



Florida Department of Transportation

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GOVERNOR

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JARED W. PERDUE, P.E.
SECRETARY

July 15, 2022

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

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

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

Dear Ms. Mulkey:

Enclosed is the Florida Department of Transportation's Agency Report dated July 15, 2022, for the Florida Power & Light Sweatt-Whidden Transmission Line Certification Application TA22-19.

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

Sincerely,

/s/ Richard E. Shine
Richard E. Shine
Assistant General Counsel

RS/dw

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

FLORIDA DEPARTMENT OF TRANSPORTATION
Agency Report Submitted July 15, 2022

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

SECTION I. CORRIDOR LOCATION ISSUES

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

SECTION II. OUTSTANDING SUFFICIENCY ISSUES

No outstanding issues.

SECTION III. VARIANCES TO STANDARDS

No variances requested.

SECTION IV. SPECIAL USE PERMISSIONS

No special use permissions requested.

SECTION V. RECOMMENDATION FOR CERTIFICATION

Florida Power & Light is seeking certification of the proposed Sweatt-Whidden 230 kilovolt (kV) Transmission Line under the Florida Transmission Line Siting Act (TLSA). The proposed transmission line corridor includes FPL's existing 69 kV transmission facilities, substations, and includes permitted crossings within the Department's right of way that extends approximately 80 miles beginning at the FPL Sweatt substation in Okeechobee County and ending at the Whidden substation located in Desoto County.

The transmission line also crosses the CSX railroad at United States 98 (State Road 700) in Okeechobee County and the South-Central Florida Express AVC along State Road 70.

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

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

SECTION VI. PROPOSED CONDITIONS OF CERTIFICATION

6.1 REQUEST FOR RESTRICTED AREAS

No requests for restricted areas are necessary.

6.2 POST CERTIFICATION REVIEW ITEMS

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

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

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

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

Use of State of Florida Right of Way or Transportation Facilities: All usage and crossing of State of Florida right of way or transportation facilities will be subject to Rule Chapter 14-46, Utilities Installation or Adjustment, Florida Administrative Code; Florida Department of Transportation's Utility Accommodation Manual; Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System; Standard Specifications for Road and Bridge Construction; and pertinent sections of the Florida Department of Transportation's Project Development and Environmental Manual.

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

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

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

- 1] Identify an 80 to 100 feet setback from the Department's right of way to facilitate future construction or expansion of existing electric substations as they are generally located too close to the edge of the Department's right of way.
- 2] Identify a 70 to 100 feet setback from the Department's right of way for existing and proposed transmission poles as they are generally located too close to the edge of the Department's right of way.
- 3] FPL and the Department shall participate in bi-monthly consultation meetings to coordinate the location of the substation and transmission tower facilities to ensure they do not conflict with the future State Road 70 alignment and expansion plans.
- 4] Any public meetings conducted by the parties should notify the public that both the Department and FPL may have projects taking place concurrently and the parties will coordinate their projects to limit negative impacts to the public.

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

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

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

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

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

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

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

Use of Air Space: Any newly proposed structure or alteration of an existing structure will be subject to the requirements of Chapter 333, Florida Statutes, and Rule 14-60.009, Florida Administrative Code. Additionally, notification to the Federal Aviation Administration (FAA) is required prior to beginning construction, if the structure exceeds notification requirements of 14 CFR Part 77, Objects Affecting Navigable Airspace, Subpart B, Notice of Construction or Alteration. Notification will be provided to FAA Southern Region Headquarters using FAA Form 7460-1, Notice of Proposed Construction or Alteration in accordance with instructions therein. A subsequent determination by the FAA stating that the structure exceeds any federal obstruction standard of 14 CFR Part 77, Subpart C, for any structure that is located within a 10-nautical-mile radius of the geographical center of a public-use airport or military airfield in Florida will be required to submit information for an Airspace Obstruction Permit from the Florida Department of Transportation or variance from local government depending on the entity with jurisdictional authority over the site of the proposed structure. The FAA Determination regarding the structure serves only as a review of its impact on federal airspace and is not an authorization to proceed with any construction. However, FAA recommendations for marking and/or lighting of the proposed structure are made mandatory by Florida law. For a site under Florida Department of Transportation jurisdiction, application will be made by submitting Florida Department Transportation Form 725-040-11, Airspace Obstruction Permit Application, in accordance with the instructions therein.

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

SECTION VII. BEST MANAGEMENT PRACTICES

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

and Bridge Construction; and Florida Department of Transportation's Utility Accommodation Manual, whichever is more stringent.

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

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

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

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