

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER AND LIGHT COMPANY
OKEECHOBEE CLEAN ENERGY CENTER DOAH CASE No. 15-5540-EPP
POWER PLANT SITING APPLICATION OGC CASE No. 15-0607
NO. PA15-58

LAND USE AND ZONING DETERMINATION BY OKEECHOBEE COUNTY
FOR FLORIDA POWER & LIGHT'S
OKEECHOBEE CLEAN ENERGY CENTER

Pursuant to Section 403.50665, Florida Statutes (F.S.), Okeechobee County, by and through its undersigned counsel, files the County's determination that the site for the proposed Florida Power & Light Co. (FPL) Okeechobee Clean Energy Center (Project) is consistent with the existing land use plans and zoning ordinances of Okeechobee County, Florida.

1. On September 25, 2015, FPL filed its application for site certification for the Okeechobee Clean Energy Center (Project) under the Florida Power Plant Siting Act, Chapter 403, Part II, F.S. The Project Site is located in the unincorporated area of Okeechobee County. The Site is comprised of approximately 2,341 acres located in northeastern Okeechobee County.

2. Okeechobee County has received and reviewed that application as it relates to the County's land use plan and zoning ordinances, and is otherwise familiar with the Project and its Site within Okeechobee County.

3. Pursuant to Section 403.50665(2), F.S., Okeechobee County is required to issue its determination on the consistency of the Site with the existing land use plans and

zoning ordinances of Okeechobee County that were in effect on the date the application was filed. Okeechobee County hereby makes that determination.

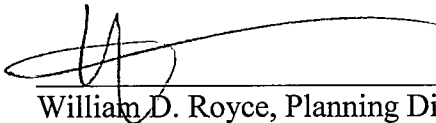
4. The Site is designated "Agriculture" on the future land use map of the adopted Okeechobee County Comprehensive Plan (Plan). Under Policy L9.5 of the Plan, electrical power plants are an allowed use in that land use category, subject to compliance with the Power Plant Siting Act, the County's Comprehensive Plan and applicable land development regulations. The Site for the electrical power plant is consistent with Okeechobee County's comprehensive plan.

5. The Project site is zoned "Agricultural" under the County's zoning ordinances. Electrical power plants are allowed in this zoning district. The Site is consistent with the zoning regulations of Okeechobee County.

Accordingly, Okeechobee County submits its determination that the site for FPL's Okeechobee Clean Energy Center is consistent with the land use plans and zoning ordinances of Okeechobee County, Florida.

Respectfully submitted this 5th day of November, 2015.

Okeechobee County



William D. Royce, Planning Director
Okeechobee County
Planning and Development Department
1700 NW 9th Avenue, Suite A
Okeechobee, FL 34972

CERTIFICATE OF SERVICE

I certify that I have served a true and correct copy of the foregoing via electronic mail this 5th day of November, 2015, to the following:

Department of Environmental Protection

Benjamin M. Melnick, Esquire
Jeff Brown, Esquire
Office of General Counsel
3900 Commonwealth Boulevard
Tallahassee, Florida 32399
Benjamin.Melnick@dep.state.fl.us
jeffrey.brown@dep.state.fl.us

Florida Power & Light Company

Michael S. Tammaro,
Senior Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
michael.tammaro@fpl.com

Brooke E. Lewis, Esquire
Hopping Green & Sams, PA
119 South Monroe Street, Suite 300
Tallahassee, FL 32301
BrookeL@hgslaw.com

Florida Public Service Commission

Keino Young, Attorney Supervisor
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
kyoung@psc.state.fl.us

Florida Fish & Wildlife Conservation Commission

Anthony Pinzino, Esquire
Farris Bryant Building
620 South Meridian Street
Tallahassee, Florida 32399-1600
anthony.pinzino@myfwc.com

Department of Transportation

Kimberly Clark Menchion, Esquire
605 Suwannee Street, MS 58
Tallahassee, Florida 32399
kimberly.menchion@dot.state.fl.us

Department of Economic Opportunity

Aaron Dunlap, Esquire
620 South Meridian Street, MS 5B5
107 East Madison Street
Tallahassee, Florida 32399
Aaron.Dunlap@deo.myflorida.com

St. Johns River Water Management District

Karen Ferguson, Esquire
Mary Ellen Winkler, Esquire
Office of General Counsel
P.O. Box 1429
Palatka, Florida 32178
kferguson@sjrwmd.com
mwinkler@sjrwmd.com
mperschnick@sjrwmd.com

Callie Register, P.E.
Regulatory, Engineering and
Environmental Services
Palm Bay Service Center
525 Community College Parkway, S.E.
Palm Bay, FL 32909
cregister@sjrwmd.com

Okeechobee County

William Royce, Planning Director
Planning and Development
1700 NW 9th Avenue, Suite A
Okeechobee, FL 34972
broyce@co.okeechobee.fl.us

Indian River County

Stan Boling
Community Development Director
1801 27th Street
Vero Beach, Florida 32960-3388
sboling@ircgov.com

Ed Barranco

Florida Department of Health

4052 Bald Cypress Way, Bin #A08
Tallahassee, Florida 32399
ed.barranco@flhealth.gov

**Department of Agriculture &
Consumer Services**

John Costigan, General Counsel
Florida Forest Service
407 S. Calhoun Suite 520 M-11
Tallahassee, FL 32399-0800
John.Costigan@FreshFromFlorida.com
Deborah.Brock@freshfromflorida.com

Department of State

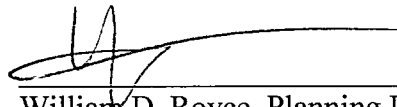
Deena Woodward
Division of Historical Resources
RA Gray Building, 4th Floor
500 South Bronough Street
Tallahassee, FL 32399
Deena.woodward@dos.myflorida.com

**Central Florida Regional Planning
Council**

Patricia M. Steed
Executive Director
555 E Church Street Bartow, FL 33830
psteed@cfrpc.org

**Treasure Coast Regional Planning
Council**

Peter G. Merritt
Assistant Director
421 SW Camden Avenue
Stuart, FL 34994
pmerritt@tcrpc.org



William D. Royce, Planning Director
Okeechobee County
Planning and Development Department