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November 30, 2011

Ms. Cindy Mulkey, Program Administrator
Siting Coordination Office (SCO)
3900 Commonwealth Blvd. MS 48
Tallahassee, FL 32399-3000

RE: Florida Power & Light Company
West County Energy Center
Power Plant Site Certification No. PA 05-47
Post-Certification Amendment
Administration Building and Maintenance/Warehouse Expansion

Dear Ms. Mulkey,

Florida Power & Light Company (FPL) is requesting a post-certification amendment to the Site Certification for FPL West County Energy Center pursuant to rule 62-17.205(1)(A), Florida Administrative Code (F.A.C.). The purpose of this amendment request is to obtain approval for FPL to expand the administration building, maintenance and warehouse facilities, and create additional parking spaces for the West County Energy Center.

The proposed expansion includes adding 4,200 square feet to the existing administration building and expands the existing parking lot to add 14 additional spaces. There will be no additional employees added as a result of this expansion (the increased parking is a Palm Beach County mathematical formula based on square footage). The Site Plan (Attachment 1) also identifies an additional 800 square feet for a future administration building, and 9,000 square feet for a future maintenance/warehouse building.

The building expansion will occur in areas already approved and counted as impervious area. The proposed expansion will not require changes to the existing approved drainage system. The storm water runoff from the building additions will be directed to the existing storm water conveyance system and to the on-site dry retention area as shown in the attached Site Plan (Attachment I). This site was designed and built in conformance with the Florida Department of Environmental Protection and South Florida Water Management District on-site water quality and storage requirements. A signed and sealed Drainage Statement is provided as Attachment II. Potable water requirements for the expansion can be met within existing permitted allocations for the site.

The design of the proposed addition of square footage will have no adverse environmental impact as there is no existing native vegetation. The proposed additions will be located internal to the existing certified facility.

There will not be adverse impacts on public facilities. The Traffic Impact Analysis dated June 14, 2011 (Attachment III) indicates that the proposed expansion to the site is projected to meet the Traffic Performance Standards of Palm Beach County through the end of year 2016.

The proposed square footage was approved by Palm Beach County (PBC) Board of County Commissioners (BCC) on September 28th, 2011 (Attachment IV).

Thank you for your attention and consideration of FPL's request to amend the Site Certification for the West County Energy Center. If you have any questions regarding this submittal, please contact me at 561-691-7518 or Rachel Godino at 561-676-7238.

Sincerely,



Barbara P. Linkiewicz
Director of Environmental Licensing

Cc: Peter Holzapfel, FPL – West County Plant Manager
David Fawcett, FPL – West County Environmental
Peter Cocotos, FPL – Legal

Attachment I



**West County
Energy Center**
Palm Beach County, Florida

Palm Beach County, Florida

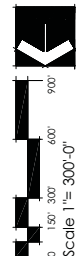
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Design By:	JES
Drawn By:	JES
Checked By:	Jes
File No.	457.04

REVISIONS / SUBMISSIONS

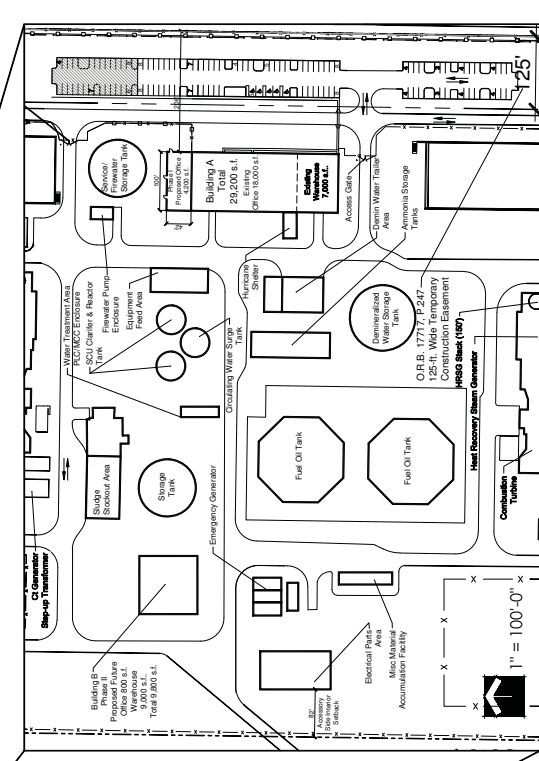
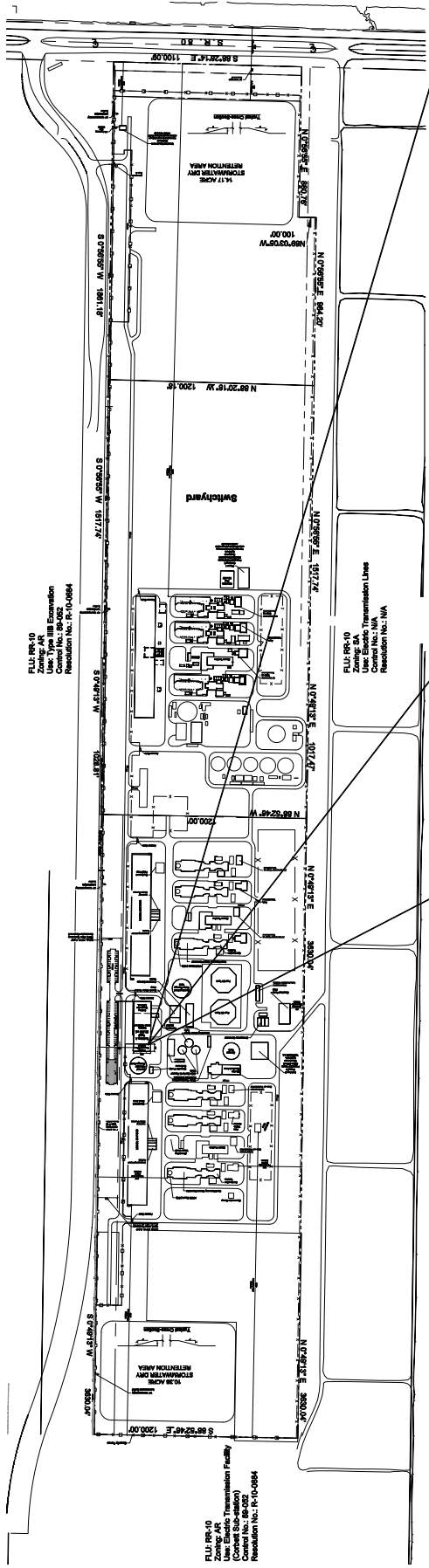
07/25/11 DRO Re-submitted

Final Site Plan

SP-1 of 6



Scale 1"= 300'-0"



Zoning Stamp

PROJECT #: 05795-000
CONTROL #: 1989-052
EXHIBIT #: 67 (1 of 5)
SUPERCEDES EXH#: 66

Amendment Stamp

PROJECT #: 05795-000
CONTROL #: 1989-052
EXHIBIT #: 67 (1 of 5)
SUPERCEDES EXH#: 66

APPLICATION #: 2011-2347
DATE APPROVED: 10-12-11
PROJECT MANAGER:
Carol Glasser

Development Regulations

SA PROPERTY DEVELOPMENT REQUIREMENTS												
ZONING DISTRICT	MINIMUM LOT DIMENSIONS			MAX. LOTS		PREFERRED LOT SIZE RATION			ACCESSORY USES			
	SIZE	WIDTH	DEPTH	MAX. COOR.	MAX. COOR.	DEPTH	1/2 AC. OR GREATER	1/4 AC. OR GREATER	1/8 AC. OR GREATER	1/16 AC. OR GREATER	1/32 AC. OR GREATER	
SA	15 AC.	300'	300'	30	10%	500'	500'	500'	500'	50'	50'	50'
SA	25.9-39 AC.	1000'	1100'	8000'	10047'	3170'	3170'	3170'	3170'	370'	370'	1768'

Development Team

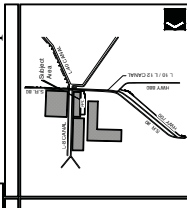
OWNER:	FLORIDA POWER AND LIGHT COMPANY P.O. BOX 14000 NORTH PALM BEACH, FLORIDA 33408
CIVIL ENGINEER:	GOI DESIGN ASSOCIATES INC. 608 NW 1ST PLACE SUITE 200-000 FLOIDA 33007
PLANNER:	JOHN E. SCHMIDT & ASSOCIATES 207 PALM BEACHLAKES BLVD. SUITE 101 WEST PALM BEACH, FLORIDA 33411 (561) 684-0141
SURVEYOR:	PAC SURVEYORS INC. 1000 N. MILITARY TRAIL SUITE 100 WEST PALM BEACH, FLORIDA 33411 (561) 906-0515
TRAFFIC ENGINEER:	KIMLEY-HORN AND ASSOCIATES, INC. 1000 N. MILITARY TRAIL SUITE 100 WEST PALM BEACH, FLORIDA 33411 (561) 945-0065

Site Data

[illegible]

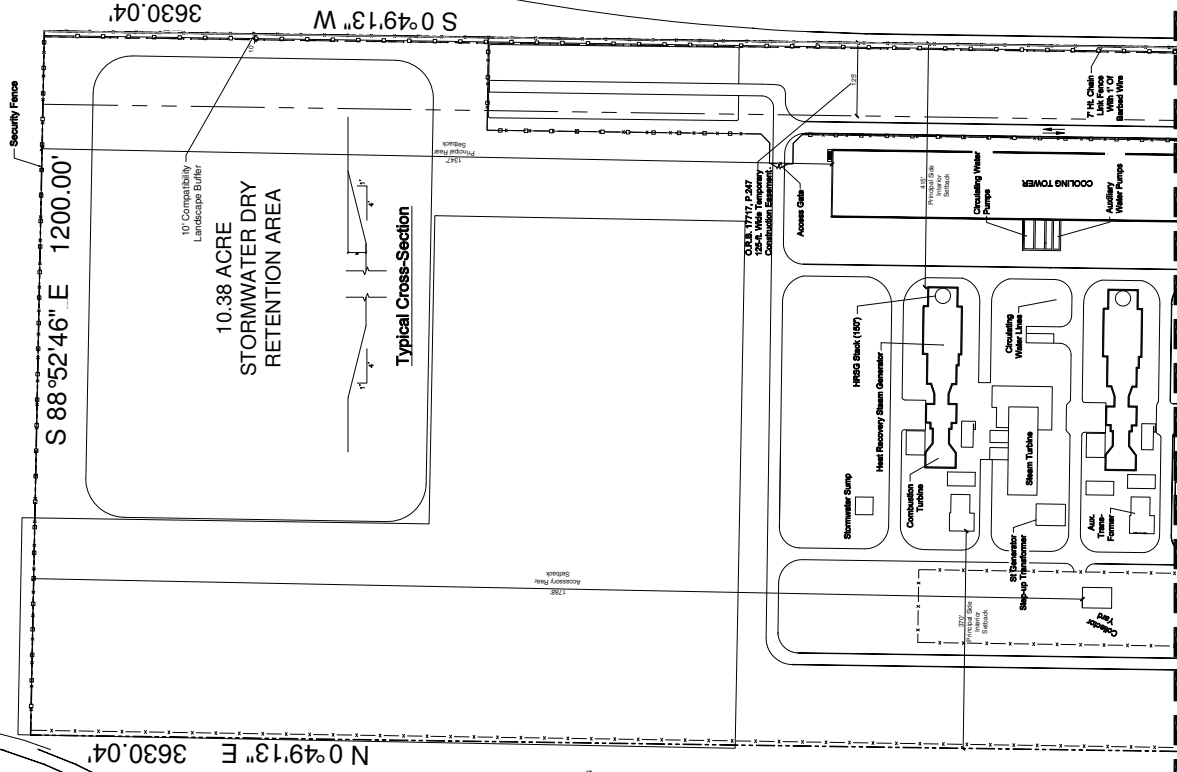
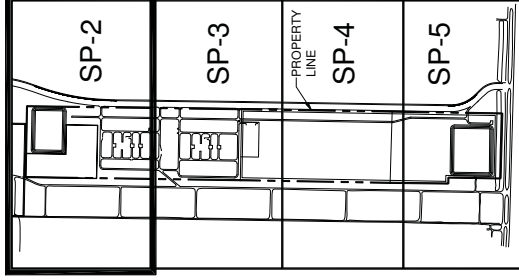
¹⁰ Per ULCB Art 3. C.1 C.1 the SA District corresponds to the Agricultural Production (AP) District

Location Map



FLU-RR-10
Use Electric Transmission Facility (Conduit Sub-station)
Control No.: 89-052
Resolution No.: R-10-0684

KEY MAP



FLU-RR-10
Zoning: SA
Control No.: N/A
Resolution No.: N/A

FLU-RR-10
Zoning: AR
Control No.: 89-052
Resolution No.: R-10-0684



☐ Amendment Stamp

☐ Zoning Stamp

PROJECT #: 05795-000
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EXHIBIT #: 67 (2 of 5)
SUPERCEDES EXH#: 66
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Final
Site
Plan

SP-2 of 6

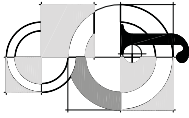
West County
Energy Center
Palm Beach County, Florida



J. F. Schmidt and Associates, Inc.
Landscape Architecture & Site Planning
2247 Palm Beach Lakes Blvd., Suite 101
Palm Beach, FL 33480
Tel: (561) 884-6141 • Fax: (561) 884-6142
Email: jfschmidt@jfa.com
License No.: LC16000232

Date: 06/15/11
Scale: 1" = 100'-0"
Design By: JFS
Checked By: JFS
File No.: 457.04
Job No.: 11-24

REVISIONS / SUBMISSIONS
07/26/11 DRC Re-submittal of
08/17/11 DRC Re-submittal of
09/27/11 DRC Re-submittal of



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West County Energy Center

Palm Beach County, Florida

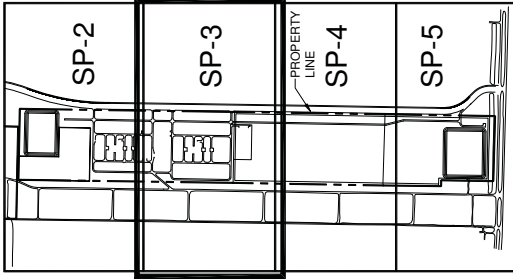
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File No. 457.04
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REVISIONS / SUBMISSIONS
07/26/11 DRC Re-submittal
08/15/11 DRC Re-submittal
09/27/11 DRC Re-submittal

Final
Site
Plan

SP-3 of 6

KEY MAP

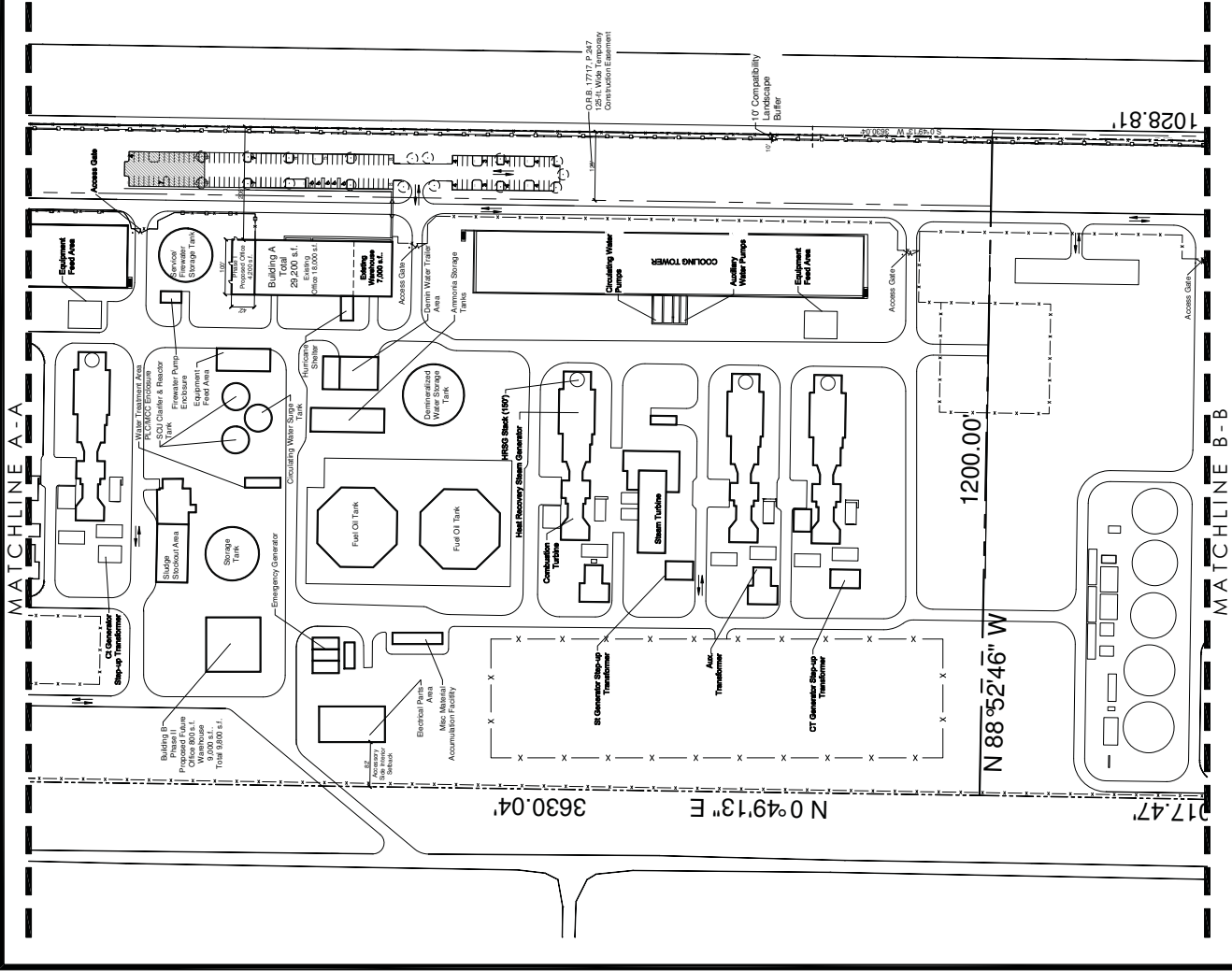


☐ Zoning Stamp

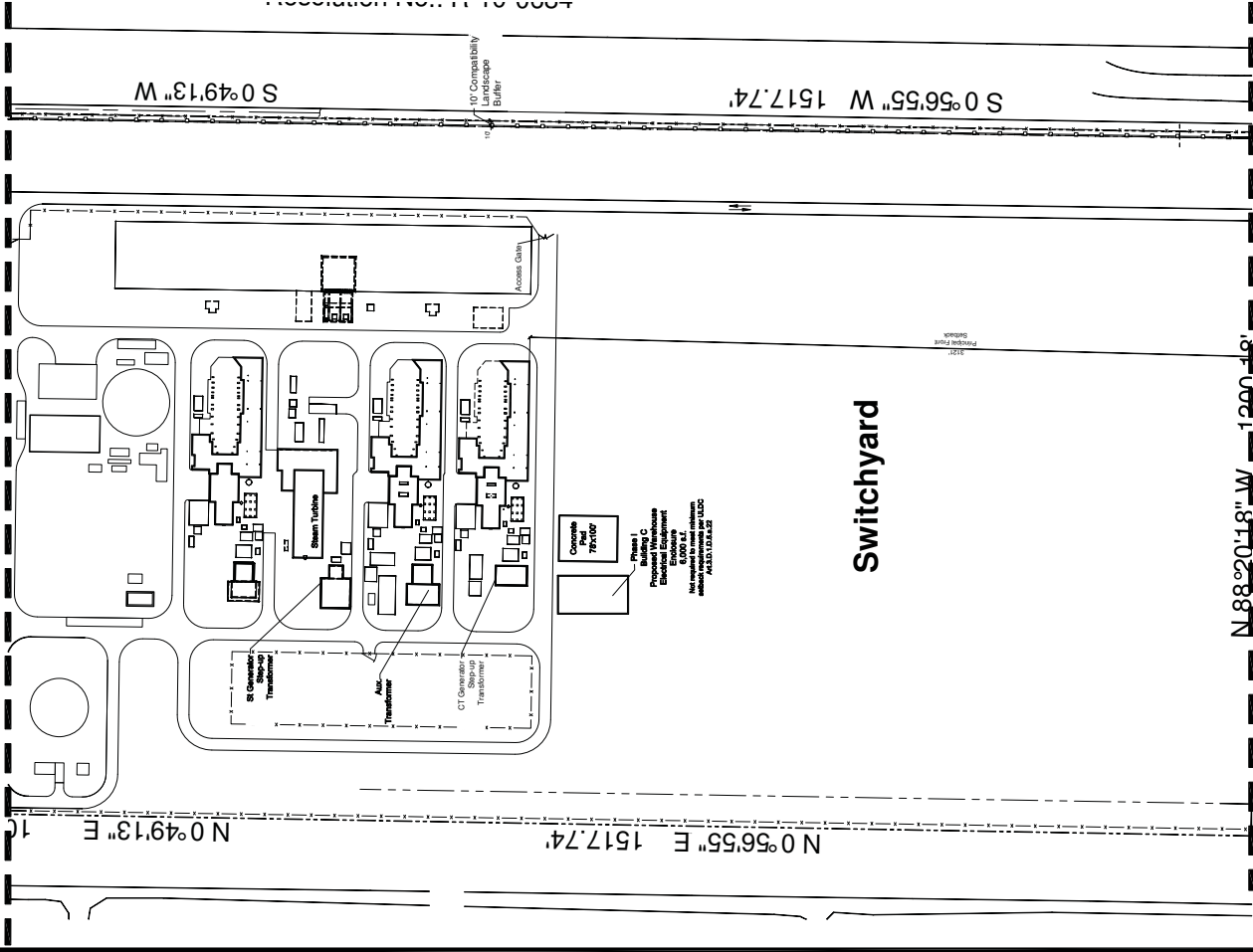
PROJECT #: 05795-000
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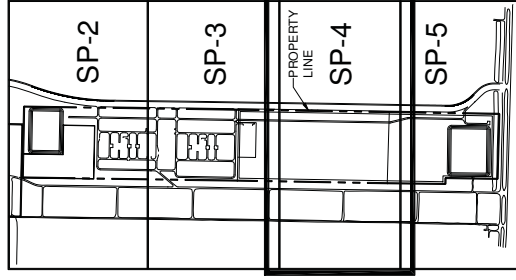
☐ Amendment Stamp



MATCHLINE B-B



KEY MAP

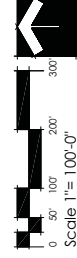


☐ Amendment Stamp

☐ Zoning Stamp

PROJECT #: 05795-000
CONTROL #: 1989-052
EXHIBIT #: 67 (4 of 5)
SUPERCEDES EXH#: 66

APPLICATION #: 2011-2347
DATE APPROVED: 10-12-11
PROJECT MANAGER:
Carol Glasser



MATCHLINE C-C



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West County Energy Center

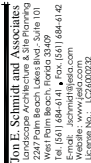
Palm Beach County, Florida

Date: 06/15/11
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Design By: JFS
Drawn By: JFS
Checked By: JFS
File No. 457.04
Job No. 11-24

REVISIONS / SUBMISSIONS
07/26/11 DRC Re-submittal
08/15/11 DRC Re-submittal
09/27/11 DRC Re-submittal

Final
Site
Plan

SP-4 of 6



Palm Beach County, Florida

Date:	06/15/11
Scale:	N.T.S.
Design By:	JES
Drawn By:	JES
Checked By:	Jes
File No.	457.04
Job No.	11-24

REVISIONS / SUBMISSIONS

07/25/11 DRO Re-submittal
08/15/11 DRO Re-submittal
09/21/11 DRO Submittal
10/17/11 DRO Re-submittal

Final Regulating Plan

SP-6 of 6

The drawing illustrates a landscape barrier design with three views: Cross Section, Elevation View, and Plan View.

- Cross Section:** Shows a tree with a 1" Min. 12 ft. Tree Per 25 ft. I.F. (1" Min. 12 ft. Tree Per 25 ft. I.F.) and a 7 ft. Chain Link Fence with 1" of Barbed Wire. The barrier is 150' Section.
- Elevation View:** Shows the barrier with a 25' I.F. (25' I.F.) and a 7 ft. Chain Link Fence with 1" of Barbed Wire. The barrier is 150' Section.
- Plan View:** Shows the barrier with a 25' I.F. (25' I.F.) and a 7 ft. Chain Link Fence with 1" of Barbed Wire. The barrier is 150' Section.

Typical Fence Detail

Light Pole Detail

2. LIGHT POLES WILL BE A MAX. HEIGHT OF 25 FEET. LIGHT POLES WILL BE SPACED APPROXIMATELY 120 FEET APART. ALL OUTDOOR LIGHTING USED TO ILLUMINATE PUBLIC PROPERTY SHALL BE SHIELDED AND DIRECTED DOWNWARD TO MINIMIZE LIGHT POLLUTION AND GLARE. LIGHTING SHALL BE SHIELDED TO MINIMIZE LIGHT POLLUTION AND GLARE TO ADJACENT RESIDENTIAL AREAS AND STREETS.

Parking and Striping

Height Restriction Cross-Section

NOTE: THE HEAT DISPENSING TOWER HEIGHT SHALL BE A MAXIMUM OF 120 FEET HIGH UNLESS ADDITIONAL HEIGHT IS APPROVED TO COMPLY WITH THE FDEP GUIDELINES AND APPROVED BY THE GOVERNOR AND CABINET SITTING AS THE POWER PLANT SITTING BOARD. ADDITIONAL HEIGHT TO ACCOMMODATE SAFETY CLEARANCE, EMISSION AIR MONITORING, AND NOISE ATTENUATION EQUIPMENT'S SHALL NOT EXCEED AN OVERALL HEIGHT OF 150 FEET OF EACH TOWER.

On-Site Directional Sign Detail

Technical drawing of a mailbox with three views: Front/Rear View, Side View, and Plan View.

- Front/Rear View:** Shows a mailbox with a circular logo on the left and the text "20505 Southern Bell" in the center. Dimensions include a height of 6" and a width of 10 1/2".
- Side View:** Shows the profile of the mailbox with a depth of 6".
- Plan View:** Shows the top of the mailbox with a width of 10 1/2" and a depth of 6".
- Notes:**
 - Max. 24" Height Letters
 - Raised Stucco Letters
 - Max Ht. 10"
 - Max 20 Square Feet of Sign Area (Per Face)
 - 3" Foundation Planting
- Other Labels:** "Westbury Energy Center" and "GRADE" are also present.

Amendment Stamp

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Landscape Requirements

Category	Description	1990-1991		1991-1992		1992-1993		1993-1994		1994-1995		1995-1996		1996-1997		1997-1998		1998-1999		1999-2000		2000-2001		2001-2002		2002-2003		2003-2004		2004-2005		2005-2006		2006-2007		2007-2008		2008-2009		2009-2010		2010-2011		2011-2012		2012-2013		2013-2014		2014-2015		2015-2016		2016-2017		2017-2018		2018-2019		2019-2020		2020-2021		2021-2022		2022-2023		2023-2024		2024-2025		2025-2026		2026-2027		2027-2028		2028-2029		2029-2030		2030-2031		2031-2032		2032-2033		2033-2034		2034-2035		2035-2036		2036-2037		2037-2038		2038-2039		2039-2040		2040-2041		2041-2042		2042-2043		2043-2044		2044-2045		2045-2046		2046-2047		2047-2048		2048-2049		2049-2050		2050-2051		2051-2052		2052-2053		2053-2054		2054-2055		2055-2056		2056-2057		2057-2058		2058-2059		2059-2060		2060-2061		2061-2062		2062-2063		2063-2064		2064-2065		2065-2066		2066-2067		2067-2068		2068-2069		2069-2070		2070-2071		2071-2072		2072-2073		2073-2074		2074-2075		2075-2076		2076-2077		2077-2078		2078-2079		2079-2080		2080-2081		2081-2082		2082-2083		2083-2084		2084-2085		2085-2086		2086-2087		2087-2088		2088-2089		2089-2090		2090-2091		2091-2092		2092-2093		2093-2094		2094-2095		2095-2096		2096-2097		2097-2098		2098-2099		2099-2100		2100-2101		2101-2102		2102-2103		2103-2104		2104-2105		2105-2106		2106-2107		2107-2108		2108-2109		2109-2110		2110-2111		2111-2112		2112-2113		2113-2114		2114-2115		2115-2116		2116-2117		2117-2118		2118-2119		2119-2120		2120-2121		2121-2122		2122-2123		2123-2124		2124-2125		2125-2126		2126-2127		2127-2128		2128-2129		2129-2130		2130-2131		2131-2132		2132-2133		2133-2134		2134-2135		2135-2136		2136-2137		2137-2138		2138-2139		2139-2140		2140-2141		2141-2142		2142-2143		2143-2144		2144-2145		2145-2146		2146-2147		2147-2148		2148-2149		2149-2150		2150-2151		2151-2152		2152-2153		2153-2154		2154-2155		2155-2156		2156-2157		2157-2158		2158-2159		2159-2160		2160-2161		2161-2162		2162-2163		2163-2164		2164-2165		2165-2166		2166-2167		2167-2168		2168-2169		2169-2170		2170-2171		2171-2172		2172-2173		2173-2174		2174-2175		2175-2176		2176-2177		2177-2178		2178-2179		2179-2180		2180-2181		2181-2182		2182-2183		2183-2184		2184-2185		2185-2186		2186-2187		2187-2188		2188-2189		2189-2190		2190-2191		2191-2192		2192-2193		2193-2194		2194-2195		2195-2196		2196-2197		2197-2198		2198-2199		2199-2200		2200-2201		2201-2202		2202-2203		2203-2204		2204-2205		2205-2206		2206-2207		2207-2208		2208-2209		2209-2210		2210-2211		2211-2212		2212-2213		2213-2214		2214-2215		2215-2216		2216-2217		2217-2218		2218-2219		2219-2220		2220-2221		2221-2222		2222-2223		2223-2224		2224-2225		2225-2226		2226-2227		2227-2228		2228-2229		2229-2230		2230-2231		2231-2232		2232-2233		2233-2234		2234-2235		2235-2236		2236-2237		2237-2238		2238-2239		2239-2240		2240-2241		2241-2242		2242-2243		2243-2244		2244-2245		2245-2246		2246-2247		2247-2248		2248-2249		2249-2250		2250-2251		2251-2252		2252-2253		2253-2254		2254-2255		2255-2256		2256-2257		2257-2258		2258-2259		2259-2260		2260-2261		2261-2262		2262-2263		2263-2264		2264-2265		2265-2266		2266-2267		2267-2268		2268-2269		2269-2270		2270-2271		2271-2272		2272-2273		2273-2274		2274-2275		2275-2276		2276-2277		2277-2278		2278-2279		2279-2280		2280-2281		2281-2282		2282-2283		2283-2284		2284-2285		2285-2286		2286-2287		2287-2288		2288-2289		2289-2290		2290-2291		2291-2292		2292-2293		2293-2294		2294-2295		2295-2296		2296-2297		2297-2298		2298-2299		2299-2300		2300-2301		2301-2302		2302-2303		2303-2304		2304-2305		2305-2306		2306-2307		2307-2308		2308-2309		2309-2310		2310-2311		2311-2312		2312-2313		2313-2314		2314-2315		2315-2316		2316-2317		2317-2318		2318-2319		2319-2320		2320-2321		2321-2322		2322-2323		2323-2324		2324-2325		2325-2326		2326-2327		2327-2328		2328-2329		2329-2330		2330-2331		2331-2332		2332-2333		2333-2334		2334-2335		2335-2336		2336-2337		2337-2338		2338-2339		2339-2340		2340-2341		2341-2342		2342-2343		2343-2344		2344-2345		2345-2346		2346-2347		2347-2348		2348-2349		2349-2350		2350-2351		2351-2352		2352-2353		2353-2354		2354-2355		2355-2356		2356-2357		2357-2358		2358-2359		2359-2360		2360-2361		2361-2362		2362-2363		2363-2364		2364-2365		2365-2366		2366-2367		2367-2368		2368-2369		2369-2370		2370-2371		2371-2372		2372-2373		2373-2374		2374-2375		2375-2376		2376-2377		2377-2378		2378-2379		2379-2380		2380-2381		2381-2382		2382-2383		2383-2384		2384-2385		2385-2386		2386-2387		2387-2388		2388-2389		2389-2390		2390-2391		2391-2392		2392-2393		2393-2394		2394-2395		2395-2396		2396-2397		2397-2398		2398-2399		2399-2400		2400-2401		2401-2402		2402-2403		2403-2404		2404-2405		2405-2406		2406-2407		2407-2408		2408-2409		2409-2410		2410-2411		2411-2412		2412-2413		2413-2414		2414-2415		2415-2416		2416-2417		2417-2418		2418-2419		2419-2420		2420-2421		2421-2422		2422-2423		2423-2424		2424-2425		2425-2426		2426-2427		2427-2428		2428-2429		2429-2430		2430-2431		2431-2432		2432-2433		2433-2434		2434-2435		2435-2436		2436-2437		2437-2438		2438-2439		2439-2440		2440-2441		2441-2442		2442-24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Attachment II

DRAINAGE STATEMENT FOR FPL WEST COUNTY ENERGY CENTER ADMINISTRATION, MAINTENANCE, WAREHOUSE, AND PARKING LOT EXPANSION

AUGUST 12, 2011

LOCATION

The proposed expansion of the administration building, maintenance facilities, and 14 additional parking spaces will be located within the North Basin of the West County Energy Center (WCEC) site. The proposed warehouse and adjacent concrete pad are located within the South Basin of the WCEC site. WCEC is in unincorporated Palm Beach County within Section 32, Township 43 South, Range 40 East. The site is north of State Road 80, west of the Palm Beach Aggregates site.

EXISTING FACILITIES

The proposed expansion areas are located within both the North and South drainage basins of the Florida Power & Light Company (FPL) WCEC site. The drainage system serving the 89.75-acre North Basin area is an existing permitted system consisting of stormwater conveyance pipes, sump pumps, and swales that direct stormwater runoff to an on-site 14.10-acre dry retention pond on the north side of the site. The drainage system serving the 114.5-acre South Basin area is an existing permitted system consisting of stormwater conveyance pipes, sump pumps, and swales that direct stormwater runoff to an on-site 15.3-acre dry retention pond. All stormwater runoff is retained on-site up to and including the 100-year, 3-day storm event. The WCEC is permitted (PA 05-47) through the Florida Department of Environmental Protection (FDEP) and the Power Plant Site Certification Approval Process.

PROPOSED IMPROVEMENTS

The proposed improvements in the North Basin include adding 4,200 square feet (sf) to the existing Administration Building; adding a 9,800-sf administration/maintenance building; and adding 14 additional parking spaces (0.11 acres). The proposed building additions are located in the area that was assumed to be impervious in the approved application. The 14 additional parking spaces will require the conversion of an area that was considered pervious in the original approval. Based on an exhibit provided by Serra Engineering on April 4, 2011, the North Basin impervious area, including the proposed improvements, will be 55.43 acres. The total permitted impervious area is 55.85 acres; therefore, no additional improvements to the North Basin are required.

The proposed improvements in the South Basin include adding a 6,000-sf electrical enclosure warehouse building and an adjacent 1,400-sf concrete apron (100' x 7' on each side). Additionally, there will be a 7,800-sf concrete pad adjacent to the building; therefore, the total proposed impervious area is 15,200 sf. The proposed building and concrete pad additions are located in the area that was assumed to be impervious in the approved application; therefore, no additional improvements to the South Basin are required.

768
12 AUG 11
Thomas C. Yonge, P.E.
P.E. # 55815
(seal)

Attachment III



Kimley-Horn
and Associates, Inc.

June 14, 2011

Suite 200
1920 Wekiva Way
West Palm Beach, Florida
33411

Nick Uhren, P.E.
Palm Beach County Traffic Division
2300 N. Jog Road
West Palm Beach, Florida 33411-2745

Re: **Traffic Impact Analysis
FPL West County Energy Center Expansion
Palm Beach County, Florida**

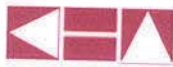
Dear Mr. Uhren:

Kimley-Horn and Associates, Inc. has been retained to prepare a traffic impact analysis for FPL's West County Energy Center site, which is generally located on the north side of Southern Boulevard and west of Lion Country Safari in Palm Beach County, Florida. The West County Energy Center site currently has 7,000 square feet of warehouse space and 18,000 square feet of general office space. It is proposed to construct an additional 15,000 square feet of warehouse space and 5,000 square feet of general office space in two upcoming phases of development. This letter summarizes the evaluation of the total traffic impacts upon buildout of both new phases. The analysis was performed in accordance with the standards established in the Palm Beach County Traffic Performance Standards Ordinance.

Trip Generation

The trip generation potential was evaluated for both the existing and proposed development scenarios using rates and equations published by Palm Beach County. The existing development has the potential to generate the following number of net new external trips:

- 342 net new external daily trips
- 60 net new external AM peak hour trips (51 inbound / 9 outbound)
- 58 net new external PM peak hour trips (11 inbound / 47 outbound)



The proposed development plan has the potential to generate the following number of net new external trips:

- 457 net new external daily trips
- 84 net new external AM peak hour trips (71 inbound / 13 outbound)
- 78 net new external PM peak hour trips (15 inbound / 63 outbound)

Based on this trip generation data, the proposed expansion results in an increase of 115 net new external daily trips, 24 net new external AM peak hour trips, and 20 net new external PM peak hour trips. Detailed trip generation calculations are attached to this letter as *Table 1*.

Peak Hour Significance Analyses

An analysis was undertaken on all of the roadway links included in the Palm Beach County Thoroughfare Map within the radius of development influence to determine if there are any significantly impacted links. Because the existing development on site has been in existence for less than five years, the significance determination has been based upon the trip generation potential of the entire site. The radius of development influence was established using standards found in the County's Traffic Performance Standards and was determined to be 1 mile. Per Palm Beach County standards, all the roadway links on which the project traffic impact is greater than 1% of the level of service (LOS) D generalized service volume are considered significantly impacted links.

The following roadway links were found to be significantly impacted by the project trips:

1. Southern Boulevard – from the site entrance to Lion Country Safari (westbound direction during the AM peak hour)
2. Southern Boulevard – from the site entrance to Lion Country Safari (eastbound direction during the PM peak hour)

Detailed project traffic significance calculations are attached to this letter as *Tables 2a* and *Table 2b*.

Directional Level of Service Analyses

The significantly impacted roadway links were further analyzed based on their Level of Service D service capacity thresholds. Each of the significantly impacted roadway links are projected to operate acceptably based upon Test 1 standards through the buildout of the project in 2016. Because the Test 1 standards are projected to be met through year 2016, the site is therefore also anticipated to meet Test 2 standards. The detailed level of service analyses are attached to this letter as *Table 3*.



Critical Movement Analysis

AM and PM peak hour critical movement analyses were performed for the intersection of Southern Boulevard & Seminole Pratt Whitney Road because this intersection contains the nearest two roadways found on the County's Thoroughfare Map that were adjacent to the significantly impacted roadway links. Based on the analysis, the intersection is projected to operate under its capacity standard during AM and PM peak hour conditions upon project buildout in 2016. A detailed critical movement analysis worksheet is attached to this letter.

Conclusion

It is proposed to construct an additional 15,000 square feet of warehouse space and 5,000 square feet of general office space at FPL's West County Energy Center site, which is generally located on the north side of Southern Boulevard and west of Lion Country Safari in Palm Beach County, Florida. Based on this analysis, the proposed expansion to the site is projected to meet the Traffic Performance Standards of Palm Beach County through buildout of both phases by the end of year 2016.

If you have any questions regarding this analysis, please feel free to call me at (561) 845-0665.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Christopher W. Heggen, P.E.
Transportation Engineer

6/14/11
Florida Registration Number 58636
Engineering Business
Number CA00000696

Attachments

cc: Chris Barry, Jon E. Schmidt and Associates, Inc.
Chuck Millar, Florida Power & Light



Kimley-Horn
and Associates, Inc.

ATTACHMENTS

TABLE 1
TRIP GENERATION CALCULATIONS
WEST COUNTY ENERGY CENTER

Land Use		Intensity	Daily Total	AM Peak Hour			PM Peak Hour			
				Total	In	Out	Total	In	Out	
EXISTING DEVELOPMENT										
Trip Potential:										
Warehouse		7,000 s.f.	25	19	15	4	11	3	8	
General Office		18,000 s.f.	356	48	42	6	53	9	44	
		<i>Subtotal</i>	25,000 s.f.	381	67	57	10	64	12	52
Pass-By Trips:										
Warehouse		10%	(3)	(2)	(2)	0	(1)	0	(1)	
General Office		10%	(36)	(5)	(4)	(1)	(5)	(1)	(4)	
		<i>Subtotal</i>		(39)	(7)	(6)	(1)	(6)	(1)	(5)
EXISTING DEVELOPMENT - Net New External Trips			342	60	51	9	58	11	47	
PROPOSED DEVELOPMENT PLAN @ BUILDOUT										
Trip Potential:										
Warehouse		22,000 s.f.	78	36	28	8	23	6	17	
General Office		23,000 s.f.	430	58	51	7	63	11	52	
		<i>Subtotal</i>	45,000 s.f.	508	94	79	15	86	17	69
Pass-By Trips:										
Warehouse		10%	(8)	(4)	(3)	(1)	(2)	(1)	(1)	
General Office		10%	(43)	(6)	(5)	(1)	(6)	(1)	(5)	
		<i>Subtotal</i>		(51)	(10)	(8)	(2)	(8)	(2)	(6)
PROPOSED DEVELOPMENT - Net New External Trips			457	84	71	13	78	15	63	
Increase in Net New External Trips			115	24	20	4	20	4	16	

Note: Trip generation was calculated using the following data:

Note: Trip generation was calculated using the following data:

Daily Traffic Generation

Warehouse [PBC] → $T = 3.56 \text{ trips per } 1,000 \text{ SF}$
 General Office [PBC] → $\ln(T) = 0.77 * \ln(X/1000) + 3.65$

AM Peak Hour Traffic Generation

Warehouse [PBC] → $\ln(T) = 0.55 * \ln(X/1000) + 1.88$; (79% in, 21% out)
 General Office [PBC] → $\ln(T) = 0.80 * \ln(X/1000) + 1.55$; (88% in, 12% out)

PM Peak Hour Traffic Generation

Warehouse [PBC] → $\ln(T) = 0.64 * \ln(X/1000) + 1.14$; (25% in, 75% out)
 General Office [PBC] → $\ln(T) = 0.74 * \ln(X/1000) + 1.83$; (17% in, 83% out)

Pass-By Traffic Generation

Warehouse [PBC] → 10%
 General Office [PBC] → 10%

E-W Street: Southern Blvd
 N-S STREET: Seminole Pratt Whitney Rd
 TIME PERIOD: AM
 GROWTH RATE: -2.89%
 SIGNAL ID: 30710

Input Data
 COUNT DATE: 2/9/2011
 CURRENT YEAR: 2011
 ANALYSIS YEAR: 2016
 PSF: 1

Report

	Intersection Volume Development												Type	% Complete
	Eastbound			Westbound			Northbound			Southbound				
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		
Existing Volume	90	409	0	8	764	219	0	0	0	626	0	124		
Diversions	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Peak Season Volume	90	409	0	8	764	219	0	0	0	626	0	124		
Committed Developments														
Bink's Corporate Center	0	0	0	0	0	3	0	0	0	4	0	0	NR	0%
Lazy F Ranch	29	100	0	0	100	0	0	0	0	0	0	29	NR	0%
Total Committed Developments	29	100	0	0	100	3	0	0	0	4	0	29		
Total Committed Residential	0	0	0	0	0	0	0	0	0	0	0	0		
Total Committed Non-Residential	29	100	0	0	100	3	0	0	0	4	0	29		
Double Count Reduction	0	0	0	0	0	0	0	0	0	0	0	0		
Total Discounted Committed	29	100	0	0	100	3	0	0	0	4	0	29		
Historical Growth	-12	-56	0	-1	-104	-30	0	0	0	-85	0	-17		
Comm Dev+1% Growth	34	121	0	0	139	14	0	0	0	36	0	35		
Growth Volume Used	34	121	0	0	139	14	0	0	0	36	0	35		
Total Volume	124	530	0	8	903	233	0	0	0	662	0	159		

E-W Street: Southern Blvd
 N-S STREET: Seminole Pratt Whitney Rd
 TIME PERIOD: PM
 GROWTH RATE: -2.89%
 SIGNAL ID: 30710

Input Data
 COUNT DATE: 2/9/2011
 CURRENT YEAR: 2011
 ANALYSIS YEAR: 2016
 PSF: 1

Report

	Intersection Volume Development												Type	% Complete
	Eastbound			Westbound			Northbound			Southbound				
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		
Existing Volume	201	649	0	20	697	586	0	0	0	387	0	59		
Diversions	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Peak Season Volume	201	649	0	20	697	586	0	0	0	387	0	59		
Committed Developments														
Bink's Corporate Center	0	0	0	0	0	13	0	0	0	12	0	0	NR	0%
Lazy F Ranch	50	174	0	0	173	0	0	0	0	0	0	49	NR	0%
Total Committed Developments	50	174	0	0	173	13	0	0	0	12	0	49		
Total Committed Residential	0	0	0	0	0	0	0	0	0	0	0	0		
Total Committed Non-Residential	50	174	0	0	173	13	0	0	0	12	0	49		
Double Count Reduction	0	0	0	0	0	0	0	0	0	0	0	0		
Total Discounted Committed	50	174	0	0	173	13	0	0	0	12	0	49		
Historical Growth	-27	-89	0	-3	-95	-80	0	0	0	-53	0	-8		
Comm Dev+1% Growth	60	207	0	1	209	43	0	0	0	32	0	52		
Growth Volume Used	60	207	0	1	209	43	0	0	0	32	0	52		
Total Volume	261	856	0	21	906	629	0	0	0	419	0	111		

ROAD NAME: Southern Blvd
 CURRENT YEAR: 2011
 ANALYSIS YEAR: 2016
 GROWTH RATE: -4.66%

Input Data

STATION: 3467
 FROM: MIDPOINT
 TO: Seminole Pratt Whitney Rd
 COUNT DATE: 3/9/2011
 PSF: 1

Report Created: 06/09/2011

Link Analysis

Time Period
 Direction
 Existing Volume
 Peak Volume
 Diversion(%)
 Volume after Diversion

2-way	AM		2-way	PM	
	NB/EB	SB/WB		NB/EB	SB/WB
1405	892	535	1564	555	1009
1405	892	535	1564	555	1009
0	0	0	0	0	0
1405	892	535	1564	555	1009

Committed Developments

	257	129	129	446	223	222	Type	% Complete
Lazy F Ranch							NR	0%
Total Committed Developments	257	129	129	446	223	222		
Total Committed Residential	0	0	0	0	0	0		
Total Committed Non-Residential	257	129	129	446	223	222		
Double Count Reduction	0	0	0	0	0	0		
Total Discounted Committed Developments	257	129	129	446	223	222		
Historical Growth	-298	-189	-114	-332	-118	-214		
Comm Dev+1% Growth	329	175	156	526	251	273		
Growth Volume Used	329	175	156	526	251	273		
Total Volume	1734	1067	691	2090	806	1282		

Lanes

4LD					
2-way or Class II Capacity	3220	1770	1770	3220	1770
Link Meets Test 1/Opt. i?	YES	YES	YES	YES	YES
Class I Capacity		1960	1960		1960
Link Meets Test 1/Opt. ii?		YES	YES		YES
2-Way LOS E Capacity	3400	1870	1870	3400	1870
Link Meets Test 2/Opt. i?	YES	YES	YES	YES	YES
Class I LOS E Capacity		1960	1960		1960
Link Meets Test 2/Opt. ii?		YES	YES		YES

ROAD NAME: Southern Blvd
 CURRENT YEAR: 2011
 ANALYSIS YEAR: 2016
 GROWTH RATE: -2.23%

Input Data
 STATION: 3101
 FROM: County Road 880
 TO: Midpoint
 COUNT DATE: 1/19/2011
 PSF: 1

Report Created: 06/09/2011

Time Period
 Direction
 Existing Volume
 Peak Volume
 Diversion(%)
 Volume after Diversion

Link Analysis

2-way	AM		2-way	PM	
	NB/EB	SB/WB		NB/EB	SB/WB
1218	790	473	1278	494	806
1218	790	473	1278	494	806
0	0	0	0	0	0
1218	790	473	1278	494	806

Committed Developments

						Type	% Complete
Lazy F Ranch	29	14	14	50	25	NR	0%
Total Committed Developments	29	14	14	50	25		
Total Committed Residential	0	0	0	0	0		
Total Committed Non-Residential	29	14	14	50	25		
Double Count Reduction	0	0	0	0	0		
Total Discounted Committed Developments	29	14	14	50	25		
Historical Growth	-130	-84	-50	-136	-53		
Comm Dev+1% Growth	91	54	38	115	50		
Growth Volume Used	91	54	38	115	50		
Total Volume	1309	844	511	1393	544		

Lanes

4LD					
2-way or Class II Capacity	3220	1770	1770	3220	1770
Link Meets Test 1/Opt. i?	YES	YES	YES	YES	YES
Class I Capacity		1960	1960		1960
Link Meets Test 1/Opt. ii?		YES	YES		YES
2-Way LOS E Capacity	3400	1870	1870	3400	1870
Link Meets Test 2/Opt. i?	YES	YES	YES	YES	YES
Class I LOS E Capacity		1960	1960		1960
Link Meets Test 2/Opt. ii?		YES	YES		YES

TABLE 2a

AM PEAK HOUR SIGNIFICANCE CALCULATIONS
WEST COUNTY ENERGY CENTER

Roadway	From	To	Existing		Committed		Project Traffic		Percent Impact		Significant Impact ??	
			Lanes	LOS D Service Volume	Lanes	LOS D Service Volume	Percent Traffic Assignment	AM Peak Hour Trips		AM Peak Hour	AM Peak Hour	
								NB/EB	SB/WB		NB/EB	SB/WB
Southern Boulevard CR 880	Site Entrance	Site Entrance Lion Country Safari	4D	3,320	4D	3,320	10%	7	1	0.03%	No	No
			4D	3,320	4D	3,320	90%	12	64			
										0.21%	No	No
										0.36%	No	Yes

TABLE 2b

**PM PEAK HOUR SIGNIFICANCE CALCULATIONS
WEST COUNTY ENERGY CENTER**

Roadway	From	To	Existing		Committed		Project Traffic			Percent Impact		Significant Impact ??	
			Lanes	LOS D Service Volume	Lanes	LOS D Service Volume	Percent Traffic Assignment	PM Peak Hour Trips		PM Peak Hour	PM Peak Hour	PM Peak Hour	PM Peak Hour
								NB/EB	SB/WB			NB/EB	SB/WB
Southern Boulevard CR 880	Site Entrance	Site Entrance Lion Country Safari	4D	3,320	4D	3,320	10%	2	6			No	No
			4D	3,320	4D	3,320	90%	57	14			Yes	No

TABLE 3
LEVEL OF SERVICE D - DIRECTIONAL CAPACITY ANALYSIS
WEST COUNTY ENERGY CENTER

Roadway		To	Existing		Year 2011 Traffic Volume	Committed Traffic - Option #1			Committed Traffic - Option #2			Utilized (Maximum) Committed Traffic	Project Traffic	2016 Total Traffic	Meets Standard ??	
From	Lanes		LOS D Service Volume	Committed Traffic (from TPS)		1% Traffic Growth	Committed plus 1%	Historic Growth Rate (from TPS)	max between historic growth and 0.50%	max historic growth						
Southern Boulevard																
CR 880		Lion Country Safari	4D	3,320	790	129	40	169	-2.23%	0.50%	20	169	18	977	Yes	
CR 880		Lion Country Safari	4D	3,320	806	223	41	264	-2.23%	0.50%	20	264	14	1,084	Yes	

Growth Rate =	1.00%	
Peak Season =	1.01	1.01
Buildout Year =	2016	2016
Years =	5	5

AM Peak Hour												
	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 2/9/2011	0	0	0	626	0	124	90	409	0	8	764	219
Peak Season Volume	0	0	0	632	0	125	91	413	0	8	772	221
Traffic Volume Growth	0	0	0	32	0	6	5	21	0	0	39	11
Committed Development	0	0	0	4	0	29	29	100	0	0	100	3
0.5% Traffic Volume Growth	0	0	0	16	0	3	2	10	0	0	19	6
Committed + 0.5% Growth	0	0	0	20	0	32	31	110	0	0	119	9
Max (Committed + 0.5% or Historic Growth)	0	0	0	32	0	32	31	110	0	0	119	11
Background Traffic Volumes	0	0	0	664	0	157	122	523	0	8	891	232
Project Traffic												
Inbound Traffic Assignment												
Inbound Traffic Volumes											90.0%	
Outbound Traffic Assignment											18	
Outbound Traffic Volumes								90.0%				
Project Traffic								4				
RTOR Reduction					(60)							(60)
TOTAL TRAFFIC	0	0	0	664	0	97	122	527	0	8	909	172

Critical Volume Analysis												
No. of Lanes	0	0	0	2	0	1	1	2	0	0	2	1
Approach Volume	0			761			649			1,089		
Per Lane Volume	0	0	0	332	0	97	122	264	0	0	455	172
Overlap Reduction	0	0	0	0	0	(97)	0	0	0	0	0	(172)
Net Per Lane Volume	0	0	0	332	0	0	122	264	0	0	455	0
North-South Critical	NB LT + SB TH = 0						SB LT + NB TH = 332					
East-West Critical	EB LT + WB TH = 577						WB LT + EB TH = 264					
Maximum Critical Sum	332						+ 577 = 909					
STATUS ?	UNDER											

PM Peak Hour												
	Northbound			Southbound			Eastbound			Westbound		
	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT	LT	Thru	RT
Existing Volume on 2/9/2011	0	0	0	387	0	59	201	649	0	20	697	586
Peak Season Volume	0	0	0	391	0	60	203	655	0	20	704	592
Traffic Volume Growth	0	0	0	20	0	3	10	33	0	1	36	30
Committed Development	0	0	0	12	0	49	50	174	0	0	173	13
0.5% Traffic Volume Growth	0	0	0	10	0	2	5	17	0	1	18	15
Committed + 0.5% Growth	0	0	0	22	0	51	55	191	0	1	191	28
Max (Committed + 0.5% or Historic Growth)	0	0	0	22	0	51	55	191	0	1	191	30
Background Traffic Volumes	0	0	0	413	0	111	258	846	0	21	895	622
Project Traffic												
Inbound Traffic Assignment												
Inbound Traffic Volumes											90.0%	
Outbound Traffic Assignment											4	
Outbound Traffic Volumes								90.0%				
Project Traffic								14				
RTOR Reduction					(60)							

Attachment IV

RESOLUTION NO. R-2011- 1457

RESOLUTION APPROVING ZONING APPLICATION EAC-2011-01426
(CONTROL NO. 1989-00052)

an Expedited Application Consideration

APPLICATION OF Florida Power & Light Company

BY Jon E Schmidt & Associates, Florida Power and Light, AGENT
(West County Energy Center)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied; and

WHEREAS, Zoning Application EAC-2011-01426 was presented to the Board of County Commissioners at a public hearing conducted on September 26, 2011; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for an Expedited Application Consideration.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application EAC-2011-01426, the petition of Florida Power & Light Company, by Jon E Schmidt & Associates, Florida Power and Light, agent, for an Expedited Application Consideration to reconfigure the site plan to allow additional square footage in the SA Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 26, 2011, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

The motion was seconded by Commissioner Vana and, upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	-	Aye
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	
Commissioner Steven L. Abrams	-	Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Absent
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on September 26, 2011.

Filed with the Clerk of the Board of County Commissioners on September 28th, 2011

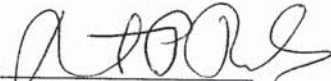
This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

NEW MINING AREA AND SPOIL RIBBON

O.R.B. 23400, PAGE 1577

PARCEL 3, NEW MINING AREA:

"Beginning at the Southeast corner of Section 7, Township 43 South, Range 40 East, which is the same as the Northeast corner of Section 18, Township 43 South, Range 40 East; Thence North 89°46'45" West 5016.61 feet along the South line of said Section 7, to the Southwest corner of said Section 7; Thence North 1°34' 21" East 4016.79 feet along the West line of said Section 7; Thence South 89°42'22" East 5030.07 feet to the East line of said Section 7; Thence South 1°46'01" West 4010.73 feet along the East line of said Section 7 to the Point of Beginning. Containing: 462.725 Acres (20,156,301 square feet), more or less."

TOGETHER WITH ORB 23404, P 1707

PARCEL 4, SPOIL RIBBON

"Commencing at the Southeast corner of Section 7, Township 43 South, Range 40 East, which is the same as the Northeast corner of Section 18, Township 43 South, Range 40 East; Thence North 1°46'01" East 4010.73 feet along the East line of said Section 7 to the Northeast corner of Parcel 3 Mining Area and the Point of Beginning of the hereinafter described Parcel 4; Thence continue North 1°46'01" East 1319.58 feet along the East line of said Section 7; Thence South 89°43'38" West 4897.20 feet; Thence South 2°32'15" West 264.18 feet; Thence North 89°52'23" West 134.24 feet to a point on the West line of said Section 7; Thence South 1°34'21" West 1006.60 feet along the West line of said Section 7, to the Northwest corner of Parcel 3 Mining Area; Thence South 89°42'22" East 5030.07 feet along the North line of said Parcel 3 to the Point of Beginning. Containing: 148.692 Acres (6,477,042 square feet), more or less."

TOGETHER WITH O.R.B.23400, PAGE 1581 PARCEL 5, NEW MINING AREA

"A parcel of land lying in part of Section 18, Township 43 South, Range 40 East and lying in part of Sections 11,12,13 and 14 Township 43 South, Range 39 East, all lying and being in Palm Beach County, Florida, more particularly described as follows: Beginning at the Northeast corner of Section 18 which is the same as the Southeast corner of Section 7, Township 43 South, Range 40 East, Palm Beach County, Florida; Thence North 89°46'45" West 5016.61 feet along the North line of said Section 18 to the Northwest corner thereof, which is the same as the Southeast corner of Section 12, Township 43 South Range 39 East; Thence North 1°34'21" East 4016.79 feet along the East line of said Section 12, Township 43 South, Range 39 East; Thence North 89°42'22" West 5245.70 feet to the West line of said Section 12, which is the same as the East line of Section 11, Township 43 South, Range 39 East; Thence into Section 11, Township 43 South, Range 39 East, North 89°42'22" West 928.50 feet; Thence South 0°08'12" East 4668.66 feet through part of Section 11 and part of Section 14, Township 43 South, Range 39 East; Thence North 89°47'21" East 873.21 feet to a point on the East line of Section 14, Township 43 South, Range 39 East, which is the same as the West line of Section 13, Township 43 South, Range 39 East; Thence continue North 89°47'21" East 178.79 feet into Section 13, Township 43 South, Range 39 East; Thence South 0°08'12' East 2250.01 feet into Section 13, Township 43 South, Range 39 East; Thence North 89°47'04" East 1149.68 feet in Section 13, Township 43 South, Range 39 East; Thence South 0°04'01" East 2499.87 feet to a point which falls South 89°34'23" East 1325.24 feet and North 0°04'01" West 25.97 feet from the Southwest corner of Section 13, Township 43 South, Range 39 East; Thence South 89°34'23" East 1497.59 feet along a line which is the Westerly extension of the

South line of "Parcel 2" as described on Exhibit A of the Warranty Deed recorded in Official Record Book 12139, Page 1594, Palm Beach County, Florida, to the Southwest corner of said Parcel 2; Thence North 0°04'24" East 2575.77 feet along the West line of said Parcel 2 to the Northwest corner of said Parcel 2; Thence North 89°47'27" East 5113.51 feet along the North line of said Parcel 2 to the Northeast corner of said Parcel 2 which is the same as the Northwest corner of "Parcel 1" as described in the Warranty Deed recorded in Official Record Book 12139, Page 1587, Palm Beach County, Florida; Thence North 89°47'27" East 2201.61 feet along the North line of said Parcel 1 to the East line of Section 18, Township 43 South, Range 40 East; Thence North 0°54'15" East 2753.07 feet along the East line of said Section 18 to the Northeast corner of said Section 18 and the point of beginning.
The above described parcel containing: 1309.863 Acres (57,057,615 square feet), more or less,"

TOGETHER WITH ORB 23404, PAGE 1703 PARCEL 6, SPOIL RIBBON

"A parcel of land lying in part of Sections 11, 12, 13 and 14, Township 43 South, Range 39 East, all lying and being in Palm Beach County, Florida, more particularly described as follows:

Commencing at the Southeast corner of Section 12 which is the same as the Southwest corner of Section 7, Township 43 South, Range 40 East, Palm Beach County, Florida; Thence North 1°34'21" East 4016.79 feet along the East line of said Section 12, Township 43 South, Range 39 East to the Point of Beginning of the hereinafter described Parcel 6; Thence North 89°42'22" West 5245.70 feet to the West line of said Section 12, which is the same as the East line of Section 11, Township 43 South, Range 39 East; Thence into Section 11, Township 43 South, Range 39 East, North 89°42'22" West 928.50 feet; Thence South 0°08'12" East 4668.66 feet through part of Section 11 and part of Section 14, Township 43 South, Range 39 East; Thence North 89°47'21" East 873.21 feet to a point on the East line of Section 14, Township 43 South, Range 39 East, which is the same as the West line of Section 13, Township 43 South, Range 39 East; Thence continue North 89°47'21" East 178.79 feet into Section 13, Township 43 South, Range 39 East; Thence South 0°08'12" East 2250.01 feet into Section 13, Township 43 South, Range 39 East; Thence North 89°57'20" West 2538.39 feet; Thence North 0°04'56" West 3121.73 feet; Thence North 1°05'04" West 4826.53 feet; Thence South 89°59'46" East 2550.70 feet; Thence South 30°42'31" East 60.83 feet; Thence South 89°57'40" East 2561.42 feet; Thence South 89°52'23" East 2624.29 feet to a point on the East line of Section 12, Township 43 South, Range 39 East; Thence South 1°34'21" West 1006.60 feet along the East line of said Section 12, to the Point of Beginning.
Containing: 472.144 Acres (20,566,605 square feet

**TOTAL AREA OF THE NEW PARCELS ABOVE IS: 2393.424 ACRES
(104,257,563 square feet)**

**TOGETHER WITH LEGAL DESCRIPTION: TRACTS 1, 2 AND 3
TRACT 1**

A parcel of land in Sections 17, 18, 19, 20, 29, 30, 31 and 32, Township 43 South, Range 40 East, and also in part of Section 13, Township 43 South, Range 39 East, Palm Beach County, Florida, described as follows: Commencing at the Southeast corner of Section 31, Township 43 South, Range 40 East, thence North 0°56'55" East 1890.54 feet along the East line of said Section 31 to the North right-of-way line of State Road 80, Section 93120-2515, sheets 4,5,6, and 7 of 14 sheets, dated 5-23-84, no revisions shown, and the Point of Beginning, thence North 88°28'56"W 24.01' along said right-of-way line to a point on the West line of the East 24 feet of Section 31, Township 43 South, Range 40 East, thence North 0°56'22" East 3383.35 feet along said West line of the East

24 feet of said Section 31, to the South line of Section 30, Township 43 South, Range 40 East, thence North 0°56'22" East 287.04 feet, to the South line of a parcel labeled Parcel 1, per O.R.B. 11634, P.1507 thence North 88°37'31" West 2460.91 feet, along the South line of said parcel, thence North 1°16'02" East 1415.91 feet, along the West line of said parcel thence North 2°14'35" East 3522.67 feet along said West line to the North line of Section 30, Township 43 South, Range 40 East, thence continue North 2°14'35" East 5448.95 feet to the North line of Section 19, Township 43 South, Range 40 East, thence continue North 2°14'30" East 43.37 feet into Section 18, Township 43 South, Range 40 East to the South line of a parcel labeled Parcel 2, per O.R.B. 11634, P.1507 thence North 89°34'23" West 2824.18 feet along the South line of said Parcel 2, to the East line of Section 13, Township 43 South, Range 40 East, thence continue North 89°34'23" West 2189.72 feet into Section 13, Township 43 South, Range 39 East, thence North 0°04'24" East 2575.77 feet, along the West line of said Parcel 2, thence North 89°47'27" East 2261.43 feet to the West line of Section 18, Township 43 South, Range 40 East. Thence continue North 89°47'27" East 2852.08 feet to the Northeast corner of said Parcel 2, thence North 89°47'27" East 2201.62 feet, along the North line of a Parcel labeled Parcel 1, to a point on the East line of Section 18, Township 43 South, Range 40 East, thence North 0°54'15" East 2753.07 feet along said East line of Section 18 to the Northeast corner thereof, thence South 87°51'09" East 85.00 feet along the North line of Section 17, Township 43 South, Range 40 East to the West line of Florida Power & Light Company's 500 Kv Transmission line corridor as recorded in Official Records Book 2315, Page 1823, thence South 0°54'15" West 5466.71 feet along said West line of the Florida Power & Light Company's corridor, to the North line of Section 20, Township 43 South, Range 40 East, thence South 0°57'12" West 5466.81 feet along said West line to the North line of Section 29, Township 43 South, Range 40 East, thence South 0°49'13" West 5230.28 feet along said West line to the North line of Section 32, Township 43 South, Range 40 East, thence South 00°56'55" West 3384.80 feet to the North right-of-way line of State Road 80, as defined at the beginning of this description, thence North 88°28'56" West 85.00 feet to the Point of Beginning. Containing: 1049.53 Acres (45,717,739 square feet)

TOGETHER WITH TRACT 2

A parcel of land in Sections 17, 20, 29, and 32, Township 43 South, Range 40 East, Commencing at the Southeast corner of Section 31, Township 43 South, Range 40 East, thence North 0°56'55" East 1890.54 feet along the East line of said Section 31 to the North right-of-way line of State Road 80, Section 93120-2515, sheets 4, 5, 6, and 7 of 14 sheets, dated 5-23-84, no revisions shown, thence South 88°28'56" East 845.03 feet along said right-of-way line to a point on the East line of the Florida Power & Light Company's 500 Kv Transmission Line corridor as recorded in Official Records Book 2222, Page 1696, and the Point of Beginning; thence North 0°56'55" East 880.76 feet along said East line, thence North 89°03'05" West 100.00 feet to the East line of the East 660 feet of the West 745 feet of Section 32, Township 43 South, Range 40 East, thence North 0°56'55" East 2501.94 feet along said East line of the East 660 feet of the West 745 feet of Section 32 to the South line of Section 29, Township 43 South, Range 40 East, thence North 0°49'13" East 4647.51 feet along said East line of the East 660 feet of the West 745 feet of Section 29, Township 43 South, Range 40 East to the Southwest corner of the Florida Power & Light Company's Corbett Sub-Station, thence South 88°52'46" East 900.00 feet to the Southeast corner of said Corbett Sub-Station, thence North 0°49'13" East 589.00 feet to the South line of Section 20, Township 43 South, Range 40 East, thence North 0°57'12" East 761.00 feet to the Northeast corner of said Corbett Sub-Station, thence North 88°52'46" West 900.00 feet along the North line of said Corbett Sub-Station to the East line of the East 660 feet of the West 745 feet of Section 20, Township 43 South, Range 40 East, thence North 0°57'12" East 4699.97 feet along the East line of East 660 feet of the West 745 feet of said Section 20 to the South line of Section 17, Township 43 South, Range 40 East, thence North

0°54'15" East 5460.72 feet along said East line of the East 660 feet of the West 745 feet of Section 17, Township 43 South, Range 40 East to the North line of said Section 17, Township 43 South, Range 40 East, thence South 87°51'09" East 4055.53 feet to the West right-of-way line of the South Florida Water Management District's Levee L-8, thence South 0°57'59" West 19495.10 feet along said right-of-way line of Levee L-8, to the North right-of-way line of State Road 80 as defined at the beginning of this description, thence North 88°28'56" West 3933.29 feet along said right-of-way line to the Point of Beginning. Containing 1782.32 (77637664 square feet)

AND TOGETHER WITH TRACT 3

A parcel of land in Sections 20, 21, 28, 29, 32 and 33, Township 43 South, Range 40 East, Commencing at the Southeast corner of Section 32, Township 43 South, Range 40 East, thence North 1°11'57" East 1910.38 feet along the East line of said Section 32 to the North right-of-way line of State Road 80, Section 93120-2515, sheets 4, 5, 6, and 7 of 14 sheets, dated 5-23-84, no revisions shown, and the Point of Beginning, thence South 88°28'56" East 38.36 feet along said right-of-way line to a point on a line parallel with and 46.00 feet East of, measured at right angles to the East right-of-way line of the South Florida Water Management District's Levee L-8, according to Deed Book 910, Page 364. (See surveyor's note number 6 below) thence North 0°57'59" East 3370.40 feet along said line parallel to Levee L-8, to the South line of Section 28, Township 43 South, Range 40 East, thence North 0°57'59" East 5279.72 feet along said line parallel to Levee L-8, to the South line of Section 21, Township 43 South, Range 40 East, thence North 0°57'59" East 120.02 feet along said line parallel to Levee L-8, to a point on the North line of the South 120.00 feet of Section 21, Township 43 South, Range 40 East, said line being the same as the South line of a Florida Power & Light Company's transmission line corridor as recorded in Official Records Book 5111, Page 1324, thence North 88°17'38" West 46.00 feet to the East right-of-way line of the aforementioned Levee L-8, thence South 0°57'59" West 120.47' along the East right-of-way line of Levee L-8 to the North line of Section 29, Township 43 South, Range 40 East, thence South 0°57'59" West 5279.29 feet along the East right-of-way line of Levee L-8 to the North line of Section 32, Township 43 South, Range 40 East, thence South 0°57'59" West 3370.54 feet along the East right-of-way line of Levee L-8 to the North right-of-way line of State Road 80, as defined at the beginning of this description, thence South 88°28'56" East 7.64 feet along said right-of-way line of State Road 80 to the Point of Beginning. Containing: 9.26 Acres (403414 square feet)

The total area of the 3 Tracts above is: 2841.11 Acres (123758752 square feet)
THE TOTAL AREA CONTAINED IN LEGAL IS: 5234.534 ACRES (228,016,301 SQUARE FEET)

EXHIBIT B
VICINITY SKETCH



EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. All Petitions 1 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2007-2144 (Control No. 1989-052) and all prior resolutions applicable to the subject property, have been consolidated as contained herein. The property owner(s) shall comply with all previous conditions of approval and deadlines established by Article 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning) [This condition is applicable to the overall site.] No changes are being made to the Power Plant site and the only changes potentially affecting the SFWMD property relate to the Wildlife Corridor.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2010-0684 (Control No. 1989-052) and all prior resolutions applicable to the subject property, have been consolidated as contained herein. The property owner(s) shall comply with all previous conditions of approval and deadlines established by Article 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning) [This condition is applicable to the overall site.] No changes are being made to the Palm Beach Aggregates or SFWMD property.

2. The power plant parcel is limited to a nominal 3,800 megawatt facility fueled by natural gas as the primary sources of fuel, except that low sulfur distillate may be used as a secondary fuel source for up to 500 hundred hours per year if approved by the Public Service Commission (PSC) or Florida Department of Environmental Protection (FDEP).

In the event that any other source of fuel is proposed or required by the owner, governmental agency or any other source, this petition shall be brought back to the BCC for further review and evaluation at which time the BCC may take any and all actions available to it under the ULDC as if the request were a new petition being reviewed for the first time. (ONGOING: HEALTH - Zoning) (Previous Condition All Petitions 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to the Power Plant only.]

3. Condition All Petitions 3 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

Development of site is limited to the uses and site design as approved by the Board of County Commissioners. The approved preliminary site plan is dated March 10, 2010. All modifications must be approved by the Board of County Commissioners, unless the changes are required to meet conditions of approval or the ULDC.

a. Changes resulting from the SFWMD reservoir project on lands owned by the SFWMD shall not require a Development Order Amendment to modify these conditions of approval. These conditions ERM 2, ERM 3, ERM 5, ERM 7, ERM 10, Landscape 1, Landscape 2, and Landscape 3, as carried forward herein may be modified pursuant to an agreement to be entered into between Palm Beach County (PBC), South Florida Water Management District (SFWMD) and Palm Beach Aggregates (PBA) regarding the wildlife corridor, landscaping, and littoral shelves for consistency with SFWMD plans for its reservoir projects. (ONGOING: ZONING - Zoning) [This condition is applicable to Palm Beach Aggregates and SFWMD.]

Is hereby amended to read:

Development of site is limited to the uses and site design as approved by the Board of

County Commissioners. The approved preliminary site plan is dated March 10, 2010. All modifications must be approved by the Board of County Commissioners, unless the changes are required to meet conditions of approval or the ULDC.

a. Changes resulting from the SFWMD reservoir project on lands owned by the SFWMD shall not require a Development Order Amendment to modify these conditions of approval. These conditions ERM 2, ERM 4, and ERM 6, as carried forward herein may be modified pursuant to an agreement to be entered into between Palm Beach County (PBC), South Florida Water Management District (SFWMD) and Palm Beach Aggregates (PBA) regarding the wildlife corridor, landscaping, and littoral shelves for consistency with SFWMD plans for its reservoir projects. (ONGOING: ZONING - Zoning) [This condition is applicable to Palm Beach Aggregates and SFWMD.]

4. All Petitions 4 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

All plans submitted dated November 7, 2003 (Power Plant) shall remain in effect for the Power Plant. All modifications must be approved by the Board of County Commissioners unless the changes are required to meet conditions of approval or are permitted by the ULDC. (DRO: ZONING - Zoning) [This condition is applicable to the Power Plant.]

Is hereby amended to read:

The Preliminary Site Plans dated July 25, 2011 for the West County Energy Center (Power Plant) shall remain in effect for the Power Plant. All modifications must be approved by the Board of County Commissioners unless the modifications are required to meet Conditions of Approval or are permitted by the Unified Land Development Code (ULDC). (DRO: ZONING - Zoning) [This condition is applicable to the Power Plant only.]

5. All preliminary excavation phasing and reclamation plans submitted dated March 10, 2010 shall receive final approval by the Development Review Officer (DRO). All modifications must be approved by the Board of County Commissioners unless the changes are required to meet conditions of approval or are permitted by the ULDC. (DRO: ZONING - Zoning) (Previous Condition All Petitions 5 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

6. Prior to approval of the Final Excavation Plan by the Development Review Officer (DRO), the petitioner shall amend all plans to ensure compliance with the ULDC and applicable conditions of approval. The plans shall clarify setback, separation, reclamation and buffering requirements by further graphic delineation and plan notes (DRO: ZONING - Zoning) (Previous Condition All Petitions 6 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

7. Resolution R-89-2225 is hereby repealed. (ONGOING: ZONING - Zoning) (Previous Condition All Petitions 7 of Resolution R-2010-0684, Control No. 1989-052)

8. The power plant shall be limited to an electrical power generating facility requiring approval of the Governor and Cabinet sitting as the Power Plant Siting Board, or a power generating facility regulated as a public utility. (ONGOING: CODE ENF - Zoning) (Previous Condition All Petitions 8 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to the Power Plant only.]

9. All Petitions 9 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

The property owner(s) shall have three (3) years from adoption of the resolution approving Petition DOA1989-052F to commence development of the power plant. A maximum of one (1) administrative time extension for a maximum of twelve (12) months may be granted. (DATE: MONITORING - Zoning) [This condition is applicable to the Power Plant only.]

Is hereby deleted. [REASON: No longer applicable.]

ACCESS

1. Access for all hauling activity associated with excavation activity on the site shall be limited to one (1) point at any time to SR 80. (ONGOING: CODE ENF - Zoning) (Previous Condition Access 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. Internal traffic and vehicular circulation shall be in a forward motion with warning signals on all vehicles reduced to the minimum sound level allowed by OSHA standards. (ONGOING: CODE ENF - Zoning) (Previous Condition Access 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

DRO-DRI

1. No subphase shall exceed one-hundred (100) acres of removal or disturbance of solid minerals or overburden per year. Removal or disturbance of solid materials or overburden required to implement the SFWMD reservoir system shall be exempt from this requirement. (ONGOING: CODE ENF - Zoning) (Previous Condition DRO-DRI 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. Daily water consumption for the mine shall not exceed 3 million gallons per day (mgd). (ONGOING: CODE ENF - Zoning) (Previous Condition DRO-DRI 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

3. Prior to commencement of excavation activity within the next subphase, or January 30, 1998, whichever occurs first, the petitioner shall obtain a development of regional impact (DRI) clearance letter from the Florida Department of Community Affairs (DCA). (ONGOING: CODE ENF - Zoning) (Previous Condition DRO-DRI 3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

DRO-MONITORING

4. The Excavation Activity Monitoring Report required by Article 4.D.8.E.1. of the ULDC shall be submitted to the Zoning Division and Environmental Resources Management Department on or before March 15 annually. This excavation activity report shall include certification and documentation that all seismograph instruments have been re-calibrated within the calendar year. (DATE: MONITORING - Zoning) (Previous Condition DRO-Monitoring 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

5. The Maintenance and Monitoring Report of Reclaimed Areas required by Article 4.D.5.E.7 of the ULDC shall be submitted to the Environmental Resources Management Division starting on March 15, 2011 and submitted annually thereafter until completion of the excavation activity and reclamation of the site. The report shall include an "as built" survey for the lake being excavated at the same scale as the approved site plan, delineating the excavation boundaries of the excavation for the current year and previous year activity to verify compliance with the DRI Thresholds and Mining Phasing Plan. (DATE: MONITORING - ERM). (Previous Condition DRO-Monitoring 3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

6. In accordance with good record keeping practices, the petitioner shall maintain a daily blasting log with the following minimum information:

- a. Name of operator or responsible person;
- b. Date and time of blast;
- c. Blast location (face and bench);
- d. Monitoring location;
- e. Distance to monitoring site;
- f. Distance to nearest residential structure;
- g. Lbs. of explosive, total;
- h. Lbs of explosive/8 millisecond delay;

l. Peak ground vibrations for all 3 components of motion;
j. Peak airblast and frequency roll-off of the airblast channel;
k. Trigger settings for vibration and airblast;
l. Frequencies of peak ground vibrations; and
m. Other information required by the ULDC or as deemed necessary by the DRC.
(ONGOING: DRO - Zoning) (Previous Condition DRO-Monitoring 4 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

7. The blasting log shall be made available to the public or any government official on request. (ONGOING: ZONING - Zoning) (Previous Condition DRO-Monitoring 5 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

8. Condition DRO-Monitoring 6 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

The petitioner shall keep time histories (wave traces) for all events which exceed 0.10 in/sec. The petitioner shall provide written notification, with the seismograph reading, to the Zoning Director within 24 hours of any blasting event which exceed a ground vibration of 0.20 in/sec. (ONGOING: ZONING - Zoning) [This condition is applicable to Palm Beach Aggregates only.]

Is hereby deleted. [REASON: Duplicate of Site Design – Blasting 6.]

9. Condition DRO-Monitoring 7 of Resolution R-2010-0684, Control No. 1989-052, which currently states,

The petitioner shall maintain all blasting activity logs for a minimum of three (3) years. The petitioner shall maintain all blasting activity logs for a minimum of three (3) years. (ONGOING: ZONING - Zoning) [This condition is applicable to Palm Beach Aggregates only.]

Is hereby amended to read:

The petitioner shall maintain all blasting activity logs for a minimum of three (3) years. (ONGOING: ZONING - Zoning) [This condition is applicable to Palm Beach Aggregates only.]

10. Mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with the ecosystem restoration, regional water supply or flood protection, on sites identified by SFWMD or ACOE where such uses provide viable alternative technologies for water management. (ONGOING: MONITORING-ERM/ZONING) (Previous Condition DRO-Monitoring 8 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

11. The property owner shall submit a five (5) year monitoring report in a form determined by the Zoning Director on July 1, 2014. The report shall record the last five (5) year site activities. The Zoning Director shall schedule an Administrative Inquiry to the Board of County Commissioners (BCC) to discuss ongoing status of the project to ensure consistency with the BCC's approval. (DATE: MONITORING - Zoning) (Previous Condition DRO-Monitoring 9 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

DRO-PHASING

12. Prior to certification of the Phasing Plan by the DRC, the Plan shall be revised to indicate completion of the subphases adjacent to the Wildlife Corridor along the L-8 canal first within Lake 1. The petitioner shall maintain all blasting activity logs for a minimum of three (3) years. (ONGOING: ZONING - Zoning) (Previous Condition DRO-Phasing 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

13. A maximum of three (3) sub-phases (a maximum of 300 acres) shall be in active excavation at any time. This condition shall not apply to lands owned by the SFWMD. (ONGOING: CODE ENF - Zoning) (Previous Condition DRO-Phasing 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

DRO-RECLAMATION

14. All reclamation shall be consistent with the South Florida Water Management District Plan or by agreement with SFWMD, Palm Beach County and Palm Beach Aggregates. (ONGOING: ZONING - Zoning) (Previous Condition DRO-Reclamation 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

15. Prior to December 31, 1999, the petitioner shall complete reclamation of all previously excavated areas within Lake 1. (DATE: MONITORING - Zoning) (Previous Condition DRO-Reclamation 2 of Resolution R-2010-0684, Control No. 1989-052) [NOTE: Completed.] [This condition is applicable to Palm Beach Aggregates only.]

DRO-SEPARATION

16. The petitioner shall meet the following separation requirements, measured as a radius from the closest residence to the edge of pit being excavated:

SEPARATION

Property Line	Separation
North - Section 7, 11, 12, 17	900 feet
South - Section 13, 14, 18, 30, 32	900 feet
East - Sections 7, 17 & 20	900 feet
East - Sections 29 & 32	946 feet
West 11, 13, 14, 19, 30	900 feet

(DRO: Zoning - Zoning) (Previous Condition DRO-Separation 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

DRO-SETBACKS

17. The site shall be governed by the following minimum setback distances, measured from the property line to the top of bank for all excavation related activity:

SETBACKS

Property Line	Required Setback
North - Sections 7, 11, 12, 17	50 feet
South	108 feet
East - Section 7	108 feet
East - Section 17 & 20	308 feet
Easternmost point of land included within this approval and falling within Sections 28 and 33	946 feet
West - Sections 11, 13, 14, 19, 30	108 feet
Internal R-O-W	50 feet
Processing Equipment	2,500 feet from residential uses located in Sections 9, 16 and 21, Range 40 East, Township 43 South 946 feet the easternmost property line adjacent to Sections 28 and 33,

	Range 40 East, Township 43 South
	200 feet from SR 80 and all property lines not expressly covered by this condition
Stockpiles	2,500 feet from any property line adjacent to existing residential uses located in Sections 9, 16, 21, 28 and 33, Range 40 East, Township 43 South
	300 feet from all other property lines
Accessory buildings	100 feet

(DRO: Zoning - Zoning) (Previous Condition DRO-Setbacks 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only]

ENGINEERING

1. Prior to final approval of the master plan/site plan by the Development Review Officer (DRO), the plans shall be amended to reflect the Okeechobee Road right-of-way and the area of the existing connection between Lake 1 and 2 of the SFWMD L-8 Reservoir. This right-of-way corridor shall be through an alignment acceptable to the County Engineer. (DRO: ENGINEERING-Eng)

a. The property owner shall convey to Palm Beach County 200 feet of road right of way for Okeechobee Boulevard from the east property line to the L-8 Canal within 2 years of the road being placed on the 5 Year Road Program for construction. (ONGOING: ENGINEERING-Eng). [This condition is applicable to Palm Beach Aggregates only.]

b. The property owner shall convey to Palm Beach County 200 feet of road right of way for Okeechobee Boulevard from the northeast corner of Section 29, Range 40, Township 43, westerly crossing the Florida Power and Light transmission line and passing north of the FPL Corbett Substation. All right of way shall be conveyed within 2 years of the road being placed on the 5 Year Road Program for construction. Right of way conveyance shall be free of all encumbrances and encroachments. The Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, except for the existing Florida Power and Light easements through the site and the SFWMD easement at the existing connection between Lake 1 and 2 of the SFWMD L-8 Reservoir. The property owner shall convey right of way in a suitable graded, compacted surface and/or structure to accommodate a crossing for the proposed extension of Okeechobee Boulevard in the area of the connection between Lake 1 and 2, as approved by the County Engineer. The Grantor agrees to hold Grantee harmless and shall be responsible for all costs of the grading and compaction of the surface or structure crossing. The Grantor also agrees to provide Palm Beach County an environmental report, subject to the approval of County Engineer, demonstrating that this property meets all appropriate and applicable environmental agency requirements. In the event the report makes a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up prior to dedication. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate as determined by the County Engineer provisions for Expanded Intersection Details and Corner Clips. The property owner shall also be responsible for coordinating with the Roadway Production Division concerning any transmission facilities relocations within the proposed alignment and there shall be no mining activity within this new alignment including the Florida Power and Light Easement. Final alignment of Okeechobee Boulevard shall be approved by the County Engineer. Any transmission facilities required to be relocated shall be funded by the property owner.

(ONGOING: ENGINEERING- Eng) (Previous Condition E1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. The property owner shall construct a left turn lane west approach and a separate right turn lane east approach at the project entrance and SR80.

a. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. (DRAINAGE REVIEW: ENGINEERING - Eng). [This condition is applicable to Palm Beach Aggregates only.]

b. Permits required by Palm Beach County for this construction shall be obtained prior to May 1, 1997. (DATE: MONITORING - Eng) [This condition is applicable to Palm Beach Aggregates only.]

c. Construction shall be completed prior to July 1, 1997. (DATE: MONITORING - Eng) (Previous Condition E2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.] [Note: COMPLETED]

3. The property owner shall be responsible for maintaining all turnouts, acceleration lanes, and median openings within the SR 80 road right of way for the duration of the mining operation. Within 60 days of notice from the FDOT, the property owner shall perform the required maintenance to correct any and all defects. This property owner will be responsible for obtaining all permits from FDOT for this maintenance or repair work. (ONGOING: ENGINEERING - Eng) (Previous Condition E3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

4. The property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Okeechobee Boulevard along the property frontage; and a maximum 800 feet of these adjacent roadway(s). Conveyance of these drainage easements shall be concurrent with the right of way dedication of Okeechobee Boulevard as provided for in E1 above. The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. (ONGOING: ENGINEERING - Eng) (Previous Condition E4 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

5. Landscape Within the Median of SR-80

The Property Owner shall design, install and perpetually maintain median landscape within the median of all abutting right of way of SR-80. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c and d below.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to March 31, 2011. (DATE: MONITORING-Eng)
- b. All installation of the landscaping and irrigation shall be completed prior to June 30, 2011. (DATE: MONITORING -Eng)
- c. At property owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING: ENGINEERING-Eng)
- d. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program prior to March 31, 2011. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along SR-80. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (DATE: MONITORING -Eng) (Previous Condition E5 of Resolution R-2010-0684, Control No. 1989-052)

6. In order to comply with the mandatory Traffic Performance Standards, excavation shall be limited to seventy-six (76) acres per year or an equivalent acreage based upon a revised traffic study. This revised traffic study will be required to be submitted and approved by the Palm Beach County Traffic Division. An approved phasing plan shall be submitted to the DRC and shall be updated as required. (ONGOING: ENGINEERING - Eng) (Previous Condition E6 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates and the Power Plant.]

7. The Property Owner shall fund the construction of an eastbound turn lane, plus appropriate tapers, on Southern Boulevard at its Intersection with Forest Hill Boulevard (an add/drop lane of a half lane under the ART-PLAN). Funding in the amount of \$185,000 shall be provided to the Land Development Division prior to December 1, 2003. (DATE: MONITORING/ENG - Eng) [This condition is applicable to Palm Beach Aggregates only.] [Note: COMPLETED]

a. Funding of the thru lane shall include but not be limited to the design, construction, utility relocation, review fees, permit fees, construction administration, testing, and surveying and shall be based on a certified cost estimate provided by the Developers Engineer and approved by the County Engineer. (DATE: MONITORING/ENG - Eng) (Previous Condition E7 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.] [Note: COMPLETED]

8. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:

a. No Building Permits for the proposed power plant shall be issued until the contract has been awarded for intersection improvements of an add/drop lane required to meet FDOT guidelines for the addition of a half lane under the ART-PLAN on Southern Boulevard at Forest Hill Boulevard plus the appropriate paved tapers. Phasing for this site may be adjusted by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (BLDG PRMT: MONITORING-Eng) (Previous Condition E8 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to both Palm Beach Aggregates and the power plant.] [Note: COMPLETED]

ENVIRONMENTAL

1. All necessary permits from SFWMD, FDEP and Army Corps of Engineers for the mining operation including an approved Chloride and Mercury Monitoring Plan for the proposed site plan shall be submitted to the Department of Environmental Resources Management for review and approval prior to Development Review Officer (DRO) Site Plan certification. This condition will expire for reservoir areas which are completed and accepted for possession by SFWMD. (DRO: ERM - ERM) (Previous Condition Environmental 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]
2. A minimum 400 foot wide corridor, except adjacent to the south one half of the east border of Section 20 which may be reduced to 200 feet, shall be established along the western border of the L-8 canal for the entire length of the property which will permit the establishment of a wildlife corridor within an area to be mutually agreed upon by the South Florida Water Management District and ERM. The wildlife corridor shall be shown with the proposed Okeechobee Road right-of-way on the Final Excavation Plan and all applicable site plans prior to final approval by the Development Review Officer (DRO). (DRO: ERM - ERM) (Previous Condition Environmental 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates and SFWMD]
3. Maximum depth of all excavations shall be -50 feet from OWL. (ONGOING: ERM-ERM) (Previous Condition Environmental 4 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates and SFWMD.]
4. The Wildlife Corridor shall be conveyed to Palm Beach County on a schedule to be mutually agreed upon by the South Florida Water Management District and Palm Beach County (DRO: ERM - ERM) (Previous Condition Environmental 6 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates and SFWMD]
5. A natural resource extraction fee is to be provided yearly for the expansion area of this mining operation from the operators of this mine or its successors. The basis for the extraction fee is calculated at \$.05 per ton of material sold from the mine. The tonnage will be calculated at the end of each calendar year with the information provided to ERM by January 31 of the succeeding year with the payment of \$.05 per ton provided by February 15. To receive these funds, ERM will set up a separate account for natural resource extraction fees. The funds will be used for environmental enhancement activities which include, but are not limited to: Purchase land; restore land to a more natural state; and, enhance the flora and fauna of already preserved natural areas. The natural resources extraction fee shall escalate annually at the rate prescribed by Section 373.41492(5) as amended, of the Florida Statutes. In the event the legislature of the State of Florida or the County imposes, by legislation, ordinance, or other means, an extraction fee, tax, or charge, then this natural resources extraction fee shall be reduced by the same amount. (ONGOING: MONITORING-ERM) (Previous Condition Environmental 8 of Resolution R-2010-0684, Control No. 1989-052)
6. A Wildlife Corridor Planting Plan (Plan) shall be submitted to the Department of Environmental Resources Management (ERM) as part of a DRO Master Plan certification submittal.
 - a. The Plan will include; 1) A double row of native canopy trees planted for the length of the corridor 15' on-center with half of the trees a minimum of 14' high and half of the trees 6' high or a mixture of trees, shrubs, and ground covers of equivalent value approved by ERM; and 2) an average 150' wide meandering slope area planted for the length of the corridor with native grasses and ground cover taking into account the topography of the site; and 3) all remaining areas of the corridor planted with native tree saplings at 18" high, for every 2500 square feet of corridor. The Plan will be specific as to plant species and shall address long-term survivorship of the plantings as well as at least five years of annual survivorship reporting until planting success.
 - b. Planting survivorship will be successful when 80% of the plantings survive for three contiguous years without the need for supplemental plantings.

- c. The Plan will assume 107 acres of planting area within the corridor based upon a current depiction of available planting area provided by the South Florida Water Management District. The Plan will incorporate an 8-10 foot shell rock multi-use trail through the corridor along with (3) chickee huts (10' x 12') evenly spaced along the trail.
- d. The Plan shall commit to specific time frames contingent upon the availability of the graded area to be planted from the SFWMD.
- e. By June 30, 2015, or when 50% of the authorized excavation is completed, whichever occurs sooner, Palm Beach Aggregates (PBA) shall provide a performance bond equivalent to 110% of the cost of implementing the Plan to completion. ERM shall be the beneficiary of the performance bond. It is the intent of this provision to ensure that the Plan is implemented to completion if the SFWMD does not make the area available for planting within five years or if PBA's authorized activities is nearing completion prior to planting availability.
- f. At the time SFWMD makes the corridor available for planting, the grades, slopes and elevations may differ from what exists today and may necessitate adjustment of the Plan to reasonably expect planted survivorship. PBA shall, with direction from ERM, make any necessary adjustments, including final spacing, to the planting plan.
- g. Items a, b and c above shall be submitted to and shall necessitate approval by ERM prior to DRO Master Plan approval, but no later than August 1, 2010. ERM shall not certify the Master Plan request absent these listed items.
- h. PBA may, at it's election and with written concurrence from ERM, choose to provide funding for complete implementation of the Plan prior to SFWMD making the corridor available for planting. At the time of any such future written agreement between the parties, PBA shall be considered to have satisfied this condition. (DRO: ERM-ERM) (Previous Condition Environmental 9 of Resolution R-2010-0684, Control No. 1989-052)

HEALTH

1. Condition Health 1 of Resolution R-2010-0684, Control 1989-052, which currently states:

Prior to final site plan approval by the Development Review Officer (DRO), an application and engineering plans to construct an onsite sewage treatment and disposal system (OSTDS) in accordance with rule 64E-6 FAC and Palm Beach County ECR-I shall be submitted to the Palm Beach County Health Department. (DRO: HEALTH-Health) [COMPLETED]

Is hereby deleted. [REASON: Completed.]

2. Condition Health 2 of Resolution R-2010-0684, Control 1989-052, which currently states,

Prior to the final site plan approval by the Development Review Officer (DRO), an application and engineering plans to construct a non-transient, non-community water system in accordance with Rule 62-555 FAC, and Palm Beach County ECR-II shall be submitted to the Palm Beach County Health Department. (DRO: HEALTH-Health) [COMPLETED]

Is hereby deleted. [REASON: Completed.]

3. Condition Health 3 of Resolution R-2010-0684, Control 1989-052, which currently states:

In accordance with Chapters 62-4, 62-17, 62-210, 62-212, and 62-213 of the Florida Administrative Code, the applicant shall apply for and obtain all federal/state air pollution construction permits and/or certifications prior to commencement of construction. Copies of each application shall be submitted to the Palm Beach County Health Department's Air Pollution Control Section at 901 Evernia Street, West Palm Beach, Florida 33401 at time such applications are submitted to the permitting authority. (ONGOING: HEALTH-Health) [COMPLETED]

Is hereby deleted. [REASON: Completed.]

4. Pursuant to condition A.2 the property owners shall use ultra-low sulfur distillate with sulfur content no greater than 0.0015% by weight as secondary fuel. If this level distillate fuel is not available then the fuel sulfur level shall not be than 0.05% sulfur by weight. The low sulfur distillate fuel shall be used for no more than 500 hours, per 12-month rolling total. (ONGOING: HEALTH-Health) (Previous Condition Health 4 of Resolution R-2010-0684, Control 1989-052) [This condition applies to the Power Plant only.]

5. Upon submittal of an air permit application to the Florida Department of Environmental Protection (FDEP); the property owners shall submit to the Palm Beach County Health Department (PBCHD) a multi-source NAAQS and Class II PSD increment analyses of criteria pollutant, for the entire project at build out. The increment analyses shall include all the contributions from other sources significantly impacting the site if the predicted increase in impacts for these pollutants is above the significant impact level for a Class II established by the EPA. Approval for this project is contingent upon predicted impacts from the multi-source Class II increment analysis demonstrating consumption of no more than 50% of the available increment (total aggregate from all sources). This condition shall be included in the air permit application to the Florida Department of Environmental Protection (FDEP). The applicant shall seek further approval from the ULDC and the Board of County Commissioners if a higher percent of the increment is consumed. (ONGOING: HEALTH-Health) (Previous Condition Health 5 of Resolution R-2010-0684; Control 1989-052) [This condition applies to the Power Plant only.]

LANDSCAPE - GENERAL

1. a. The petitioner shall provide a minimum fifteen (15) feet high berm graded at a 3:1 slope along the Southern Boulevard frontage (Section 32 west of L-8 Canal) and an alternative slope ratio/overall height for the landscaped berm along the west property line north to the existing Corbett Substation subject to FP&L guidelines.
b. The plateau of the berms shall include a double row of canopy trees planted fifteen (15) feet on center with fifty (50) percent of the trees a minimum fourteen (14) feet high.
c. All berm slopes shall be planted with native grasses and ground cover. (ONGOING: LANDSCAPE - Zoning) (Previous Condition Landscape General 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. The required perimeter landscape buffer shall be installed adjacent to the asphalt batch/concrete plant if the plant is not located within the existing rock processing area. (DRO: ZONING - Zoning) (Previous Condition Landscape - General 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

3. Prior to April 22, 2011, the property owner shall replace all dead and missing plant materials on the entire subject property. (DATE: LANDSCAPE - Zoning) (Previous Condition Landscape General 3 of Resolution R-2010-0684, Control No. 1989-052)

4. Prior to final approval by the Development Review Officer (DRO), the property owner shall submit a Landscape Plan or an Alternative Landscape Plan for the east compatibility buffer to the Landscape Section for review and approval. The east compatibility buffer shall be installed by March 26, 2012. (DATE: LANDSCAPE - Zoning) [This condition is applicable to the Power Plant only.]

LIGHTING

1. All outdoor lighting used to illuminate the subject property shall be shielded and directed down and away from adjacent residential properties and streets. (ONGOING: CODE ENF - Zoning) (Previous Condition Lighting 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to both Palm Beach Aggregates and the Power Plant.]

2. Rock plant lighting shall not exceed fifty (50) feet in height, measured from finished grade to highest point, provided the lighting is shielded and directed away from residential areas. All other outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning) (Previous Condition Lighting 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is

applicable to Palm Beach Aggregates only.]

PLANNING

1. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING-Planning) (Previous Condition Planning 1 of Resolution R-2010-0684, Control No. 1989-052)

2. Prior to issuance of building permits or commencement of excavation activities, the property owner shall provide a copy of the SFWMD, ACOE and DEP permits associated with the proposed mining activities. (DRO: PLANNING-Planning) (Previous Condition Planning 2 of Resolution R-2010-0684, Control No. 1989-052)

3. Starting the year excavation activities commence, within 30 days of March 15 annually, the property owner shall submit an annual report as required by Article 4.D.5.E.7 of the ULDC to the Planning Director, Development Review Officer (DRO) and the Director of ERM that shall demonstrate compliance with the requirements of Future land Use Element (FLUE) Policy 2.3-e.3 regarding permitted mining and excavation activities within the Agricultural Production (AP) Future land Use (FLU) designation. The document shall also contain the following:

- a) Status of each phase of the operation.
- b) Total tonnage removed from the site and associated tonnage fee paid to ERM.
- c) Documentation as to the intended use of the material complies with the County requirements, such as but not limited to the quarry's aggregate status with FDOT and other usages for the mined aggregate.
- d) Status of compliance with conditions contained within Resolution
- e) Status of compliance with SFWMD and DEP permits. Copies of all modifications to permits shall be submitted in their entirety to PBC Planning, Land Development and ERM.
- f) Status of eligibility for the mined areas to be utilized for Water Management or ecosystem restoration purposes with a letter from each corresponding agency discussing eligibility or any executed binding agreements pertaining to the reclaimed mined areas future proposed uses. (ONGOING: PLANNING-Planning) (Previous Condition Planning 3 of Resolution R-2010-0684, Control No. 1989-052)

4. Upon completion of each phase submit the following documents where applicable:

- a) Should the reclaimed mined area be used for agricultural activities associated with flood control or irrigation submit an executed binding agreement, or other such documentation as approved by the County Attorney's office, between the property owner and the lessee describing how the use of the area will be for agricultural purposes and submit a copy of the modified SFWMD Water Resource Permit demonstrating the use of the area for agricultural activities associated with flood control and or irrigation.
- b) Should the mined reclamation area be used, with consent of the property owner, for water management projects associated with ecosystem restoration, regional water supply, flood protection or other such projects in direct association with the SFWMD, ACOE, DEP or other applicable governmental agency, submit either a copy of an executed binding agreement with the subsequent agency illustrating the use of the reclaimed areas within the proposed project or a copy of the deed transferring the reclaimed area to the subsequent agency. (ONGOING: MONITORING-Planning) (Previous Condition Planning 4 of Resolution R-2010-0684, Control No. 1989-052)

5. Should any permits associated with the requested mining operations be found in violation, revoked, suspended or otherwise nullified, the county shall be notified within 15 working days. Should compliance not be achieved or a consent/settlement agreement not be executed within 120 working days of notification, the Development Order shall be brought to the Board of County Commissioners for further review at which time they may require operations to cease or take other appropriate action. (ONGOING-MONITORING-Planning) (Previous Condition Planning 5 of Resolution R-2010-0684, Control No. 1989-052)

SIGNS

1. Freestanding point of purchase signs fronting on Southern Boulevard shall be limited as follows:

- Maximum sign height, measured from finished grade to highest point - ten (10) feet;
- Maximum sign face area per side - 100 square feet;
- Maximum number of signs - two (2); and
- Style - monument style only. (BLDG PERMIT: BLDG - Zoning) (Previous Condition Sign 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates and the Power Plant.]

SITE DESIGN-BLASTING

1. The petitioner shall abide by and implement the best management practice, techniques and methods for blasting to reduce noise and vibration and all recommendations in the report by D. E. Siskind & Associates dated December 13, 1996 and June 27, 2000, as may be amended. In cases of conflict with the ULDC or conditions of approval, the more strict requirement shall apply. (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. The petitioner shall comply with the following blasting regulations:

BLASTING REGULATIONS

PARAMETER	INSTRUMENT REQUIREMENTS	PERFORMANCE REQUIREMENTS
Ground vibrations	Seismographs: peak values of particle velocity for all three components of motion	Maximum of 0.20 in/sec peak at all frequencies for all components of motion (R,V,T)
Ground vibrations Non-monitoring alternative	Scaled distance	Minimum square root scaled distance of 200 ft/lb ² , or 1320 feet to closest residence, whichever is greater
Airblast	Monitor with low frequency roll off of 2 Hz	133 dB Linear peak (equates to approximately 90 - 110 dBA)
Airblast	Monitor with low frequency roll off of 5 or 6 Hz	129 dB Linear peak
Airblast	Non-monitoring alternative	Minimum cube root scaled distance of 500 ft/lb ^{1/3}
Flyrock	Visual observations	Not more than half the distance from the blast site to the property line
Preblast inspections	Documented inspection reports for operator and requestor	Upon request by any property owner within 2 mile of property line or a government official.
Record keeping/ monitoring	Blast and seismograph records	Copies maintained by operator for at least three years, available for agency and public inspection on request

(ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

3. The petitioner shall comply with the following blasting standards:

BLASTING STANDARDS

Schedule	Max. one (1) blast per day, M-F only
Time	Between 10:00 am - 4:30 p.m. only
Charges	Max. 200 timed delayed charges/blast
Explosives	Max. 160 lbs/8 millisecond delay
Holes	Max. 200 holes/blast

(ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

4. No blast shall be detonated within a required setback or separation area established herein or depicted on a site plan approved by the Development Review Officer (DRO). (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 4 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

5. All use of explosives for blasting rock shall adhere to the following criteria:

- Blasting shall be done with the existing overburden (e.g. fill) in place;
- Blasting charges shall be set to minimize multiple charge detonations;
- Blasting in areas where the overburden has been previously removed, or is insufficient to control air blast, shall be subject to best management practices for blasting and shall make all effort to control air blast. (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 5 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

6. The petitioner shall keep time histories (wave traces) for all events which exceed 0.10 in/sec. The petitioner shall provide written notification, with the seismograph reading, to the Zoning Director within 24 hours of any blasting event which exceed a ground vibration of 0.20 in/sec. (ONGOING: ZONING - Zoning) (Previous Condition Site Design-Blasting 6 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

7. All seismographs shall measure all ground vibration in excess of 0.10 in/sec. and all air blast in excess of 125 dBL linear peak. (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting Condition 7 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

8. A minimum of two (2) seismographs shall be located on the subject site. One seismograph shall have a permanent location, as indicated on the approved site plan which may be amended as needed. The second seismograph may be permanent or mobile and located at the closest abutting residential property line that faces the blasting activity. (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 8 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

9. The petitioner shall ensure that the seismograph instruments are recalibrated in accordance with standard industry practices at least once per year. (ONGOING: CODE ENF - Zoning) (Previous Condition Site Design-Blasting 9 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

TOWERS

1. The heat dispensing towers height shall be a maximum of one hundred and twenty (120) feet high unless additional height is approved to comply with Florida Department of

Environmental Protection guidelines and approved by the Governor and Cabinet sitting as the Power Plant Siting Board. Additional height to accommodate safety clearance, emission air monitoring and noise attenuation equipments shall not exceed an overall height of one hundred and fifty (150) feet of each tower. (BLDG PERMIT: BLDG - Health) (Previous Condition Towers 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition applies to Palm Beach Aggregates and the Power Plant.]

2. Aircraft obstruction lighting for the heat dispensing towers shall be subject to FAA/FAR guidelines Part 77, and shall be limited to red steady burning type lighting, unless otherwise required by FAA. (ONGOING: AIRPORTS - Airports) (Previous Condition Towers 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition applies to Palm Beach Aggregates and the Power Plant.]

USE LIMITATIONS

1. Excavation, loading and hauling activity shall occur only between the hours of 6:00 a.m. to 10:00 p.m. Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday. No excavation shall be permitted after 10:00 p.m. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

2. Loading and hauling only may occur between the hours of 10:00 p.m. and 6:00 a.m. Monday through Friday provided all of the following conditions are satisfied:

- a. The work is required by a written government contract, a copy of the government contract and the property owner's contract to do the work, will be provided to the County within ten (10) days of execution;
- b. The property owner provides the County and the neighboring Property Owner's Associations of the dates and times that such work will occur in order to provide sufficient time to set up a program to monitor the work;
- c. The noise associated with the activity shall not exceed 45 dBA as measured in the performance standards of the ULDC Section 7.8;
- d. No loading or hauling activity is done within 2,500 feet of a residential property line; and,
- e. No rock crushing, grinding or processing of any nature shall be permitted after 10:00 p.m. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

3. All uses shall not exceed 45 dBA as measured in the Performance Standards of Article 5.E of the ULDC. Noise shall be measured from the residential property line closest to the area under excavation. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

4. Hours of operation shall not apply to the accessory asphalt /or concrete batch plant or power plant or any activities, excluding blasting, west of the Florida Power and Light (FPL) transmission line right-of-way, which includes portions of Section 13, Township 43S, Range 39E, and portions of Sections 19, 20 and 30, Township 43S, Range 40E. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 4 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

5. The rock processing plant, accessory asphalt plant and concrete batch plant shall be located a minimum of 2,500 feet from the property lines of the developments currently known as Deer Run, White Fences and Equestrian Estates. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 5 of Resolution R-2010-0684, Control No. 1989-052)) [This condition is applicable to Palm Beach Aggregates only.]

6. All pumps shall be limited to electric only. This condition shall not be applicable to the SFWMD. (ONGOING: CODE ENF - Zoning) (Previous Condition Use Limitations 6 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates only.]

UTILITIES

1. If any relocations/modifications to the County's existing facilities are required that are a direct or indirect result of the development, the developer shall pay for the complete design and construction costs associated with these relocations/modifications. (ONGOING: PBCWUD - PBCWUD) (Previous Condition Utilities 1 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates, SFWMD, and the Power Plant.]

2. Applicant shall not negatively affect water quality or temperature in a manner that will prohibit discharge of water from the mined area to the surrounding canal system as determined by agencies with jurisdiction over the subject area. (ONGOING: PBCWUD PBCWUD) (Previous Condition Utilities 2 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to both Palm Beach Aggregates and the Power Plant]

3. The Palm Beach County Water Utilities Department shall provide potable water, reclaimed water and wastewater service to all portions of the subject property except those unincorporated areas where the Palm Beach County Water Utilities Department has granted or assigned utility service area rights to a public or privately owned portable water, reclaimed water and/or wastewater utility or in areas where the Palm Beach County Water Utilities Department is specially excluded from providing utility service by Florida Statute. (ONGOING: PBCWUD - PBCWUD) (Previous Condition Utilities 3 of Resolution R-2010-0684, Control No. 1989-052) [This condition is applicable to Palm Beach Aggregates, SFWMD, and the Power Plant.]

4. Florida Power & Light Company shall utilize reclaimed water from Palm Beach County as its primary water source for cooling water at its West County Energy Center, conditioned upon the following:

- (a) Palm Beach County delivers the reclaimed water to the site at a quality that satisfies the criteria for reclaimed water user requirements and limitations as set forth in the relevant sections of Rule 62-610, FAC, including Part III;
- (b) Palm Beach County supplies a quantity of water (up to an annual average of 22 million gallons per day) that is adequate to meet cooling water purposes at the West County Energy Center;
- (c) Palm Beach County delivers the reclaimed water in a timely manner to coincide with the startup of West County Energy Center Unit 3;
- (d) FPL receives all necessary regulatory approvals for West County Energy Center Unit 3;
- (e) FPL constructs West County Energy Center Unit 3; and
- (f) In the certification of West County Energy Center Unit 3, consistent with the requirements of the Power Plant Siting Act, FPL maintains its allocation of groundwater and excess stormwater to provide a backup water supply to the West County Energy Center from the South Florida Water Management District. (ONGOING: PBCWUD - PBCWUD) (Previous Condition Utilities 4 of Resolution R-2010-0684, Control No. 1989-052)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or

- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)

3. Condition Compliance 3 of Resolution R-2010-0684, Control No. 1989-052, which currently states:

Responsibility amongst the various property owners for compliance with a particular condition of approval contained herein shall be as set forth within the following chart:

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
All Petitions 1	YES	YES	YES
All Petitions 2	NO	NO	YES
All Petitions 3	YES	YES	NO
All Petitions 4	NO	NO	YES
All Petitions 5	YES	NO	NO
All Petitions 6	YES	YES	YES
All Petitions 7	N/A	N/A	N/A
All Petitions 8	NO	NO	YES
All Petitions 9	NO	NO	YES
Access 1	YES	NO	NO
Access 2	YES	NO	NO
DRO-DRI 1	YES (ONLY FOR AREAS NOT OWNED BY SFWMD)	NO	NO
DRO-DRI 2	YES	NO	NO
DRO-DRI 3	YES	NO	NO
DRO-Monitoring 1	YES	NO	NO
DRO-Monitoring 2	N/A	N/A	N/A
DRO-Monitoring 3	YES	NO	NO
DRO-Monitoring 4	YES	NO	NO
DRO-Monitoring 5	YES	NO	NO

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
DRO-Monitoring 6	YES	NO	NO
DRO-Monitoring 7	YES	NO	NO
DRO-Monitoring 8	YES	NO	NO
DRO-Monitoring 9	YES	NO	NO
DRO-Phasing 1	YES	NO	NO
DRO-Phasing 2	YES	NO	NO
DRO-Reclamation 1	YES	YES	NO
DRO-Reclamation 2	YES	NO	NO
DRO-Separation 1	YES	NO	NO
DRO-Setbacks 1	YES	NO	NO
Engineering 1 A & B	YES	NO	NO
Engineering 2 A, B & C	YES	NO	NO
Engineering 3	YES	NO	NO
Engineering 4	YES	NO	NO
Engineering 5	YES	NO	YES
Engineering 6	YES	NO	NO
Engineering 7	YES	NO	YES
Engineering 8	YES	NO	NO
Environmental Resources Management 1	YES - REQUIREMENT EXPIRES WHEN SFWMD ACCEPTS POSSESSION OF COMPLETED RESERVOIRS	NO	NO
Environmental Resources Management 2	YES	YES	NO
Environmental Resources Management 3	N/A	N/A	N/A
Environmental Resources Management 4	YES	YES	NO
Environmental Resources Management 5	N/A	N/A	N/A
Environmental	YES	YES	NO

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
Resources Management 6			
Environmental Resources Management 7	N/A	N/A	N/A
Environmental Resources Management 8	YES	NO	NO
Environmental Resources Management 9	YES	YES	NO
Environmental Resources Management 10	N/A	N/A	N/A
Health 1	YES	NO	YES
Health 2	YES	NO	YES
Health 3	YES	NO	YES
Health 4	NO	NO	YES
Health 5	NO	NO	YES
Landscaping 1	YES	NO	NO
Landscaping 2	YES	NO	NO
Landscaping 3	YES	NO	YES
Lighting 1	YES	YES	YES
Lighting 2	YES	NO	NO
Planning 1	YES	NO	YES
Planning 2	YES	NO	YES
Planning 3	YES	NO	NO
Planning 4	YES	NO	NO
Planning 5	YES	NO	NO
Signs 1	YES	NO	YES
Site Design-Blasting 1	YES	NO	NO
Site Design-Blasting 2	YES	NO	NO
Site Design-Blasting 3	YES	NO	NO
Site Design-Blasting 4	YES	NO	NO
Site Design- Blasting 5	YES	NO	NO
Site Design-Blasting 6	YES	NO	NO
Site Design-Blasting 7	YES	NO	NO

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
Site Design-Blasting 8	YES	NO	NO
Site Design-Blasting 9	YES	NO	NO
Towers 1	YES	NO	YES
Towers 1	YES	NO	YES
Use Limitations 1	YES	NO	NO
Use Limitations 2	YES	NO	NO
Use Limitations 3	YES	NO	NO
Use Limitations 4	YES	NO	NO
Use Limitations 5	YES	NO	NO
Use Limitations 6	YES	NO	NO
Utilities 1	YES	YES	YES
Utilities 2	YES	YES	YES
Utilities 3	YES	YES	YES
Utilities 4	YES	NO	NO
Compliance 1	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by South Florida Water Management District	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 2	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by South Florida Water Management District	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 3	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by South Florida Water Management District	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 4	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates,	YES, for those conditions to be maintained in compliance by South Florida Water	YES, for those conditions to be maintained in compliance by Power Plant

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
	Inc.	Management District	Operator
Compliance 5	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by South Florida Water Management District	YES, for those conditions to be maintained in compliance by Power Plant Operator

Is hereby amended to read:

Responsibility amongst the various property owners for compliance with a particular condition of approval contained herein shall be as set forth within the following chart:

CONDITION

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SFWMD	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
All Petitions 1	YES	YES	YES
All Petitions 2	NO	NO	YES
All Petitions 3	YES	YES	NO
All Petitions 4	NO	NO	YES
All Petitions 5	YES	NO	NO
All Petitions 6	YES	YES	NO
All Petitions 7	N/A	N/A	N/A
All Petitions 8	NO	NO	YES
All Petitions 9	N/A	N/A	N/A
Access 1	YES	NO	NO
Access 2	YES	NO	NO
DRO-DRI 1	YES (ONLY FOR AREAS NOT OWNED BY SFWMD)	NO	NO
DRO-DRI 2	YES	NO	NO
DRO-DRI 3	YES	NO	NO
DRO-Monitoring 4	YES	NO	NO
DRO-Monitoring 5	YES	NO	NO

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SFWMD	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
DRO-Monitoring 6	YES	NO	NO
DRO-Monitoring 7	YES	NO	NO
DRO-Monitoring 8	N/A	N/A	N/A
DRO-Monitoring 9	YES	NO	NO
DRO-Monitoring 10	YES	NO	NO
DRO-Monitoring 11	YES	NO	NO
DRO-Phasing 12	YES	NO	NO
DRO-Phasing 13	YES	NO	NO
DRO-Reclamation 14	YES	YES	NO
DRO-Reclamation 15	YES	NO	NO
DRO-Separation 16	YES	NO	NO
DRO-Setbacks 17	YES	NO	NO
Engineering 1 A & B	YES	NO	NO
Engineering 2 A, B & C	YES	NO	NO
Engineering 3	YES	NO	NO
Engineering 4	YES	NO	NO
Engineering 5	YES	NO	YES
Engineering 6	YES	NO	NO
Engineering 7	YES	NO	YES
Engineering 8	YES	NO	NO
Environmental 1	YES - REQUIREMENT EXPIRES WHEN SFWMD ACCEPTS POSSESSION OF COMPLETED RESERVOIRS	NO	NO
Environmental 2	YES	YES	NO
Environmental 3	YES	YES	NO
Environmental 4	YES	YES	NO
Environmental 5	YES	NO	NO
Environmental 6	YES	YES	NO
Health 1	N/A	N/A	N/A
Health 2	N/A	N/A	N/A
Health 3	N/A	N/A	N/A
Health 4	NO	NO	YES

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SFWMD	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
Health 5	NO	NO	YES
Landscaping 1	YES	NO	NO
Landscaping 2	YES	NO	NO
Landscaping 3	YES	NO	YES
Landscaping 4	NO	NO	YES
Lighting 1	YES	YES	YES
Lighting 2	YES	NO	NO
Planning 1	YES	NO	YES
Planning 2	YES	NO	YES
Planning 3	YES	NO	NO
Planning 4	YES	NO	NO
Planning 5	YES	NO	NO
Signs 1	YES	NO	YES
Site Design-Blasting 1	YES	NO	NO
Site Design-Blasting 2	YES	NO	NO
Site Design-Blasting 3	YES	NO	NO
Site Design-Blasting 4	YES	NO	NO
Site Design- Blasting 5	YES	NO	NO
Site Design-Blasting 6	YES	NO	NO
Site Design-Blasting 7	YES	NO	NO
Site Design-Blasting 8	YES	NO	NO
Site Design-Blasting 9	YES	NO	NO
Towers 1	YES	NO	YES
Towers 2	YES	NO	YES
Use Limitations 1	YES	NO	NO
Use Limitations 2	YES	NO	NO
Use Limitations 3	YES	NO	NO
Use Limitations 4	YES	NO	NO
Use Limitations 5	YES	NO	NO
Use Limitations 6	YES	NO	NO
Utilities 1	YES	YES	YES
Utilities 2	YES	YES	YES
Utilities 3	YES	YES	YES
Utilities 4	NO	NO	YES

CONDITION	CONDITION TO BE MAINTAINED IN COMPLIANCE BY PALM BEACH AGGREGATES, INC.	CONDITION TO BE MAINTAINED IN COMPLIANCE BY SFWMD	CONDITION TO BE MAINTAINED IN COMPLIANCE BY POWER PLANT OWNER
Compliance 1	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by SFWMD	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 2	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by SFWMD	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 3	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by SFWMD	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 4	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by SFWMD	YES, for those conditions to be maintained in compliance by Power Plant Operator
Compliance 5	YES, for those conditions to be maintained in compliance by Palm Beach Aggregates, Inc.	YES, for those conditions to be maintained in compliance by SFWMD	YES, for those conditions to be maintained in compliance by Power Plant Operator

4. The electric power facility site, the SFWMD reservoir site, and the Palm Beach Aggregates excavation site shall be treated as separate approvals for enforcement purposes. A violation of a condition on one site shall not affect the compliance status of the other sites. (ONGOING: ZONING - Zoning) (Previous Condition Compliance 4 of Resolution R-2010-0684, Control No. 1989-052)

5. The petitioner contained in all the above conditions of approval shall mean property owner(s). (ONGOING: ZONING - Zoning) (Previous Condition Compliance 5 of Resolution R-2010-0684, Control No. 1989-052)