s existing Whidden Substation in DeSoto County.

The maximum anticipated width of the right-of-way for the proposed transmission line is 100 feet. The proposed transmission line will be constructed using monopole self-supported spun concrete or steel structures. The typical aboveground structure heights will range from approximately 75 feet to 110 feet. The typical span lengths between structures will range from approximately 300 feet to 750 feet. FPL proposes that the transmission line will be completed and in service by December 2025. According to the Certification Application, the proposed transmission line project is needed in order to improve reliability for FPL customers currently served from the existing 69-KV transmission line between the Sweat Substation and Whidden Substation, increase the east-west power transfer capabilities of the transmission network, and to mitigate potential overloads and low voltage conditions.

II. Recommendations: State Comprehensive Plan (Section 403.526(2)(a)3., F.S.)

The proposed Sweatt-Whidden 230kV Transmission Line is consistent with the following goals of the State Comprehensive Plan (SCP) (Section 187.201, F.S.):

a. SCP Goal 15 Land Use (Section 187.201(15), F.S.): *"In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner."*

In support of development, the transmission line will enhance the service capacity of the electric power system to accommodate growth in an environmentally acceptable manner (furtheres Goal 15).

b. SCP Goal 17 Public Facilities (Section 187.201(17), F.S.): *"Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner."*

The transmission line enhances the existing and future electric power system and will serve residents in a timely, orderly, and efficient manner (furtheres Goal 17). The transmission line enhances the provision of a stable supply of electrical power that assists emergency management activities, including emergency preparedness, response and recovery to serve residents in a timely, orderly, and efficient manner (furtheres Goal 17).

c. SCP Goal 21 The Economy (Section 187.201(21), F.S.): *"Florida shall promote an economic climate which provides economic stability, maximizes job opportunities, and increases per capita income for its residents."*

The transmission line will help provide Florida with a stable source of electric power and thus enhance the economic stability of the state (furtheres Goal 21).

III. Local Government Comprehensive Plans and Land Development Regulations **(Section 403.526(2)(a)3., F.S.)**

Each local government in Florida is required to adopt a local comprehensive plan as provided in the Community Planning Act (Act) under Chapter 163, Part II, F.S. Pursuant to the Act, each local government is required to adopt land development regulations that implement and are consistent with the comprehensive plan. Additionally, development orders are required to be consistent with the comprehensive plan and land development regulations. Under Section 163.3164(14), F.S., of the Act, "development" is defined by express reference to Section 380.04, F.S., which states, in part, that *"The following operations or uses shall not be taken for the purpose of this chapter to involve 'development' as defined in this section" ... "(b) Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like."* Thus, the Sweatt-Whidden 230kV Transmission Line is exempt from constituting "development" for the purpose of local comprehensive plans and land development regulations adopted

pursuant to the Act; and therefore, approval of the Sweatt-Whidden 230kV Transmission Line contingent on consistency with the comprehensive plans and land development regulations.

IV. Section 403.526(2)(b)1., F.S.

Pursuant to Section 403.526(2)(b)1., F.S., the Agency Report shall contain “A *notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed electrical power plant to be certified.*” The Florida Department of Economic Opportunity has not identified any such nonprocedural requirements in the application.

V. Recommendation for Approval or Denial of the Application (Section 403.526(2)(b)2., F.S.)

Pursuant to Section 403.526(2)(b)2., F.S., the Agency Report shall contain “A *recommendation for approval or denial of the site certification application.*” The Florida Department of Economic Opportunity concludes that the proposed Sweatt-Whidden 230kV Transmission Line furthers goals of the State Comprehensive Plan and is an efficient use of an existing electric power transmission line right-of-way. Therefore, the Florida Department of Economic Opportunity recommends approval of the Certification Application (Application No. TA22-19) for the FPL Sweatt-Whidden 230kV Transmission Line contingent on the Project meeting all applicable certification requirements.

VI. Proposed Conditions of Certification (Section 403.526(2)(b)3., F.S.)

Pursuant to Section 403.526(2)(b)3., F.S., the Agency Report shall contain “Any *proposed conditions of certification on matters within the jurisdiction of such agency. For each condition proposed by an agency in its report, the agency shall list the specific statute, rule, or ordinance which authorizes the proposed condition.*” The Florida Department of Economic Opportunity has no proposed conditions of certification.

APPENDICES

APPENDIX II-D – FLORIDA FISH AND WILDLIFE COMMISSION



Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Fort Lauderdale

Gary Lester
Oxford

Albert Maury
Coral Gables

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Office of the
Executive Director
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

850-487-3796
850-921-5786 FAX

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resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: 850-488-4676

Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

July 18, 2022

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

RE: Florida Power & Light Sweatt - Whidden 230-Kilovolt Transmission Line Project, Site Certification Application TA22-19, Okeechobee, Glades, Highlands, and DeSoto Counties, Agency Report

Dear Ms. Seiler:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the Site Certification Application for the above referenced project submitted by the Florida Power & Light Company (FPL) and provides the enclosed Agency Report and proposed Conditions of Certification to be included in the FPL Sweatt-Whidden 230-Kilovolt Transmission Line State Certification in accordance with 403.507(2)(a)4, Florida Statutes.

FWC staff recommends approval of the FPL Sweatt-Whidden 230-Kilovolt Transmission Line with the inclusion of the proposed conditions related to listed species of fish and wildlife and their habitats, biological surveys, and mitigation for impacts. FPL will need to consider the State of Florida's listed species requirements found in Chapter 68A-27, Florida Administrative Code, prior to, during, and following construction of the transmission line.

FWC staff appreciates the opportunity to review this Site Certification Application and looks forward to working with FPL throughout the Site Certification process. For specific technical questions regarding the content of this letter, please contact Michelle Sempsrott at (407) 572-9122 or by email at Michelle.Sempsrott@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,

Jason Hight, Director
Office of Conservation Planning Services

jh/ms

FPL Sweatt-Whidden Transmission Line_47612_07182022

Attachment:

1) Agency Report and Proposed Conditions to be Included in the State Certification

cc: Franck LeBlanc, Florida Power & Light Company, franck.l.leblanc@fpl.com
Brian Yates, Florida Power & Light Company, brian.yates@fpl.com
Jude Dawson, Environmental Consulting & Technology, Inc., jdawson@ectinc.com
Siting Coordination Office, sco@dep.state.fl.us

Agency Report and Proposed Conditions to be Included in the State Certification

Project Description

Florida Power & Light Company (FPL) is proposing the construction of a 230-kilovolt transmission line that will extend approximately 80.5 miles through portions of Okeechobee, Glades, Highlands, and DeSoto Counties. The project originates at FPL's existing Sweatt substation located in Okeechobee County and terminates at FPL's existing Whidden substation located in DeSoto County.

The typical width of the transmission line right-of-way will be less than 100 feet, but at this point in planning the corridor footprint is generally between 200 and 600 feet, with several wider points where the alignment is uncertain. The corridor as presented contains approximately 5,023.5 acres and land uses within the proposed corridor consists of approximately 3,868 acres of agriculture, 410 acres of wetlands and other surface waters, 314 acres of urban areas, 192 acres of rangeland, 182 acres of transportation and utilities, and 56.5 acres of upland forests.

The applicant proposes to minimize wetland and surface water impacts to the extent practicable. Impacts will be reduced by spanning transmission lines across the Kissimmee River along an existing bridge and other infrastructure. Other creeks, ponds, canals, and impoundments will be spanned with structures placed within adjacent uplands where practicable to minimize wetland fill required for poles or structural pads. Construction in wetlands will minimize disturbance to natural ground cover by using construction mats and low-pressure rubber-tired or non-tracked vehicles where appropriate. 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

Effects on State-Listed Species

According to the Site Certification Application the species that have the potential to occur within the proposed right-of-way or surrounding vicinity include the following:

- Florida manatee (*Trichechus manatus*, Federally Threatened)
- Gopher tortoise (*Gopherus polyphemus*, State Threatened [ST])
- Southeastern American kestrel (*Falco sparverius paulus*, ST)
- Florida burrowing owl (*Athene cunicularia floridana*, ST)
- Florida sandhill crane (*Antigone canadensis pratensis*, ST)
- Little blue heron (*Egretta caerulea*, ST)
- Tricolored heron (*Egretta tricolor*, ST)
- Roseate spoonbill (*Platalea ajaja*, ST)

If, after conducting the surveys required by the proposed conditions below, there is evidence that any individuals of these species or other state-listed species are present, then the applicant should report the findings to the FWC. If impacts to these species cannot be avoided, then the applicant should contact the FWC before taking any action that might result in an impact to those species, as indicated in the recommended Conditions of Certification proposed below.

Effects on FWC Facilities

In addition to the listed species above, the proposed corridor contains portions of state-owned conservation lands, including FWC's Lake Wales Ridge Wildlife and Environmental Area. In

these areas, the installation of larger transmission line structures and expanded rights-of-way may impact FWC management activities. In the June 9, 2022 *Responses to the Completeness Determination* for this project, FPL states that once the location of the final route has been identified, FPL will initiate the steps necessary to obtain the required state lands authorizations including coordinating with applicable land managers to determine suitable replacement lands and other net positive benefits as required by Chapter 253, Florida Statutes (F.S.), and the Use of Natural Resource Lands by Linear Facilities Policy, dated January 23, 1996.

The potential use of state lands will be addressed by general conditions in the final Conditions of Certification issued by the Florida Department of Environmental Protection. These conditions stipulate that the Licensee will be required to comply with rules and statutes governing the use of lands of the state pursuant to applicable portions of Chapters 253 and 258, 403.531, F.S.; Chapters 18-2, 18-14, 18-21, 62-340, and Rules 62-330.060(1) and 62-4.160(4), Florida Administrative Code. Based on these commitments and anticipated general conditions, no specific conditions related to the use of state lands are proposed.

Proposed Conditions

Florida Fish and Wildlife Conservation Commission staff recommends approval of the FPL Sweatt-Whidden 230-Kilovolt Transmission Line Project Site Certification with the following proposed conditions to be included as part of the Site Certification process related to specific listed species and their habitat, biological surveys, and mitigation for impacts.

FLORIDA POWER & LIGHT COMPANY SWEATT-WHIDDEN 230-KILOVOLT TRANSMISSION LINE CONDITIONS OF CERTIFICATION

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

A. General Listed Species Surveys

1. The Licensee shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) to obtain and follow the current survey protocols for all listed species that may occur within the Florida Power & Light Company (FPL) Sweatt - Whidden 230-kilovolt Transmission Line rights-of-way, construction staging areas, and accessible appropriate buffers within the rights-of-way as defined by the listed species survey protocols, prior to conducting detailed surveys. Guidance related to species-specific survey protocols can be found in the appropriate species conservation measures and permitting guidelines at <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>, or in the Florida Wildlife Conservation Guide at <https://myfwc.com/conservation/value/fwcg/>.
2. Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those surveys shall be provided to the FWC in a report, and coordination shall occur with the FWC on appropriate impact avoidance, minimization, or mitigation methodologies. Reports can be sent to ConservationPlanningServices@MyFWC.com.

[Article IV, Sec. 9, Florida Constitution; Sections 379.2291, , 403.526, and 403.5317, Florida Statutes (F.S.); and Rule 68A-27, Florida Administrative Code (F.A.C.)]

B. Specific Listed Species Surveys

1. Before land clearing and construction activities within the FPL Sweatt-Whidden 230-kilovolt Transmission Line rights-of-way and construction staging areas, 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.

2. These surveys shall be conducted in accordance with U.S. Fish and Wildlife Service (USFWS) or FWC guidelines and methodologies and by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for each potentially occurring listed species.
3. These surveys shall identify locations of breeding sites, nests, and burrows for listed wildlife species. Nests and burrows shall be recorded with global positioning system (GPS) coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, FWC staff prefers that any applicable protection radii surrounding groups of nest sites and burrows be included on a site-specific basis, rather than around individual nests and burrows, and be physically marked so that clearing and construction shall avoid impacting them.
4. These surveys shall include an estimate of the acreage and percent cover of each existing vegetation community that is contained within the FPL Sweatt-Whidden 230-kilovolt Transmission Line rights-of-way, construction staging areas, and accessible appropriate buffers prior to land clearing and construction activities using a geographic information system (GIS). Examples of such wildlife-based habitat classification schemes include Florida's State Wildlife Action Plan¹ (FWC 2019) or the Natural Communities Guide² (Florida Natural Areas Inventory 2010).

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rules 68A-27, 68A-4, and 68A-16, F.A.C.]

1. Florida Fish and Wildlife Conservation Commission (FWC). 2019. Florida's Wildlife Legacy Initiative: Florida's State Wildlife Action Plan. Tallahassee, Florida.
2. Florida Natural Areas Inventory. 2010. Guide to the Natural Communities of Florida: 2010 edition. Florida Natural Areas Inventory, Tallahassee, Florida.

C. Listed Species Locations

1. Where any suitable habitat or evidence is found of the presence of listed species, including but not limited to those specified in D, E, F, G, H, and I below, within the FPL Sweatt-Whidden 230-kilovolt Transmission Line rights-of-way, construction staging areas, and accessible appropriate buffers, the Licensee shall report those locations to, and confer with, the FWC to determine whether additional pre-clearing surveys are warranted, and to identify potential mitigation or avoidance recommendations. If additional pre-clearing surveys are required by the FWC as appropriate and as specified in these Conditions of Certification, they shall occur in the reproductive season prior to the anticipated date for the start of construction within the FPL Sweatt-Whidden 230-kilovolt Transmission Line area to be impacted. The Licensee shall not construct in areas where evidence of listed species was identified during the initial survey until the listed species issues have been resolved.
2. If listed wildlife species are found, their presence shall be reported to the Florida Department of Environmental Protection Siting Coordination Office, the FWC, and the

USFWS.

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 and submitted to the FWC.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

D. Gopher Tortoise

1. The Licensee shall conduct surveys for gopher tortoise (*Gopherus polyphemus*) and their burrows, in accordance with the FWC-approved Gopher Tortoise Management Plan (as revised) and the FWC-approved Gopher Tortoise Permitting Guidelines, or subsequent FWC-approved versions of the Plan or Guidelines. A burrow survey covering a minimum of 15% of the potential gopher tortoise habitat to be impacted by development, including staging areas, is required in order to apply for a relocation permit. Immediately prior to capturing tortoises for relocation, a 100% survey is required to effectively locate and mark all potentially occupied tortoise burrows and to subsequently remove the tortoises. Burrow survey methods are outlined in Appendix 4 of the Gopher Tortoise Permitting Guidelines, "Methods for Locating Gopher Tortoise Burrows on Sites Slated for Development." All surveys completed by authorized agents or other licensees are subject to field verification by the FWC.
2. The Licensee is not required to provide a monitoring compliance assessment for activities that occur more than 25 feet from a gopher tortoise burrow entrance, provided that such activities do not harm gopher tortoises or violate rules protecting gopher tortoises. Examples of such violations noted in the past by the FWC include, but are not limited to, killing or injuring a tortoise more than 25 feet away from its burrow, harassing a tortoise by blocking access to its burrow, and altering gopher tortoise habitat to such an extent that resident tortoises are taken.
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.
4. Any commensal species observed during the burrow excavations that are listed by the FWC shall be relocated in accordance with the applicable guidelines for that species in accordance with Appendix 9 of the Gopher Tortoise Permitting Guidelines.
5. To the maximum extent practicable or feasible, all staging and storage areas shall be sited to avoid impacts to gopher tortoise burrows and habitat.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317 and 379.2291, F.S.; and Rules 62-17.660 and 68A-27, FA.C.]

E. Wading Birds

1. The Licensee shall conduct surveys for state-threatened wading birds and their nests in accordance with the FWC-approved Conservation Measures and Permitting Guidelines: <https://myfwc.com/media/18634/threatenedwadingbirds-guidelines.pdf>. Surveys shall be conducted for wading birds in areas potential for nesting prior to the commencement of any clearing, grading, or filling activities and during their breeding season, which extends from March through August.

2. If wading bird nesting is identified within or adjacent to the planned right-of-way or other areas associated with the project, a 330-foot (100-meter) buffer distance from the nest shall be maintained.
3. If wading bird nesting is identified on the 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.
4. 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 Licensee shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

F. Florida Sandhill Crane

1. The Licensee shall conduct surveys for nesting Florida sandhill cranes in accordance with the FWC-approved Species Conservation Measures and Permitting Guidelines: <https://myfwc.com/media/11565/final-florida-sandhill-crane-species-guidelines-2016.pdf>. Surveys for nesting Florida sandhill cranes shall be conducted prior to commencement of construction activities in or adjacent to habitat where Florida sandhill cranes could nest, 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.
2. If Florida sandhill crane nesting is identified within or adjacent to the right-of-way or other areas associated with the project, a 400-foot buffer distance from the nest with eggs shall be maintained, or 1500-foot buffer distance from a nest with flightless young shall be maintained until the young can fly.
3. If Florida sandhill crane nesting is identified on the 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.
4. If nesting or flightless young are discovered after site activities have begun, or if maintaining the buffer is not possible, the applicant shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

G. Southeastern American Kestrel

1. The Licensee shall conduct surveys for southeastern American kestrel and their nest cavities in accordance with the FWC-approved Species Conservation Measures and Permitting Guidelines: <https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>.
2. If surveys encounter southeastern American kestrel nesting, a 490-foot (150-meter) buffer shall be maintained from the nest during the breeding season (March through July) to avoid disturbance.
3. If southeastern American kestrel nesting is identified on the 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.

4. If nesting is discovered after site activities have begun, or if maintaining the buffer is not possible, the applicant shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

H. Florida Burrowing Owl

1. The Licensee shall conduct project planning surveys for Florida burrowing owls and their burrows in accordance with FWC-approved Species Conservation Measures and Permitting Guidelines: <https://myfwc.com/media/2028/floridaburrowingowlguidelines-2018.pdf>. Project planning surveys shall be conducted within 90 days of clearing or earthwork activities.
2. If potentially occupied Florida burrowing owl burrows (as defined by the Species Conservation Measures and Permitting Guidelines) are found during the project planning surveys, pre-activity surveys shall be conducted in the active part of the project site within 48 hours prior to commencing site preparation, clearing, or project activities.
3. If Florida burrowing owl burrows are identified on-site, the following buffers shall be maintained to avoid disturbance:
 - a. During the non-breeding season (July 11 to February 14), no site preparation, clearing, staging, or other project-related activities shall occur within a 10-foot (3-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.
 - b. During the breeding season (February 15 to July 10), no site preparation, clearing, staging, or project activities shall occur within a 33-foot (10-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.
4. Buffers for potentially occupied burrows shall be posted as follows:
 - a. Posting shall be installed prior to earthwork or other construction activities that are to occur in the general vicinity of the burrow(s) to deter equipment operators or project personnel from entering the recommended buffers.
 - b. Posting shall be placed at a minimum of 33 feet from the burrows from February 15 to July 10 and a minimum 10 feet from July 11 to February 14. No posting materials shall be placed within 10 feet (3 meters) of the burrow.
 - c. Posting shall consist of 1 to 4 PVC poles or 2-inch by 1-inch by 4-foot wooden stakes. The wooden stakes may be constructed in t-perch fashion.
 - d. Silt fencing shall not be used for posting, except when needed to prevent soil and debris from construction from encroaching upon a burrow. In these instances, silt fencing shall be installed on the uphill side but shall not completely encircle the burrows.
 - e. Educational signage warning of the State Threatened status of the burrowing owl shall be posted on wooden stakes at minimum of 10 feet from the burrow.
5. The Licensee shall ensure all personnel associated with the project are advised of the presence of Florida burrowing owls and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Florida burrowing owls or their eggs, or to collapse or block their burrows, or to attempt to engage in such conduct. All personnel shall be directed not to enter posted areas around potentially occupied burrows.
6. If a Florida burrowing owl burrow 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.

7. If previously undetected burrows are found either in pre-activity surveys or later during project activities and required buffers cannot be maintained, the applicant shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

I. Florida Manatee

1. All personnel associated with portions of the project expected to occur in manatee accessible waters shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The Licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
2. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
3. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
4. All onsite project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
5. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission's Alert Hotline at (888) 404-3922. Collision and/or injury should also be reported to the USFWS in Jacksonville at (904) 731-3336 for north Florida or Vero Beach at (772) 562-3909 for south Florida, and to FWC at ImperiledSpecies@myFWC.com.
6. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution Boaters: Watch for Manatees must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at <https://myfwc.com/wildlifehabitats/wildlife/manatee/education-for-marinas/>. Questions concerning these signs can be sent to the email address listed above.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, 379.2431(2), and 373.414(1)(a)2, F.S.;]

APPENDICES

APPENDIX II-E – ST. JOHNS RIVER WATER MANAGEMENT DISTRICT



St. Johns River

Water Management District

Michael A. Register, P.E., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500 • www.sjrwmd.com

July 13, 2022

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

Re: Certification Application for the FPL Sweatt-Whidden 230kV Transmission Line Project FDEP SCO File TA22-19; SJRWMD File of Record No. 2P-093-184304-1; DOAH Case No. 22-1246TL.

Dear Ms. Seiler:

Attached please find the final agency report on the Certification Application for the FPL Sweatt-Whidden 230kV Transmission Line Project from the St. Johns River Water Management District approved by the District's Executive Director on July 12, 2022.

If there is any further assistance I can provide, please do not hesitate to contact me via phone at (386) 643-1920, or via email at jbenn@sjrwmd.com

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Benn', with a long horizontal flourish extending to the right.

Joel T. Benn

cc: Rich Burklew, Callie Register, Mary Ellen Winkler

Kelley F. Corbari
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd., Mail Station 35
Tallahassee, Florida 32399-3000

GOVERNING BOARD

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COCOA

Janet Price
FERNANDINA BEACH

**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
ELECTRIC TRANSMISSION LINE SITING
AGENCY REPORT
STAFF RECOMMENDATION - APPROVAL
July 18, 2022**

Permittee: Florida Power & Light

Project: FPL Sweatt-Whidden 230kV Transmission Line

Subject: Certification Application for the FPL Sweatt-Whidden 230 kV
Transmission Line Project
FDEP SCO File TA22-19
SJRWMD File of Record No. 2P-093-184304-1

Procedural Overview

Florida Power and Light (applicant, FPL) is seeking certification for an electric transmission line and proposed corridor pursuant to the Florida Electric Transmission Line Siting Act (TLSA) (Sections 403.52 – 403.5365, Florida Statutes (F.S.)). The Florida Department of Environmental Protection (FDEP) coordinates the interagency review for certification of electric transmission lines which are 230 kilovolts(kV) or larger, cross a county line, and are 15 miles or longer. The applicant's proposed transmission line project meets the requirements for centralized processing by FDEP under the TLSA.

A TLSA application was submitted to the FDEP on April 18, 2022, for certification of the FPL Sweatt-Whidden 230 kV Transmission Line Project. Completeness reviews were submitted by respective agencies on June 15, 2022. No additional information was requested by the St. Johns River Water Management District (District) as a result of the completeness review. All agency reports and recommended conditions must be submitted to FDEP on July 18, 2022; however, agencies with collegial bodies as heads are allowed until August 2, 2022 to submit final reports. See Subsection 403.526(2)(d), F.S.

Pursuant to the TLSA, the District is required to prepare an agency report as to the impact on water resources and other matters within its jurisdiction, for a transmission line or corridor proposed to be constructed within the water management district's boundary. See Subsection 403.526(2), F.S. Each report must contain:

1. A notice of nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed corridor to be certified. Failure to include the notice shall be treated as a waiver from the nonprocedural requirements of the agency.
2. A recommendation for approval or denial of the application.

3. The proposed conditions of certification on matters within the jurisdiction of each agency. For each condition proposed by an agency, the agency shall list the specific statute, rule, or ordinance, as applicable, which authorizes the proposed condition.

Proposed Transmission Line Corridor

FPL's proposed transmission line corridor is generally co-located with existing transmission line rights of way where possible and/or existing or proposed roadway rights of way or similar disturbed areas.

Statutory Requirements

The District regulations relevant to this proposed project include Chapter 40C-2 (Permitting of Consumptive Uses of Water), Florida Administrative Code (F.A.C). Based on the Operating Agreement between District staff and FDEP, jurisdiction to review the project for compliance with Part IV, Chapter 373, F.S., is with the Department, not the District. Accordingly, environmental resource permitting requirements under Part IV, Chapter 373, F.S., will not be addressed in this report.

Review of Consumptive Uses of Water

The consumptive use of water for this application is regulated by Part II of Chapter 373, F.S. Two of the key statutory requirements set forth in sections 373.219 and 373.223, F.S. Subsection 373.219(1), F.S., provides:

The governing board or the department may require such permits for consumptive use of water and may impose such reasonable conditions as are necessary to assure that such use is consistent with the overall objectives of the district or department and is not harmful to the water resources of the area.

Subsection 373.223(1), F.S., and Rule 40C-2.301, F.A.C. require an applicant to establish that the proposed use of water:

- (a) is a reasonable-beneficial use;
- (b) will not interfere with any presently existing legal use of water; and
- (c) is consistent with the public interest.

In addition, the above requirements are detailed further in the District's Applicants Handbook: Consumptive Uses of Water, August 29, 2018 (A.H.).

The District has reviewed the TLSA application for the FPL Sweatt-Whidden 230 kV Transmission Line Project pursuant to the above-described regulatory requirements and recommends approval of the application, as the consumptive use of water associated with the project appears to be an exempt use or could qualify for a general permit by rule, if certain conditions are met. A summary of the District review is presented below.

Expected Compliance with Agency Standards

Staff evaluated the TLSA application to determine where potential water uses within the project area would require a consumptive use permit, be authorized as a general permit by rule, or be

an exempt use subject to certain conditions. The applicant did not identify any specific water use activities within the project. Based on our experience with similar projects, any dewatering to facilitate placement of utility poles will be transient in nature and of limited magnitude. If required, the anticipated use will not exceed thresholds for an individual consumptive use permit. The estimated maximum potential water use for construction dewatering within the jurisdiction of the District would be exempt pursuant to Rule 40C-2.051, F.A.C., (dewatering activities less than 30 days) or qualify for a general permit by rule pursuant to 40C-2.042(9), F.A.C. (dewatering activities less than 180 days).

Rule 40C-2.051, F.A.C., regarding dewatering activities less than 30 days provides that no permit shall be required for the following uses:

(7) Withdrawals of ground or surface water to facilitate construction (not including borrow or mining excavations) on or below ground surface (dewatering) subject to the following conditions:

(a) The withdrawal is conducted by one of the following:

1. A conventional wellpoint system consisting of one or more stages of wellpoints installed near the excavation in lines or rings. These wellpoints shall be installed in variable spacings and connected to a common header pumped by one or more wellpoint pumps.
2. Vacuum underdrain consisting of a typical pipeline dewatering with the underdrain or "sock" placed horizontally below the design invert elevation of the pipeline via a large trenching machine. The underdrain is connected to a pump with the water conveyed through the underdrain and discharged from the pump.
3. Shallow vacuum well consisting of one or more stages installed near an excavation in lines or rings. Vacuum wells shall be constructed of six inch or smaller pipe with a slotted screen area near the bottom of the well and connected to a common header pumped by one or more pumps.
4. Hydraulic pumps to dewater stormwater management ponds and basins, as part of their construction or maintenance, through the discharge control structures. The stormwater management pond or basin and associated discharge control structure must have been permitted by the District and be in operational phase at the time the dewatering is to occur.

(b) The withdrawal is 300,000 gallons per day or less.

(c) The withdrawal does not exceed 30 days in duration.

(d) The water withdrawn is not discharged directly into an Outstanding Florida Water (OFW), Class I or Class II waterbody. A direct discharge means a discharge which enters OFW, Class I or Class II waters without an adequate opportunity for prior mixing and dilution to prevent significant degradation.

(e) The following turbidity control measures are implemented, as appropriate, for any discharges off-site:

1. If the discharge is to be to a drainage system, the water shall be piped directly into the drainage structure, if possible; but if the discharge is through a swale or overland to a structure or water body, the path of discharge shall be lined with plastic sheeting, sod or hay bales appropriately, to prevent a turbid discharge to the structure or water body.
2. If water will discharge to an open water body, appropriate fabric silt screen or hay bales shall be used to prevent turbid discharges. When possible, a detention area shall be established to allow suspended solids to settle prior to entering the water body.
3. If the above turbidity control measures are inadequate to retain sediment on-site and prevent turbid discharge, additional or modified erosion and sediment control measures must be selected, implemented, and operated as necessary to prevent harmful water quality impacts from dewatering discharges to receiving waters.

Rule 40C-2.042(9), F.A.C., regarding dewatering activities less than 180 days provides that a general permit by rule is granted:

[t]o withdraw ground or surface water anywhere within the District for short-term construction dewatering activities (excluding borrow operations), subject to the limiting conditions in Appendix I of the "Applicant's Handbook, Consumptive Uses of Water," which is incorporated by reference in paragraph 40C-2.101(1)(a), F.A.C., and Form Number 40C-2.900(12). Notice to District of Dewatering Activity, Form Number 40C-2.900(12), effective November 3, 2015, is hereby incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-05969> and upon request from the St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177-2529. This general permit by rule shall expire 190 days from the date a complete form 40C-2.900(12) is submitted to the District, and no dewatering may begin until 10 days after submittal of the complete form (except as allowed in Appendix I).

Appendix I allows that when construction dewatering is authorized by issuance of a permit or certification under Chapter 403, F.S., or a permit under Part IV of Chapter 373, F.S., and the dewatering withdrawals will not exceed any of the limitations in form 40C-2.900(12), then the user does not have to submit the aforementioned form, condition 2 described in Appendix I will not apply, and the general permit by rule will instead expire 180 days from the date dewatering begins.

Since the proposed transmission line falls under certification under Chapter 403, F.S., the remaining conditions 3 – 6 of Appendix I would apply as described below:

3. Dewatering discharge must not cause or contribute to flooding of off-site properties.

4. The permittee shall implement the following turbidity control measures, as appropriate, for any discharges off-site:

a. If the discharge is to be to a drainage system either pipe water directly into the drainage structure; or if the discharge will be through a swale, or overland, to a structure or water body, then the path of discharge shall be lined with plastic sheeting, sod, or hay bales appropriately to prevent a turbid discharge to the structure or water body.

b. If water will discharge to an open water body, appropriate fabric silt screen or hay bales shall be used to prevent turbid discharges. When possible, establish a detention area to allow suspended solids to settle prior to entering the water body.

c. If the above turbidity control measures are inadequate to retain sediment on-site and prevent turbid discharge, the permittee shall select, implement, and operate such additional or modified erosion and sediment control measures necessary to prevent harmful water quality impacts from dewatering discharges to receiving waters.

5. District authorized staff, upon advance notice and proper identification, shall have permission to inspect and observe dewatering operations in order to determine compliance with this permit.

6. The permittee must mitigate any adverse impact caused by withdrawals permitted herein on adjacent land uses or legal uses of water existing at the time of permit application. Adverse impacts include but are not limited to:

a. Reductions of well water levels resulting in a reduction of 10% in the ability of an adjacent well to produce water;

b. Reductions of water levels in an adjacent surface water body resulting in a significant impairment of the use of water in that water body;

c. Saline water intrusion;

d. Change in water quality resulting in either impairment or loss of use of a well or water body;

e. Land collapse or subsidence caused by a reduction in water levels;

f. Damage to crops and other types of vegetation; and

g. Harmful hydrologic alterations to natural systems, including wetlands and other surface waters, that cause an unmitigated adverse impact to such systems.

Staff concludes the proposed activities described in the TLSA application may involve a consumptive use of water for dewatering to facilitate installation of some of the transmission line poles, but that the consumptive use would fall within the exemption from permitting established in Rule 40C-2.051, F.A.C. or would qualify for a general permit by rule established under 40C-2.042(9), F.A.C. as long as the listed conditions are met.

Impacts of the project related to matters within the District's jurisdiction

The District reports there will be no adverse impacts to water resources if the conditions noted below are met.

Nonprocedural requirements not specifically listed in the application from which a variance or exemption is needed.

The District reports there are no nonprocedural requirements within the District's regulatory jurisdiction from which a variance or exemption is needed.

Conclusions and recommendations regarding certification

The District has reviewed the TLSA for FPL Sweatt-Whidden 230 kV Transmission Line Project with respect to potential impacts on water resources and recommends certification of the project, subject to the applicable conditions required by Rule 40C-2.051(7), F.A.C. and 40C-2.042(9), F.A.C.

CONDITIONS RECOMMENDED BY
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Chapter 40C-2, Florida Administrative Code (F.A.C.)

- A. Dewatering Activities Less Than 30 Days
1. Any withdrawals of groundwater or surface water to facilitate construction (dewatering) shall be conducted by one of the following methods:
 - a. A conventional wellpoint system consisting of one or more stages of wellpoints installed near the excavation in lines or rings. These wellpoints shall be installed in variable spacings and connected to a common header pumped by one or more wellpoint pumps.
 - b. Vacuum underdrain consisting of a typical pipeline dewatering with the underdrain or "sock" placed horizontally below the design invert elevation of the pipeline via a large trenching machine. The underdrain is connected to a pump with the water conveyed through the underdrain and discharged from the pump.
 - c. Shallow vacuum well consisting of one or more stages installed near an excavation in lines or rings. Vacuum wells shall be constructed of six inch or smaller diameter pipe with a slotted screen area near the bottom of the well and connected to a common header pumped by one or more pumps.
[Rule 40C-2.051(7)(a), F.A.C.]
 2. The withdrawal of ground or surface water to facilitate construction (dewatering) shall be 300,000 gallons per day or less. [Rule 40C-2.051(7)(b), F.A.C.]
 3. The withdrawal of ground or surface water to facilitate construction (dewatering) does not exceed 30 days in duration. [Rule 40C-2.051(7)(c), F.A.C.]
 4. The water withdrawn to facilitate construction (dewatering) shall not be discharged directly into an Outstanding Florida Water (OFW), Class I or II waterbody. A direct discharge means a discharge enters OFW, Class I or Class II waters without an adequate opportunity for prior mixing and dilution to prevent significant degradation.
[Rule 40C-2.051(7)(d), F.A.C.]
 5. The following turbidity control measures shall be implemented, as appropriate, for any discharges off-site:
 - a. If the discharge is to be to a drainage system, the water shall be piped directly into the drainage structure, if possible; but if the discharge is through a swale or overland to a structure or water body, the path of discharge shall be lined with

plastic sheeting, sod or hay bales appropriately, to prevent a turbid discharge to the structure or water body.

- b. If water will be discharged to an open water body, appropriate fabric silt screen or hay bales shall be used to prevent turbid discharges. When possible, a detention area shall be established to allow suspended solids to settle prior to entering the water body.
- c. If the above turbidity control measures are inadequate to retain sediment on-site and prevent turbid discharge, additional or modified erosion and sediment control measures must be selected, implemented, and operated as necessary to prevent harmful water quality impacts from dewatering discharges to receiving waters.
[Rule 40C-2.051(7)(e), F.A.C.]

B. Dewatering Activities Less than 180 Days

- 1. Dewatering withdrawals will not exceed any limitations in form 40C-2.900(12). [Rule 40C-2.042(9), F.A.C.]
- 2. Dewatering discharge must not cause or contribute to flooding of off-site properties.
[Rule 40C-2.042(9), F.A.C.]
- 3. The permittee shall implement the following turbidity control measures, as appropriate, for any discharges off-site:
 - a. If the discharge is to be to a drainage system either pipe water directly into the drainage structure; or if the discharge will be through a swale, or overland, to a structure or water body, then the path of discharge shall be lined with plastic sheeting, sod, or hay bales appropriately to prevent a turbid discharge to the structure or water body.
 - b. If water will discharge to an open water body, appropriate fabric silt screen or hay bales shall be used to prevent turbid discharges. When possible, establish a detention area to allow suspended solids to settle prior to entering the water body.
 - c. If the above turbidity control measures are inadequate to retain sediment on-site and prevent turbid discharge, the permittee shall select, implement, and operate such additional or modified erosion and sediment control measures necessary to prevent harmful water quality impacts from dewatering discharges to receiving waters. [Rule 40C-2.042(9), F.A.C.]
- 4. District authorized staff, upon advance notice and proper identification, shall have permission to inspect and observe dewatering operations in order to determine compliance with this permit. [Rule 40C-2.042(9), F.A.C.]

5. The permittee must mitigate any adverse impact caused by withdrawals permitted herein on adjacent land uses or legal uses of water existing at the time of permit application. Adverse impacts include but are not limited to:
- a. Reductions of well water levels resulting in a reduction of 10% in the ability of an adjacent well to produce water;
 - b. Reductions of water levels in an adjacent surface water body resulting in a significant impairment of the use of water in that water body;
 - c. Saline water intrusion;
 - d. Change in water quality resulting in either impairment or loss of use of a well or water body;
 - e. Land collapse or subsidence caused by a reduction in water levels;
 - f. Damage to crops and other types of vegetation; and
 - g. Harmful hydrologic alterations to natural systems, including wetlands and other surface waters, that cause an unmitigated adverse impact to such systems.

[Rule 40C-2.042(9), F.A.C.]

APPENDICES

APPENDIX II-F – SOUTH FLORIDA WATER MANAGEMENT DISTRICT



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

July 18, 2022

Sent via email

Ann Seiler
Florida Department of Environmental Protection
Siting Coordination Office
2600 Blainstone Road, MS 5500
Tallahassee, FL 32399-2400

Subject: FPL Sweatt-Whidden 230 kV Transmission Line Siting
Application, TA22-19
Final Agency Report

Dear Ms. Seiler:

Attached is the South Florida Water Management District approved Agency Report for the project known as FPL Sweatt-Whidden 230 kV Transmission Line Siting Application.

The report is attached and should you need assistance regarding this report please contact me at (561) 682-2705, or via email at ssunder@sfwmd.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Simon Sunderland".

Simon Sunderland, P.G.
Bureau Chief – Water Use
Regulation Division
South Florida Water Management District

c: Frank Leblanc, Florida Power & Light Company (via email)

FPL Sweatt-Whidden 230 kV Transmission Line Siting
Application TA22-19

SOUTH FLORIDA WATER MANAGEMENT DISTRICT – AGENCY REPORT
STAFF RECOMMENDATION – APPROVAL WITH CONDITIONS

Purpose:

Florida Power & Light Company (FPL) is seeking certification for an electric transmission line and proposed corridor pursuant to the Florida Electric Transmission Line Siting Act (TLSA) under Sections 403.52 – 403.539, Florida Statutes (F.S.). Pursuant to Subsection 40-3.526(2)(a), F.S., of the TLSA, the South Florida Water Management District (SFWMD) is required to prepare an agency report as to the impact on the water resources and other matters within its jurisdiction, for a transmission line or corridor proposed to be constructed within the SFWMD's boundaries.

Project Description:

FPL plans to construct, operate, and maintain a new 230 kilovolt (kV) electrical transmission line that will connect the existing Sweatt substation, located in Okeechobee County, to the existing Whidden substation, located in DeSoto County. The transmission line is needed to improve reliability to customers served by the existing 69 kV line between the Okeechobee and Whidden substations, establish an additional transmission path to increase east-to-west power transfer capabilities, and mitigate potential overloads and low voltage conditions under contingency events. Accordingly, FPL filed Application Number TA22-19 (Application) for certification of the proposed Sweatt-Whidden 230 kV Transmission Line Project (Project) with the Florida Department of Environmental Protection (FDEP) pursuant to the TLSA.

The proposed transmission line will be approximately 80.5 miles long, traversing through multiple counties in a combination of new and existing right of ways. The width of the transmission line corridor described in the application ranges from 200 feet to approximately 5,150 feet, which allows FPL flexibility when selecting the final alignment of the right-of-way (ROW). The maximum width of the new ROW will be up to 100 feet.

The proposed corridor from the Sweatt substation to the intersection of County Road (CR) 721 and State Road (SR) 70 in Highlands County is collocated along existing linear facilities. From the intersection of CR 721 and SR 70 in Highlands County to the Whidden substation, the corridor is largely proposed to be collocated with or along a 69 kV transmission line. The 69 kV transmission line will be rebuilt for the new 230 kV transmission line wherever practicable.

Staff Recommendation:

The SFWMD has reviewed the Application for FPL's proposed Project as to the impact on water resources and other matters within its jurisdiction and recommends

certification of the Project, subject to the applicable conditions of certification, included as Exhibit A, required by Chapter 373 of the Florida Statute, and Chapter 40E-2 and 40E-6 of the Florida Administrative Code, and as required to address the SFWMD's proprietary interests in lands within the Project's proposed corridor.

Exhibit A
SFWMD Proposed Conditions of Certification
FPL Sweatt-Whidden 230 kV Transmission Line Siting
Siting Application TA22-19

III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. Applicable General Agency Standards

1. Minimum Standards

This certification is based on the Licensee's submitted information to SFWMD which reasonably demonstrates that harm to the water resources will not be caused by the authorized activities. The plans, drawings, and design specifications submitted shall be considered minimum standards for compliance.

[Sections 373.085, 373.086, 373.113, 373.118, 373.219, 373.223, 373.229, 373.308, and 373.316, 373.342, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, and 40E-3.500-531, and 40E-6.381, F.A.C.]

2. Compliance Requirements.

The Project must be constructed, operated, and maintained in compliance with and meet all non-procedural requirements set forth in Chapter 373, F.S., and Chapters 40E-2 (Consumptive Use), 40E-3 (Water Wells), and 40E-6 (Utilization of District Works), F.A.C., as applicable.

3. Liability

The Licensee shall hold and save SFWMD harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, removal, abandonment, and/or use of any system authorized by this Certification, to the extent allowed under Florida law.

[Sections 373.223, 373.443, and 373.423, F.S.; Rules 40E-2.091, 40E-2.381, and 40E-6.381, F.A.C.]

4. Access

With advance notice to the Licensee, SFWMD staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of licensed facilities to determine compliance with the Conditions of Certification and approved plans and specifications. The Licensee shall either accompany SFWMD staff onto the property or make provision for SFWMD to access the property.

[Sections 373.223 and 373.319, F.S.; Rules 40E-2.301, 40E-2.381, and 40E-6.381, F.A.C.]

5. Construction, Operation, and Maintenance Responsibilities

The Licensee shall be responsible for the construction, operation, and maintenance of all facilities installed for the Project authorized by this Certification. All structures on SFWMD works or lands constructed by the Licensee shall remain the property of the Licensee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition and comply with all applicable federal, state, and local standards and regulations. The SFWMD assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused others by any such failure. The SFWMD further assumes no duty to ensure that the licensed use complies with the safety standards of other governmental entities. The SFWMD is not responsible for any damages to installations located within its rights-of-way. The Licensee shall be responsible for the repair and/or replacement of existing facilities located within the SFWMD's rights-of-way. Canal right-of-way disturbed during construction, installation, or maintenance of the licensed facility shall be restored to original or better condition.

[Sections 373.309, 373.413, and 373.416, F.S.; Rules 40E-2.301, 40E-3.301, and 40E-6.381, F.A.C.]

6. Non-interference with SFWMD Operations

a. Except as may be authorized by this certification, the Licensee shall not engage in any activity regarding the authorized use which interferes with the construction, alteration, maintenance, or operation of the works of the SFWMD, including, but not limited to:

- (1) discharging pollutants, debris or aquatic weeds into SFWMD works or lands;
- (2) causing erosion or shoaling within SFWMD works or lands;
- (3) degrading the existing condition and/or adversely impacting the performance, required specifications, or standards of SFWMD property interests in any manner; and
- (4) planting trees or shrubs or erecting structures that limit or prohibit access by SFWMD equipment and vehicles.

b. The Licensee shall be responsible for any costs incurred by the SFWMD resulting from any such interference.

[Sections 373.016, 373.085, 373.086, 373.117, and 471.003 F.S., Rule 40E-6.221, F.A.C.]

7. Enforcement

The SFWMD may take any and all lawful actions to enforce any condition of this certification that is based on SFWMD's rules or Chapter 373, F.S.. Prior to initiating such action, SFWMD may confer with DEP. SFWMD shall seek modification of this Certification for any change in any activity resulting from the SFWMD's enforcement of this Certification which change will have a duration longer than 60 days.

[Sections 373.223, 373.319, 373.603, and 403.514, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-3.461, and 40E-6.501, F.A.C.]

8. Revisions to Site Specific Design Authorizations

The Licensee shall submit any proposed revisions to the site-specific design authorizations specified in this Certification to the SFWMD for review and approval prior to implementation. The submittal shall include all the information necessary to support the proposed request, including detailed drawings, calculations, and/or any other applicable data. Such requests may be included as part of the appropriate additional information submittals required by this Certification, provided they are clearly identified as a requested amendment or modification to the previously authorized design.

[Sections 373.085, 373.086, 373.219, 373.223, 373.313, and 373.342, F.S.; Rules 40E-2.091, 40E-2.301, 40E-3.461, 40E-6.091, 40E-6.201, and 40E-6.221, F.A.C.]

9. Changes to Information Requirements

The SFWMD and the Licensee may jointly agree in writing to vary the informational requirements.

[Sections 373.085, 373.086, and 373.229, F.S.; Rules 40E-2.101 and 40E-3.101, F.A.C.]

10. Off-site Impacts

The Licensee is responsible for ensuring that harm to the water resources does not occur during construction, operation, and maintenance of the Project.

[Sections 373.223, 373.309, and 373.413; Rules 40E-2.091, 40E-2.381, 40E-3.301, and 40E-6.381, F.A.C.]

B. Water Use

1. General

a. Water Shortage Compliance. Nothing in this Certification should be construed to limit the authority of the SFWMD to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the Licensee must adhere to the water shortage restrictions, as specified by the SFWMD. The Licensee is advised that during a water shortage, reports shall be submitted as required by SFWMD rule or order. The Licensee is advised that during a water shortage, pumpage, water levels, and water quality data shall be collected and submitted as required by SFWMD orders issued pursuant to Chapter 40E- 21, F.A.C.

[Sections 373.223 and 373.246, F.S.; Rules 40E-2.301, 40E-21.231, 40E-21.251, and 40E-21.271, F.A.C.]

b. Interference with Existing Legal Uses. The Licensee shall mitigate interference with existing legal uses that was caused in whole or in part by the Licensee's withdrawals, consistent with the approved mitigation plan. As necessary to

offset the interference, mitigation may include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means. Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10-year drought event that results in the:

(1) Inability to draw water consistent with the provisions of these Conditions for Certification, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or

(2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

c. Harm to Existing Off-Site Land Uses. The Licensee shall mitigate harm to existing off-site land uses caused by the Licensee's withdrawals, as determined through reference to these Conditions for Certification. When harm occurs, or is imminent, the SFWMD will require the Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

(1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other government authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g., fill for construction, mining, drainage canal, etc.);

(2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

(3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

d. Harm to Natural Resources. The Licensee shall mitigate harm to natural resources caused by the Licensee's withdrawals, as determined through reference to these Conditions for Certification. When harm occurs, or is imminent, the SFWMD will require the Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

(1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface;

- (2) Reduction in water levels that harm the hydroperiod of wetlands;
- (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond;
- (4) Harmful movement of contaminants in violation of state water quality standards; or
- (5) Harm to the natural system including damage to habitat for rare or endangered species.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-2.381, F.A.C.]

2. Site Specific Design Authorizations/Requirements

a. Water Use

- (1) The Licensee shall submit all data as required by the implementation schedule for each of the above Conditions for Certification to: SFWMD at www.sfwmd.gov/ePermitting, or Regulatory Support, 3301 Gun Club Road, West Palm Beach, FL 33406.

[Section 373.223, F.S.; Rules 40E-2.091, 40E-2.301 and 40E-2.381, F.A.C.]

b. Dewatering Activities. Prior to commencement of construction of those portions of the licensed Project that involve dewatering activities, the Licensee shall submit a detailed plan for any such activities to the SFWMD for a determination of compliance with the applicable non-procedural requirements of Chapters 40E-2, F.A.C., in effect at the time of Certification. The following information, referenced to NGVD or NAVD where appropriate, shall include:

- (1) A detailed site plan which shows the location(s) for each proposed dewatering area;
- (2) The method(s) used for each dewatering operation;
- (3) The maximum depth for each dewatering operation;
- (4) The location and specifications for all proposed wells and/or pumps associated with each dewatering operation;
- (5) The duration of each dewatering operation;
- (6) The discharge method, route, and location of receiving waters generated by each dewatering operation, including the measures (Best Management Practices) that will be taken to prevent water quality problems in the receiving water(s);

(7) An analysis of the impacts of the proposed dewatering operations on any existing on and/or off-site legal users, wetlands, or existing groundwater contamination plumes;

(8) The location of any infiltration trench(es) and/or recharge barriers; and

(9) All plans must be signed and sealed by a Professional Engineer or a Professional Geologist registered in the State of Florida.

[Section 373.229 and 373.308, F.S.; Rules 40E-2.091, 40E-2.301, and 40E-3.500-531, F.A.C.]

C. Right-of-Way

1. General

a. Prior to commencing construction of any portion of the licensed Project, 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. These drawings must depict the proposed crossing in both plan and profile views and must show, at a minimum:

(1) The canal right-of-way lines;

(2) The top of the canal bank and its elevation;

(3) The centerline of the levee and its elevation;

(4) The canal maintenance berm and its elevation at its highest point;

(5) The location of any poles, tower, and/or access roads located within the SFWMD's right-of-way;

(6) The location of any anchors, down-guys or span-guys within the SFWMD's right-of-way;

(7) The elevation of the lowest line, wire, or cable crossing over the SFWMD's right-of-way, given at the lowest point of sag in the span within the SFWMD's right-of-way;

(8) The location and elevation of any buried facilities installed as part of this Project; and

(9) The location of the licensed facilities in relation to a section line, major road or other prominent well-known landmark by which the licensed facilities may be located in the field.

b. Any parallel run of transmission line within the SFWMD's is prohibited.

c. Any improvement which requires a waiver from the SFWMD's rules or Criteria Manual referenced in paragraph 1.a. above shall be prohibited under this certification, unless the Licensee modifies this certification and follows the requirements for obtaining a waiver set forth in Chapter 120, F.S.

d. The Licensee shall submit all data and information as required by the above Conditions for Certification to: rowpermits@sfwmd.gov, or Right-of-Way Section, 3301 Gun Club Road, West Palm Beach, FL 33406.

[Sections 373.085, 373.086, F.S.; Rules 40E-6.091, 40E-6.201, 40E-6.221, 40E-6.381, F.A.C.]

2. Access

a. Should the Licensee desire to utilize the SFWMD's right-of-way for access during construction of the Project and/or for inspection, maintenance, and/or operation of the Project 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. If travel over a District bridge or facility is required, Licensee shall submit engineering analysis required by the District to determine if the bridge or facility can support the vehicles/equipment proposed to travel over the bridge or facility. 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, Licensee must obtain liability insurance covering the Licensee use of that portion of the right-of-way. Licensee shall comply with all safeguards and guarantees, financial or otherwise, required by SFWMD to ensure that no damage, liability or loss occurs to the District's right of way, including its bridges and facilities. All use of the SFWMD's right-of-way by Licensee shall be in accordance with Chapter 40E-6, 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.

[Sections 373.085, 373.086, F.S.; Rules 40E-6.091, 40E-6.201, 40E-6.221 40E-6.361, 40E-6.381, F.A.C.]

APPENDICES

APPENDIX II-G – SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Joel Schleicher

Chair, Charlotte, Sarasota

Ed Armstrong

Vice Chair, Pinellas

Michelle Williamson

Secretary, Hillsborough

John Mitten

Treasurer, Hernando, Marion

Kelly S. Rice

Former Chair, Citrus, Lake,
Levy, Sumter

Ashley Bell Barnett

Polk

Jack Bispham

Manatee

John Hall

Polk

William Hogarth

Pinellas

Seth Weightman

Pasco

Brian J. Armstrong, P.G.

Executive Director

July 14, 2022

Ms. Cindy Mulkey

Program Administrator

Florida Department of Environmental Protection

Siting Coordination Office

2600 Blair Stone Road, MS 5500

Tallahassee, FL 32399-2400

Subject: **FPL Sweatt-Whidden 230kv Transmission Line (TA22-19)**
Agency Report

Dear Ms. Mulkey:

The Southwest Florida Water Management District (SWFWMD) is transmitting its agency report on the above subject project pursuant to Sections 403.526(2)(a)2 and (b), F.S. We are recommending approval of the proposed project subject to the following certification condition:

- (1) To the extent practicable, access roads, culverts and structures shall be located to avoid conflict with existing or permitted surface water management systems, permitted water withdrawal facilities or agricultural ground and surface water management projects as documented in SWFWMD records. [Chapter 373, F.S.; Section 40D, F.A.C.]

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at (352) 796-7211, extension 4790, or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG

cc: Elizabeth Fernandez, SWFWMD
Cara Martin, SWFWMD
Ellen Morrison, SWFWMD
Ann Seiler, DEP
Brian Yates, FPL
Attached Service List

SERVICE LIST

Scott.Goorland@FPL.com
VDailey@panzamaurer.com
Kelley.Corbari@FloridaDEP.gov
Kathryn.Lewis@FloridaDEP.gov
Alexis.Montiglio@FloridaDEP.gov
MWinkler@sjrwmd.com
JBenn@sjrwmd.com
KBreed@sjrwmd.com
LTan@psc.state.fl.us
ejohnson@sfwmd.gov
smiddleb@sfwmd.gov
Valerie.Wright@deo.myflorida.com
Emily.Norton@myfwc.com
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Richard.Shine2@dot.state.fl.us
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WVose@voselaw.com
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richard@strayhornandstrayhornlaw.com

APPENDICES

APPENDIX II-H – DEPARTMENT OF STATE-DIVISION OF HISTORICAL RESOURCES



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

Florida Department of Environmental Protection
DARM/Siting Coordination Office
2600 Blainstone Road
Tallahassee, FL 32399

July 15, 2022

Re: DHR No.: 2022-2207-C
Project: Transmission Line Siting Act - FPL Sweatt-Whidden Application (TA22-19)

To Whom It May Concern:

Our office reviewed the referenced application and pursuant to Section 403.526 (2)(b), *Florida Statutes*, we submit the following response.

- a. This office has no variances, exemptions, exceptions or other relief from any nonprocedural requirements to include.
- b. This office previously requested and received a desktop analysis of cultural resources within the proposed project area. We found the survey to be complete and sufficient. As such, this office recommends approval of the certification application.
- c. This office requests that the following Conditions of Certification be accepted:
 - Prior to new construction in areas not previously surveyed, and after the ROW has been selected, the Licensee shall conduct a professional cultural resource assessment survey of the sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will conduct this investigation in accordance with the appropriate work plan for this project developed within the Desktop Analysis Report requested and approved in consultation with DHR. Upon completion of the field survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, any sites considered to be eligible for the National Register ("historic properties") shall be avoided during construction of the project and access roads, and subsequently during maintenance of the ROW. If avoidance by the proposed ROW of any identified historic properties is not feasible, any adverse effect shall be mitigated through archaeological data recovery or other methods acceptable to DHR, as appropriate.
 - If historical or archaeological artifacts or features are discovered at any time within the project site, 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.

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



- Human remains are protected under Chapter 872, *Florida Statutes*. As such, any known sites containing human remains should be avoided, including but not limited to the historical cemetery Pearce-Lockett Estate Cemetery (8HG875).

[Citation: Sections 267.061, 403.531, and 872, F.S.]

If you have any questions, please contact Jennifer Tobias, Historic Sites Specialist, by email at Jennifer.Tobias@dos.myflorida.com.

Sincerely,

A handwritten signature in blue ink that reads "Kelly L. Chase" with "For" written below it.

Alissa S. Lotane
Director, Division of Historical Resources and State Historic Preservation Officer

APPENDICES

APPENDIX II-I – DESOTO COUNTY



Desoto County
Board of County Commissioners
Planning and Zoning
201 East Oak Street; Suite 204
Arcadia, Florida 34266
Phone (863) 993-4806

July 18, 2022

Ms Cindy Milkey
Program Administrator
Florida Department of Environmental Protection
Siting Coordination Office
2600 Blair Stone Road, MS 5000
Tallahassee, Florida 32399-2400

Subject: **FPL Sweatt-Whidden Transmission Line (TA22-19) Agency Report**

Dear Ms Mulkey:

DeSoto County is transmitting its agency report on the above subject project pursuant to Sections 403.526(2)(a)2 and (b), F.S. We are recommending approval of the proposed project subject to the following certification conditions:

- (1) The transmission line shall not obstruct, block or interfere with any ditch owned or maintained by DeSoto County.
[Sec. 7-7, DeSoto County Code of Ordinances]
- (2) The transmission line may be placed within the DeSoto County rights-of-way in connection with the provision of generating, distributing and transmitting electricity after the Licensee submits the information necessary for a Right-of-Way permit, without the need for a permit fee.
- (3) In any portion of the County right-of-way disturbed by the transmission line construction, operation or maintenance, the Licensee must repair and replace that portion of the County right-of-way at its own expense to the same condition as existed prior to the disturbance.
[Sec. 12-86, 12-87, 12-116 through 12-121, DeSoto County Code of Ordinances]

If you have any questions or if I can be of further assistance, please feel free to contact me at (863)993-4806 or j.fisher@desotobocc.com.

Sincerely,

June Fisher
Development Director
DeSoto County, Florida

Cc: Mandy Hines, DeSoto County
Don Conn, DeSoto County
Ann Seiler, FDEP

APPENDICES

APPENDIX II-J – HIGHLANDS COUNTY

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER AND LIGHT
COMPANY SWEATT-WHIDDEN 230KV
TRANSMISSION LINE SITING APPLICATION TA22-19,

Case No.: 22-1246TL

HIGHLANDS COUNTY'S AMENDED AGENCY REPORT
PURSUANT TO FLA. STAT. § 403.526(2)(a)

COMES NOW, HIGHLANDS COUNTY FLORIDA, a political subdivision of the State of Florida (the "County"), by and through its undersigned counsel, pursuant to Fla. Stat. §403.526(2)(a), and submits the following report regarding the above referenced transmission line siting ("Project"):

1. Counsel for the County has reviewed the Application submitted by Florida Power and Light and the Order Establishing Schedule and other pleadings filed herein to date.
2. The County has also reviewed maps showing the planned Sweatt-Whidden Transmission Line corridor.
3. The undersigned has conferred with the counsel for Florida, Power and Light and after discussion, it was determined that Florida Power and Light would withdraw its proposed waiver to Highlands County Code Section 5.6, Article III, as provided in Section 5.0 of the Sweatt-Whidden TLSA Application.
4. Therefore, the only condition Highlands County has is that Florida Power and Light comply with Highlands County Code Section 5.6, Article III during construction of the Transmission Line.
5. Provided that the waiver is withdrawn, the County is in support of the project, has identified no additional issues of material fact or law giving rise to an objection to the project, and submits that it has no other conditions to request in reference to the Project.

Dated this 20th day of July, 2022.

HIGHLANDS COUNTY, FLORIDA



D. Matthew Raulerson,
Assistant County Attorney
Florida Bar No.: 110630
600 S. Commerce avenue
Sebring, FL 33870
(863) 402-6501
draulerson@highlandsfl.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via electronic mail this 20th day of July, 2022, to the following:

Kelley F. Corbari, Esquire
Department of Environmental Protection
Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, Florida 32399
kelley.corbari@floridadep.gov

Stephanie A. Gray, Esquire
Department of Environmental Protection
Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, Florida 32399
Stephanie.Gray@mvfloridacfo.com

Scott A. Goorland, Esquire
Florida Power & Light Company Law/JB
700 Universe Boulevard Juno Beach,
Florida 33408
scott.goorland@fpl.com

Kathryn E.D. Lewis, Esquire
Department of Environmental Protection
Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, Florida 32399
kathryn.lewis@floridadep.gov
Michelle.M.Knight@FloridaDEP.gov

Lee Eng Tan, Esquire
Florida Public Service Commission 2540
Shumard Oak Boulevard Tallahassee,
Florida 32399
ltan@psc.state.fl.us

Valerie A. Wright, Esquire
Department of Economic Opportunity
Caldwell Building
107 East Madison Street, MSC 110
Tallahassee, Florida 32399
valerie.wright@deo.mvflorida.com
DEOEService@deo.myflorida.com

Emily Johnson, Esquire
South Florida Water Management
District MSC 1410
3301 Gun Club Road
West Palm Beach, Florida 33406
ejohnson@sfwmd.gov
litigation@sfwmd.gov

Elizabeth M. Fernandez, Esquire
Southwest Florida Water Management
District
7601 US 301 North
Tampa, Florida 33637
elizabeth.fernandez@swfwmd.state.fl.us
teri.stearns@swfwmd.state.fl.us

Jon F. Morris, Esquire
Department of State
R.A. Gray Building
500 South Bronough Street Tallahassee,
Florida 32399-0250
jon.morris@dos.myflorida.com

Richard E. Shine, Esquire
Department of Transportation 605
Suwannee Street
richard.shine2@dot.state.fl.us
amber.greene@dot.state.fl.us

Alexis Montiglio, Esquire
Florida Department of Environmental
Protection
Mail Stop 35
3900 Commonwealth Boulevard
Tallahassee, Florida 32399
alexis.montiglio@floridadep.gov
anne.willis@floridadep.gov

Sherry G. Sutphen, Esquire
Highland County Attorney's Office
600 South Commerce Avenue
Sebring, Florida 33870
Via US Mail

Joel Thomas Benn, Esquire
St. Johns River Water Management District
4049 Reid Street
Palatka, Florida 32177
jbenn@sjrwmd.com

Mary Ellen Winkler, Esquire
St. Johns River Water Management District
4049 Reid Street
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Savannah Middlebush, Esquire
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3301 Gun Club Rd
West Palm Beach, Florida 33406
smiddleb@sfwmd.gov
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Donald D. Conn, Esquire
201 East Oak Street, Suite 201
Arcadia, Florida 34266
Via US Mail

Richard Pringle, Esquire
Glades County Attorney's Office
500 Avenue J Southwest
Moore Haven, Florida 33471
Via US Mail

Wade C. Vose, Esquire
Okeechobee County Attorney
324 West Morse Boulevard
Winter Park, Florida 32789
Via US Mail

HIGHLANDS COUNTY, FLORIDA



D. Matthew Raulerson,
Assistant County Attorney
Florida Bar No.: 110630
600 S. Commerce avenue
Sebring, FL 33870
(863) 402-6501
draulerson@highlandsfl.gov

APPENDICES

APPENDIX II-K – GLADES COUNTY



Community Development Department

P.O. Box 1527 • 198 6th Street • Moore Haven, Florida 33471

Phone: (863) 946-6018 • Fax: (863) 946-1535

Internet address <http://www.MyGlades.com>

July 18, 2022

Florida Department of Environmental Protection Ms. Ann Seiler, Environmental Consultant
DARM/Siting Coordination Office
2600 Blair Stone Road
Tallahassee, Florida 32399

VIA EMAIL ONLY

Re: FPL Application Sweat Whidden (TA22-19)

Dear Ms. Seiler:

Please be advised that Glades County staff has reviewed the FPL Application related to the transmission corridor proposed to be located in Glades County. As a result of its review, and pursuant to Section 403.526, Florida Statute, the County prepared its Final Agency Report. That report is enclosed with this letter.

Please contact my office at (863) 946-6000 if there are any questions or concerns in this matter.

Sincerely,

Susan BuChans
Community Development Director

cc: Marcos Montes De Oca,
County Manager

Encl.

GLADES COUNTY FINAL AGENCY REPORT

Pursuant to Section 403.526, Fla. Stat., Glades County submits the following Final Agency Report related to Florida Power & Light Company Sweatt-Whidden 230 kV Site Certification Application of the transmission corridor proposed to be located in Glades County. Glades County represents that there are no County nonprocedural requirements not specifically listed in the Application from which a variance, exemption, exception, or other relief is necessary in order for the proposed transmission corridor to be certified. The County recommends the approval of the certification of the transmission corridor proposed to be located in Glades County.