STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE:	**FLORIDA POWER & LIGHT ANDYTOWN-OASIS 500/230 kV TRANSMISSION LINE SITING APPLICATION TA26-21**	**OGC CASE No.: 26-1490** **DOAH CASE No.: 26-2609TL**

CORRECTED[1] FINAL ORDER OF CERTIFICATION

Florida Power & Light Company (FPL) filed an application for certification of the proposed Andytown-Oasis Transmission Line Project (Project) on May 20, 2026. The Project involves the construction, operation, and maintenance of two new 500-kilovolt (kV) transmission lines and two new 230 kV transmission lines in a single corridor located in Broward and Miami-Dade Counties. At the request of the Florida Department of Environmental Protection (the Department), the Division of Administrative Hearings appointed an Administrative Law Judge (ALJ) to conduct proceedings required by the Florida Electric Transmission Line Siting Act. The South Florida Water Management District (SFWMD) and Miami-Dade County (MDC) filed timely notices of intent to be parties in the proceeding. No other agency or private entity filed a timely notice to seek party status or petition to intervene under section 403.527, Florida Statutes.

Four agencies requested additional information or provided comments on the application. The Department of Environmental Protection (the Department) filed its First Determination of Completeness on June 26, 2026, which included several completeness questions. FPL addressed each of those completeness comments; one comment from MDC led to a request for a variance, which is resolved in this order.

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[1] This order corrects clerical errors in the Final Order of October 29, 2026. The conditions of certification remain the same.

In the First Determination of Completeness, the Department advised FPL that it had not provided sufficient information to demonstrate that the Project would comply with chapter 33B of the Code of Miami-Dade-County (Miami-Dade Code). FPL filed a response to those comments on July 10, 2026. In those responses, FPL requested a variance from chapter 33B of the Miami-Dade Code, supporting that request with the information required by rule 62-110.104(1)(a), Florida Administrative Code. The variance should be granted. *See* § 403.531(2)(b), Fla. Stat. (addressing variances "from nonprocedural standards or rules of the department or any other agency.")

On September 22, 2026, FPL, the Department, MDC, and SFWMD filed a Joint Stipulation and Motion of the Parties to Cancel Certification Hearing and to Relinquish Jurisdiction to the Department for Entry of Final Order (Joint Stipulation, attached as **Exhibit 1** to this Corrected Final Order). The Department, FPL, MDC, and SFWMD stipulated that no disputed issues of fact or law remained to be raised at a certification hearing, requested cancellation of the hearing scheduled for October 22, 2026, and advised they did not object to entry of a final order by the Department. Also in the Joint Stipulation, MDC withdrew its objections to the certification and agreed to support FPL's request for a variance from the requirements in chapter 33B of the Miami-Dade Code. The parties stipulated to the proposed conditions of certification attached to the Department's Project Analysis Report dated September 11, 2026, as modified by a separate stipulation between MDC and FPL dated September 22, 2026 (the MDC-FPL Stipulation).

After considering the factors in section 403.529(4), Florida Statutes, FPL's application should be approved, subject to the Conditions of Certification set out in **Exhibit 2** to this Corrected Final Order as modified by the MDC-FPL Stipulation. For ease of reference, the MDC-FPL Stipulation is attached as **Exhibit 3** to this Corrected Final Order.

It is therefore **ORDERED** that:

A. The application for certification of FPL'S four new transmission lines, associated facilities, and a transmission line corridor located in Broward and Miami-Dade Counties, as described in its application and the record as a whole, is hereby **APPROVED** and certification is **GRANTED.**

B. The Project is subject to, and Florida Power & Light shall comply with, the Conditions of Certification attached as Exhibit 2, as modified by the MDC-FPL Stipulation.

C. FPL is **GRANTED** a variance from the restrictions in Miami-Dade County Code Chapter 33B, including but not limited to:

1. The limitation on fill to one-half (1/2) acre or less within Management Areas 1, 2A, 2B, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern; and

2. The prohibition on excavation within the East Everglades Area of Critical Environmental Concern, for those segments of the corridor located south of US 41/Tamiami Trail and west of the L-31N Canal.

The variance is effective for the duration of this certification.

JUDICIAL REVIEW

Any party to this proceeding has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; or by electronic mail to Agency_Clerk@dep.state.fl.us and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Final Order is filed with the clerk of the Department.

DONE AND ORDERED this 6th day of November 2026, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

ALEXIS A. LAMBERT
Secretary
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

FILED ON THIS DATE PURSUANT TO § 120.52
FLORIDA STATUTES, WITH THE DESIGNATED
DEPARTMENT CLERK, RECEIPT OF WHICH IS
HEREBY ACKNOWLEDGED.

Clerk

Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been sent by electronic mail to the attached service list on this 6th day of November 2026.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

/s/ Jeffrey Brown
JEFFREY BROWN
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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE:	**FLORIDA POWER & LIGHT ANDYTOWN–OASIS 500/230 kV TRANSMISSION LINE SITING APPLICATION TA26-21**	**DOAH CASE No.: 26-2609TL**
		OGC CASE No.: 26-1490

JOINT STIPULATION AND MOTION OF THE PARTIES TO CANCEL CERTIFICATION HEARING AND TO RELINQUISH JURISDICTION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR ENTRY OF FINAL ORDER

The Florida Department of Environmental Protection ("Department"), Florida Power & Light Company ("FPL"), Miami-Dade County ("MDC"), and the South Florida Water Management District ("SFWMD") (jointly, the "Parties"), as the only parties to this proceeding, submit this Joint Stipulation and Motion of the Parties to cancel the certification hearing ("Joint Stipulation and Motion"), currently scheduled for October 22, 2026, and to relinquish jurisdiction to the Department for entry of a final order pursuant to Section 403.527(6)(a), Florida Statutes ("F.S."), and in support thereof state:

1. SFWMD filed a timely Notice of Intent to Be a Party pursuant to section 403.508, F.S., on June 4, 2026. MDC filed a timely Notice of Intent to Be a Party pursuant to section 403.508, F.S., on July 10, 2026. No other agency, corporation, or other entity filed a timely notice of intent to be a party to this proceeding pursuant to Section 403.527(2)(c), F.S. No other person filed a timely petition to intervene in this proceeding pursuant to Section 403.527(2)(c)3, F.S. No agency filed a timely request to be made a party pursuant to Section 403.527(2)(d), F.S. Consequently, the Department, FPL, MDC, and SFWMD are the only parties to this proceeding.

2. The Parties stipulate that there are no disputed issues of fact or law to be raised at the certification hearing.

EXHIBIT 1

Filed September 22, 2026 3:09 PM Division of Administrative Hearings

3. The Parties stipulate to the conditions of certification contained in the Department's Project Agency Report dated September 11, 2026 (attached hereto as **Exhibit A**), as modified by the Stipulation of Miami-Dade County and Florida Power & Light Company (attached hereto as **Exhibit B**).

4. Based upon this Joint Stipulation and Motion, and the provisions of Section 403.527(6), F.S., the Parties request that the Administrative Law Judge enter an order cancelling the certification hearing scheduled to begin on October 22, 2026, and relinquish jurisdiction to the Department for entry of a final order pursuant to Sections 403.527(6)(a) and (d) and 403.529(1)(a), F.S.

5. The Department, MDC, and SFWMD have authorized the undersigned counsel for FPL to represent their concurrence with the contents set out herein and joinder in this Joint Stipulation and Motion.

Respectfully submitted this 22nd day of September, 2026.

FLORIDA POWER & LIGHT COMPANY

Gregory M. Munson

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of foregoing document has been served, via electronic mail, to the individuals listed in the service list attached hereto, on this 22nd day of September, 2026.

Gregory M. Munson
GREGORY M. MUNSON

IN RE: FLORIDA POWER & LIGHT ANDYTOWN–OASIS 500/230 kV TRANSMISSION LINE SITING APPLICATION TA26-21
DOAH CASE NO.: 26-2609TL
OGC CASE NO.: 26-1490

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Exhibit A

STATE OF FLORIDA
DEPARTMENT
OF
ENVIRONMENTAL PROTECTION

Transmission Line Site Certification Application
Project Analysis Report

Florida Power & Light Company
Andytown-Oasis 500/230 kV Transmission Line Corridor

TA 26-21
DEP OGC Case No. 26-1490
DOAH Case No. 26-2609TL

September 11, 2026

1.0 INTRODUCTION....4
2.0 NEED DETERMINATION....6
3.0 PROJECT OVERVIEW....6
3.1 APPLICANT CORRIDOR SELECTION PROCESS....6
3.2 PROJECT DESCRIPTION....8
3.2.1 General....8
3.2.2 Transmission Line and Structure Design....15
3.2.3 Easements and Titles....18
3.2.4 Everglades National Park and State Managed Areas....18
3.2.5 Land Uses/Vegetation....19
3.2.6 Water and Wetland Impacts....20
3.2.7 Listed Species....20
3.3 EVERGLADES LAND-EXCHANGE AND PREVIOUSLY CERTIFIED CORRIDOR....21
4.0 ARCHAEOLOGICAL AND HISTORIC SITES....24
5.0 AGENCY ASSESSMENT....24
6.0 AGENCY REPORTS....24
6.1 DEPARTMENT OF ENVIRONMENTAL PROTECTION....25
6.1.1 ERP Review....26
6.1.2 Electric and Magnetic Fields....27
6.2 FLORIDA DEPARTMENT OF TRANSPORTATION....29
6.3 FLORIDA DEPARTMENT OF COMMERCE....29
6.4 FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION....30
6.5 SOUTH FLORIDA WATER MANAGEMENT DISTRICT....31
6.6 FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES....31
6.7 MIAMI-DADE COUNTY....32
6.8 BROWARD COUNTY....33
6.9 TOWN OF SOUTHWEST RANCHES....33
7.0 OUTREACH AND PUBLIC NOTICING....33
7.1 OUTREACH....33
7.2 PUBLIC NOTICE....33
7.3 PUBLIC INFORMATIONAL MEETINGS....33
7.4 DIRECT NOTICE....34
8.0 PUBLIC COMMENTS....34
9.0 VARIANCES34
10.0 CONCLUSIONS AND RECOMMENDATIONS....35

10.1 CONSTRUCTION IMPACTS 35
10.2 OPERATIONAL IMPACTS 36
10.3 AGENCY CONCLUSIONS 36
10.4 OVERALL RECOMMENDATION 37

List of Figures

FIGURE 1: PROJECT MAP LOCATION (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 1-1) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 2: LOCATION MAP OF PROPOSED CORRIDOR 1 OF 4 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 2-6, 1 OF 4) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 3: LOCATION MAP OF PROPOSED CORRIDOR 2 OF 4 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 2-6, 2 OF 4) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 4: LOCATION MAP OF PROPOSED CORRIDOR 3 OF 4 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 2-6, 3 OF 4) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 5: LOCATION MAP OF PROPOSED CORRIDOR 4 OF 4 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 2-6, 4 OF 4) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 6: TYPICAL STRUCTURE CONFIGURATIONS 1 OF 2 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 1-20) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 7: TYPICAL STRUCTURE CONFIGURATIONS 2 OF 2 (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 1-21) ..... **ERROR! BOOKMARK NOT DEFINED.**

FIGURE 8: PROPOSED CORRIDOR AND PREVIOUS WEST CONSENSUS CORRIDOR (ANDYTOWN-OASIS 500/230KV TLSA APPLICATION FIGURE 2-3) ..... **ERROR! BOOKMARK NOT DEFINED.**

List of Tables

TABLE 1. EASEMENT, TITLE, AND CROSSING APPROVALS 18

TABLE 2. MAXIMUM EMF LEVELS (ANDYTOWN-OASIS TLSA 500/230KV APPLICATION TABLE 4-1) 27

TABLE 3. AGENCY RECOMMENDATIONS 37

Appendices

APPENDIX I – PROPOSED CONDITIONS OF CERTIFICATION

APPENDIX II– AGENCY REPORTS

- APPENDIX II-A – PUBLIC SERVICE COMMISSION
- APPENDIX II-B – DEPARTMENT OF TRANSPORTATION
- APPENDIX II-C – DEPARTMENT OF COMMERCE
- APPENDIX II-D – FLORIDA FISH AND WILDLIFE COMMISSION
- APPENDIX II-E – SOUTH FLORIDA WATER MANAGEMENT DISTRICT
- APPENDIX II-F – DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES
- APPENDIX II-G – MIAMI-DADE COUNTY
- APPENDIX II-H – BROWARD COUNTY
- APPENDIX II-I – TOWN OF SOUTHWEST RANCHES

1.0 INTRODUCTION

On May 20, 2026, Florida Power & Light Company (Applicant or FPL) submitted a Transmission Line Certification Application (Application) to the Florida Department of Environmental Protection (Department) Siting Coordination Office (SCO) for a proposed transmission line corridor (Corridor).[1] The Applicant is proposing to construct, operate, and maintain two new 500 kilovolt (kV) and two new 230 kV transmission lines in a single 31.2 mile corridor which is to be known as the Andytown-Oasis 500/230 kV Transmission Line Project (Project). The proposed Corridor begins in Broward County at the existing Andytown substation and ends in Miami-Dade County (MDC) at the planned Oasis substation. No substations are included for certification with this Application.

The procedures and requirements for granting or denying a certification to construct, operate, and maintain transmission lines in the state of Florida are set forth in the Florida Electric Transmission Line Siting Act (TLSA or Act), sections 403.52-5365, Florida Statutes (F.S.), and the implementing rules in Chapter 62-17, Florida Administrative Code (F.A.C.). Under the TLSA, the Department is directed to administer the processing of applications for certification and ensure that the applications, including post-certification reviews, are processed on an expeditious and priority basis. For each application, the Department must prepare a Project Analysis Report, which includes its recommendation for granting or denying the requested certification, and any proposed Conditions of Certification (Conditions) the Department believes should be imposed. This report addresses the proposed electric transmission line Corridor and has been prepared to fulfill the specific TLSA requirement pursuant to section 403.526(3), F.S.

Section 403.521, F.S., provides:

> "The legislative intent of this act is to establish a centralized and coordinated licensing process for the location of electric transmission line corridors and the construction, operation, and maintenance of electric transmission lines, which are critical infrastructure facilities. This necessarily involves several broad interests of the public addressed through the subject matter jurisdiction of several agencies. The Legislature recognizes that electric transmission lines will have an effect upon the reliability of the electric power system, the environment, land use, and the welfare of the population."

It is further stated that:

> "It is the intent of this act to fully balance the need for transmission lines with the broad interests of the public in order to effect a reasonable balance between the need for the facility as a means of providing reliable, economical, and efficient electric energy and the impact on the public and the environment resulting from the location of the transmission line corridor and the construction, operation, and maintenance of the transmission lines."

Pursuant to section 403.529(4), F.S.:

> "In determining whether an application should be approved in whole, approved with modifications or conditions, or denied, the board, or secretary when applicable, shall consider whether, and the extent to which, the location of the transmission line corridor

[1] The Application and supporting information can be downloaded from the Florida Department of Environmental Protection, Siting Coordination Office webpage at: https://floridadep.gov/water/siting-coordination-office/content/fpl-andytown-oasis-500kv-transmission-line-project

and the construction, operation, and maintenance of the transmission line will:

(a) Ensure electric power system reliability and integrity;

(b) Meet the electrical energy needs of the state in an orderly, economical, and timely fashion;

(c) Comply with applicable nonprocedural requirements of agencies;

(d) Be consistent with applicable provisions of local government comprehensive plans, if any; and

(e) Effect a reasonable balance between the need for the transmission line as a means of providing reliable, economically efficient electric energy, as determined by the commission, under s. 403.537, and the impact upon the public and the environment resulting from the location of the transmission line corridor and the construction, operation, and maintenance of the transmission lines."

Once the Application review process is completed, the Secretary of the Department will take final action on the Application if there are no disputed issues of fact or law. If, however, there are disputed issues of material fact or law among the parties to the proceeding, a certification hearing will be held before an Administrative Law Judge (ALJ) at the Division of Administrative Hearings (DOAH). If a certification hearing is held, the ALJ will issue a recommended order, containing findings of fact, conclusions of law, and an ultimate recommendation on the Application, and the final action on certification will be made by the Governor and Cabinet, sitting as the Siting Board. A certification hearing is currently scheduled to begin on Thursday, October 22, 2026, with a public hearing portion scheduled to begin at 6:00 pm on Tuesday, October 27, 2026.

The scope of a certification under the TLSA includes only state, regional, and local requirements. All federal permits are processed separately from the Application. The Applicant must obtain all applicable federal authorizations prior to the commencement of construction and operation. FPL will apply to the U.S. Army Corps of Engineers for an individual permit under Section 404 of the Clean Water Act after the final design of the Project has been determined. Depending on final design and alignment of the Project, a Section 408 review (Section 14 of the Rivers and Harbors Act) for impacts to civil works projects and Section 10 authorization under the Rivers and Harbors Act for aerial crossings of navigable waterways may be required.

For proposed transmission lines, the TLSA provides for the certification of "corridors," the areas within which transmission line rights-of-way (ROWs) must be located. Once the ROWs for newly certified transmission lines have been acquired, the boundaries of the corridors are revised to those of the acquired ROWs. The portions of the corridors that fall outside of the acquired ROWs have no further legal significance in relation to a TLSA project.

Pursuant to section 403.5271, F.S., alternate corridors may be proposed by any party. Sections 403.521–.526, 403.527(4), and 403.5271, F.S., set forth the application processing schedule for transmission line corridors, including the processing and review of alternate corridors or substation sites that are timely submitted. The deadline to file alternate corridors in this proceeding was August 28, 2026, and no alternate corridors were filed.

2.0 NEED DETERMINATION

In section 1.1.1 of the Application, FPL specified that an electrical connection between the Andytown substation in Broward County and the Oasis substation in Miami-Dade County was necessary in order to, "…(a) improve reliability for [FPL] customers in MDC; (b) increase power transfer capabilities of the transmission network by providing an additional resilient 500kV circuit between Broward County and MDC; (c) relieve potential overloads and low voltage conditions under contingency events; and (d) reduce line loading on existing transmission circuits."

Pursuant to section 403.526(2)(e), F.S., an affirmative determination of need from the Florida Public Service Commission (PSC) is required prior to the certification of any transmission line subject to the TLSA. Additionally, section 403.537(1)(b), F.S., designates the PSC as the sole forum in which to determine the need for a transmission line regulated by the TLSA. FPL filed a request for a determination of need with the PSC prior to filing its TLSA Application with the Department. On June 1, 2026, the PSC issued the Final Order Approving Determination of Need for Electrical Transmission Lines (Need Determination) for FPL's Andytown-Oasis 500/230 kV Transmission Line Project (PSC-2026-0179-FOF-EI) included in Appendix II-A[2]. In its Final Order for this Project, PSC granted "FPL's petition for determination of need for the proposed [Andytown-Oasis Project] and approve all four transmission lines comprising it" and ordered the following:

> "…there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for electric system reliability and integrity."
>
> "…there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the residents of the state."
>
> "…the proposed starting and ending points for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project are appropriate."
>
> "…Florida Power & Light Company's Petition to Determine Need for Electrical Transmission Lines is GRANTED as set forth herein."

3.0 PROJECT OVERVIEW

The following descriptions and overviews are as proposed and described in the Application and additional information submitted by the Applicant.

3.1 Applicant Corridor Selection Process

In order to identify the corridor proposed for certification, FPL established a multidisciplinary team of land use, engineering, and environmental experts. The Applicant employed a methodology to identify route options and constraints, conduct comparative evaluations, and identify a corridor using information gathered through public information resources, field

[2] On March 24, 2026, the Environmental Defense Fund (EDF) filed a motion to intervene with the PSC. A formal administrative hearing was held on April 29, 2026. On June 29, 2026, EDF appealed to the Florida Supreme Court for a hearing on the PSC's determination. At the time of this report, pending further action by the Supreme Court, the PSC's affirmative determination of need for the FPL Project is final and effective.

reconnaissance, discussions with state and local agencies, and public outreach (section 2.0, Application).

FPL's Corridor selection process included the following steps:

- Establishing the study area,
- Identifying and defining evaluation criteria,
- Resource mapping and establishing a GIS database,
- Identifying and evaluating route options and route selection,
- Selecting a preliminary proposed corridor,
- Public outreach, and
- Selecting a proposed corridor.

During the Corridor selection process, the Applicant established a study area based on existing infrastructure which provides opportunities to co-locate the Project with other linear features. Areas with existing high-density development were excluded from the study area to minimize costs and community impacts, while areas west of the proposed Corridor were excluded due to a higher potential for environmental impacts and no opportunity to co-locate.

A geographic information system (GIS) database was established for resource mapping and to evaluate information to develop route segments within the study area considering governmental jurisdictions; land use, social, environmental, and technical data sources; and infrastructure systems. The following is a summary of the general guidelines used by FPL to select the potential route segments:

- Minimization of:
    - proximity to residences, schools, and other community facilities, listed species locations, historic sites;
    - locations in tribal lands and parks;
    - traffic congestion and impacts to business during construction and maintenance, crossing constraints identified during mapping, severance of land under common ownership, crossing of existing electric transmission lines; and
    - total length.;
- Maintenance of applicable distance from registered public and private airports;
- Maximization of co-location with existing transmission lines and other linear features such as roads, canals, railroads, and other utility rights-of-way and corridors; and
- Maximization of locations following previously disturbed alignments such as roads, trails, canals, ditches, etc.

Utilizing the process outlined above, FPL created seven multi-segment alignments that could potentially meet the Project objectives. Each of the multi-segment alignments were then evaluated using quantitative and qualitative criteria established by the multi-disciplinary team based on the characteristics of the Study Area. FPL used the outcome of the evaluation, along

with the guidelines outlined in regulatory requirements, historical agreements for the West Consensus Corridor (WCC) as summarized in section 3.3 below, and comments from stakeholders and public outreach to select the proposed Corridor presented in the Application. A more detailed description of the corridor selection process can be found in section 2.1 of the Application.

3.2 Project Description

3.2.1 General

The proposed 31.2 mile Corridor begins at the existing Andytown substation located in the Town of Southwest Ranches in Broward County and terminates at the planned Oasis substation in unincorporated Miami-Dade County with connections to the existing intermediate Levee and Quarry substations. The Project includes four transmission lines in the single Corridor: one 500 kV line from the Andytown substation to the Oasis substation; one 500 kV line from the Oasis substation to the Quarry substation; one 230 kV line from the Oasis substation to the Quarry substation; and one 230 kV line from the Oasis substation to the Levee substation. The planned Oasis substation is not included for certification in the Application. The location of the proposed Corridor is shown in Figure 1 below. Figures 2 through 5 depict the location of the proposed Corridor in more detail including nearby existing electrical substations and rights-of-way.

The Andytown-Oasis transmission line Corridor follows existing transmission line and canal ROWs for approximately 75% (23.4 miles) of its total length. The northern portion of the Corridor running from the Andytown substation to the intermediate substations includes 16 miles of an existing 500 kV FPL transmission line. The portion of the Corridor that runs south from the intermediate substations to the planned Oasis substation falls largely within the area known as the WCC that was previously approved for transmission line construction and operation as a linear facility associated with FPL's Turkey Point Plant Units 6 and 7 Site Certification. The width of FPL's proposed Corridor ranges from 800 feet, at its narrowest, to 3,400 feet, at its widest, however, the maximum anticipated width of the ultimately selected ROW is expected to be 410 feet.

The proposed Corridor route is co-located along the following existing linear facilities:

- Existing FPL transmission rights-of-way;
- South Florida Water Management District L-31N, L-30, and L-33 canals;
- Dade-Broward Levee;
- Krome Avenue;
- US27; and
- US41/Tamiami Trail (crossing only).

The Project includes construction of maintenance and access roads located within the ultimately narrowed transmission line right-of-way. The specific location and design of these roads will be submitted prior to construction once the final right-of-way has been established. FPL has also included a description of eleven "access only corridor lateral" roads in its Application. Section 403.522(16), F.S., states that, "…Nothing in this act prohibits an applicant from constructing a road to support construction, operation, or maintenance of the transmission line that lies outside

the transmission line right-of-way." FPL clarified in its July 10, 2026, response to completeness questions from the Department that, "FPL is not proposing any construction for those roads at this time, and they are outside of what will ultimately be the transmission right-of-way."[3] Any future construction involving these access roads or other roads will require permitting through the appropriate federal, state, and local agencies.

[3] FPL's Response to Determination of Completeness July 10, 2026; https://publicfiles.dep.state.fl.us/Siting/Outgoing/FPL_Andytown-Oasis/Application/20260710_FPL_AndytownOasis_CompletenessResponse.pdf



Figure 1: Project Map Location (Andytown-Oasis 500/230kV TLSA Application Figure 1-1)

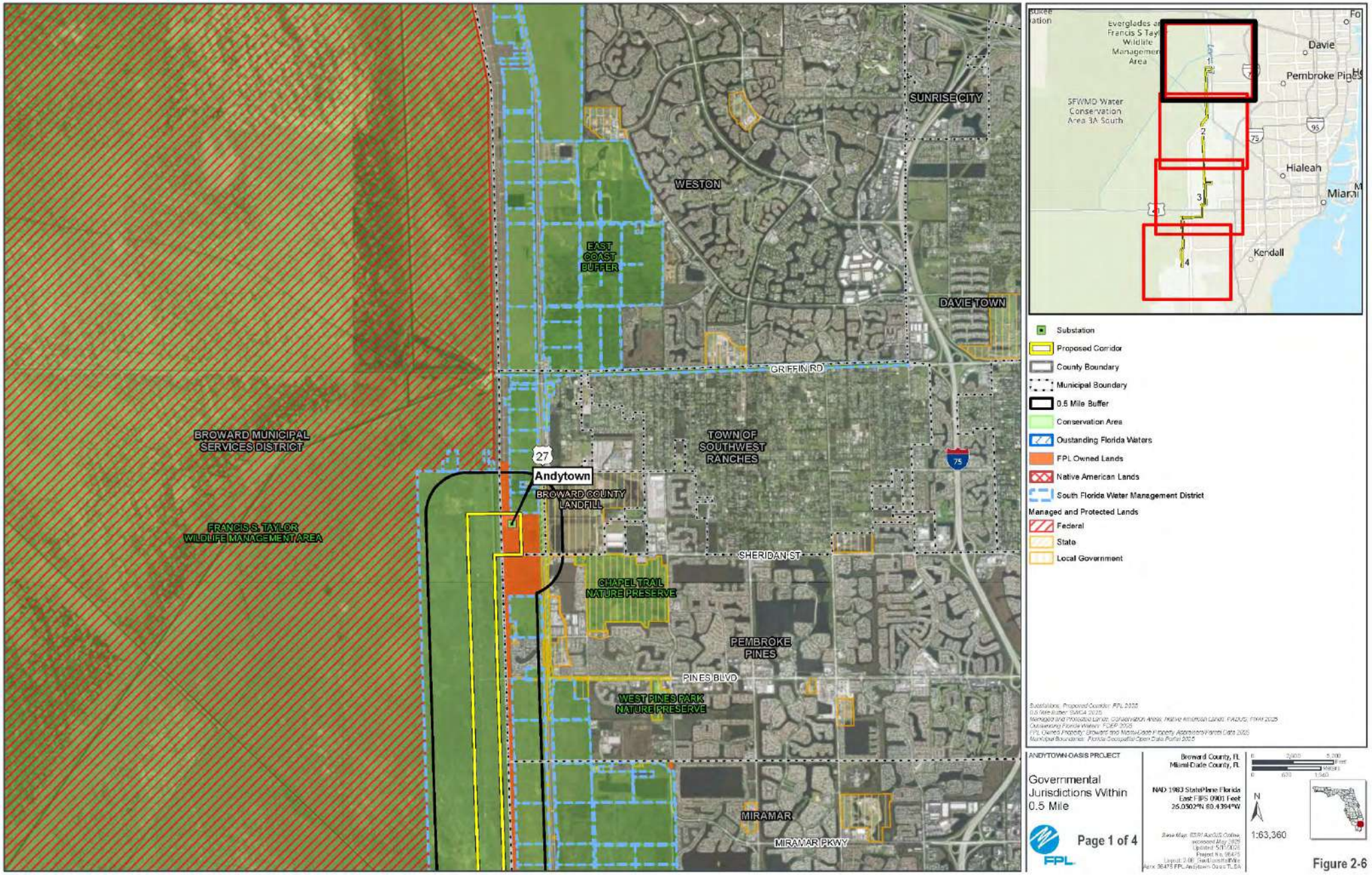


Figure 2: Location Map of Proposed Corridor 1 of 4 (Andytown-Oasis 500/230kV TLSA Application Figure 2-6, 1 of 4)

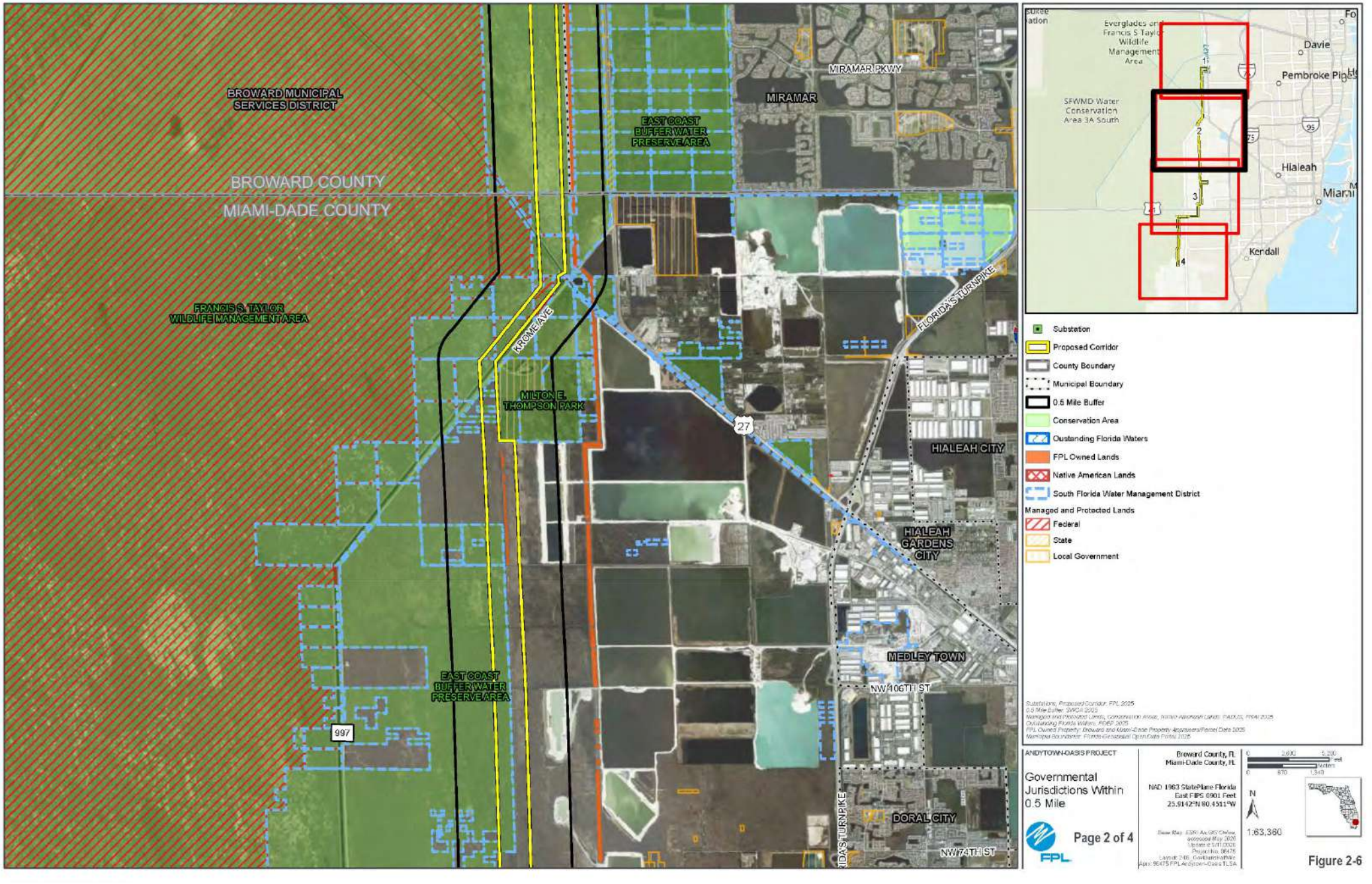


Figure 3: Location Map of Proposed Corridor 2 of 4 (Andytown-Oasis 500/230kV TLSA Application Figure 2-6, 2 of 4)

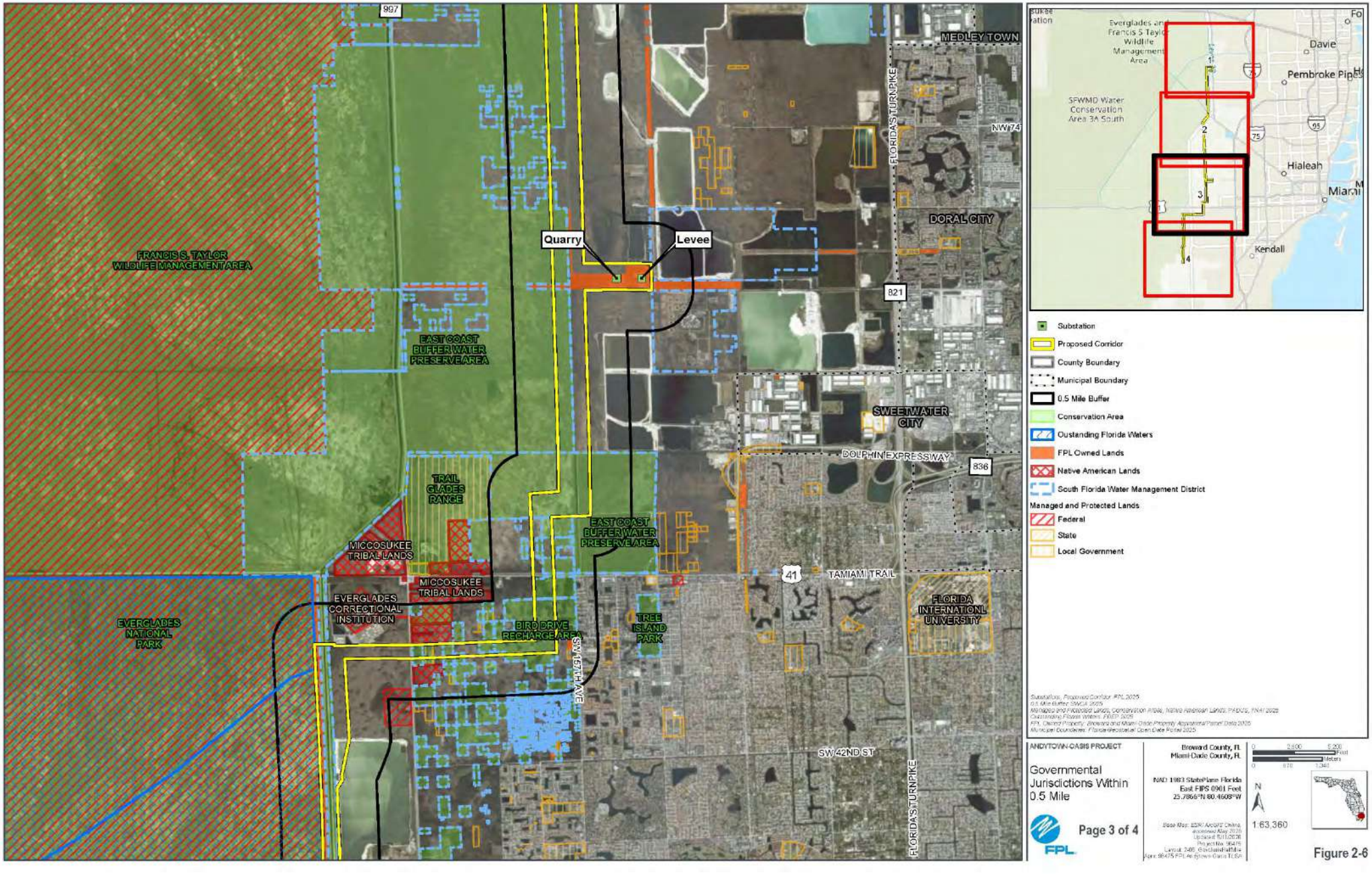


Figure 4: Location Map of Proposed Corridor 3 of 4 (Andytown-Oasis 500/230kV TLSA Application Figure 2-6, 3 of 4)

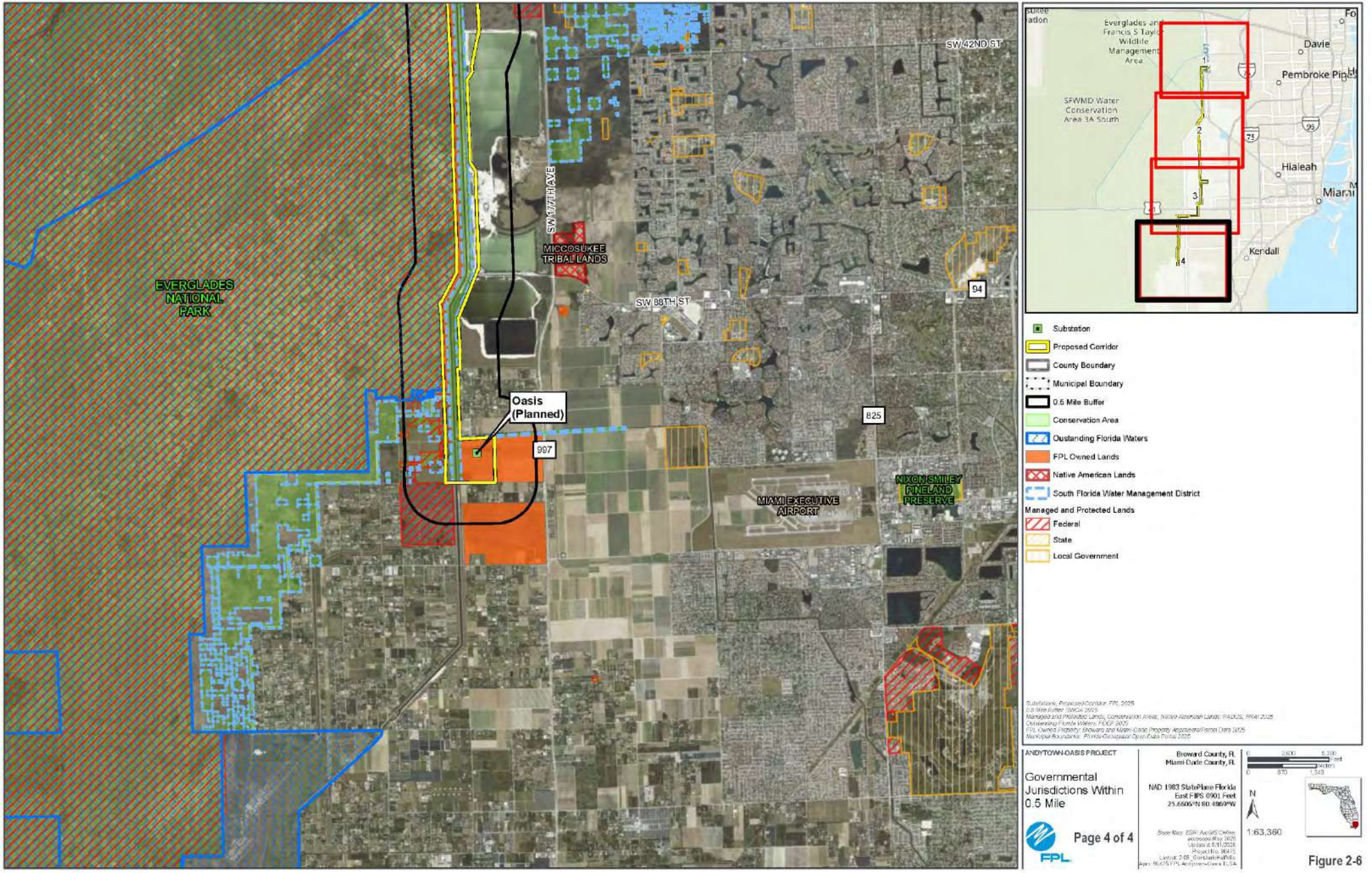


Figure 5: Location Map of Proposed Corridor 4 of 4 (Andytown-Oasis 500/230kV TLSA Application Figure 2-6, 4 of 4)

3.2.2 Transmission Line and Structure Design

As described in section 1.3 of the Application, FPL intends to utilize self-supported monopole and H-frame structures made of steel or concrete ranging from 90 to 199 feet above ground surface for the proposed lines. The aerial overhead transmission lines will have three phases and optical ground wires/overhead ground wires. The monopoles will be approximately 3 to 6 feet in diameter with foundations either directly embedded or augured. Cast-in-place concrete will vary in width from 4 to 9 feet for steel structures. Structure spans will vary from 450 to 1,320 feet, depending on site conditions throughout the ROW as well as physical features in the area. Span lengths between structures will be adjusted where practicable to minimize impacts to wetlands. Figures 6 and 7 represent the anticipated typical structures for 230 and 500 kV circuits, respectively. Vertical clearances of the conductor will vary along the length of the transmission line. However, all sections of the line must comply with applicable requirements of the National Electric Safety Code (NESC) (Institute of Electrical and Electronics Engineers, Incorporated, 2023 Edition) and safety standards adopted by the PSC pursuant to section 366.04(6), F.S.

Project construction and operation will require access roads, structure pads, and turning pads. Existing roads will be used where possible. Unpaved access roads within the existing 500 kV right-of-way between the Andytown and Quarry substations will be used for construction and maintenance of the Project, and new structure pads will be constructed adjacent to existing structure pads to facilitate construction and maintenance of the new transmission line.

In the portion of the Project south of the Quarry and Levee substations, new access roads and structure pads will be constructed where necessary. New access roads will be unpaved, approximately 18 ft wide, with a top elevation at least 12 inches above expected seasonal high-water.

Refer to section 1.3 of FPL's Application and Response to Determination of Completeness for more information regarding transmission line design and access roads.

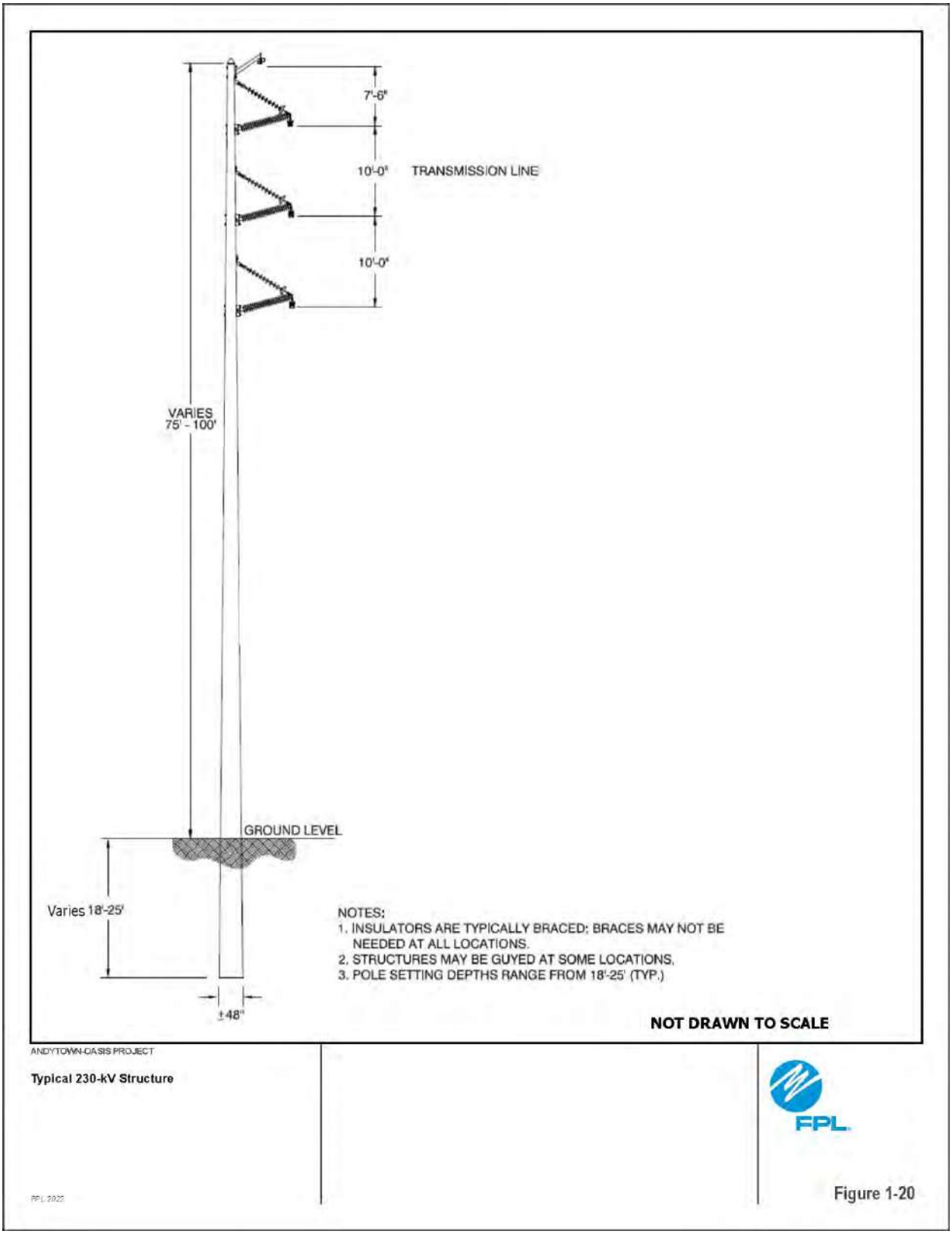


Figure 6: Typical Structure Configurations 1 of 2 (Andytown-Oasis 500/230kV TLSA Application Figure 1-20)

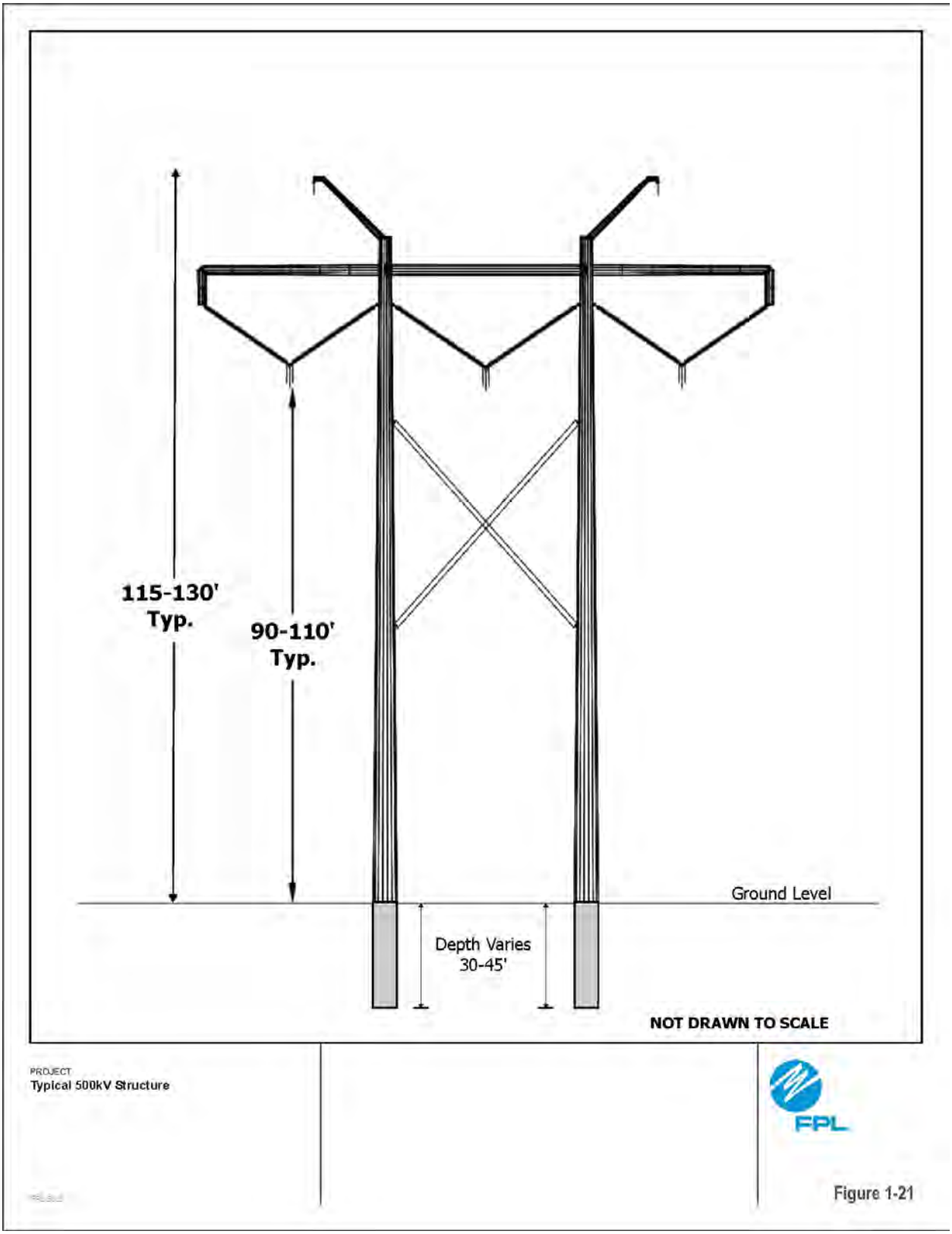


Figure 7: Typical Structure Configurations 2 of 2 (Andytown-Oasis 500/230kV TLSA Application Figure 1-21)

3.2.3 Easements and Titles

The Corridor includes crossings of lands controlled by various state, regional, and local government entities including the Board of Trustees of the Internal Improvement Trust Fund (TIITF), South Florida Water Management District (SFWMD), Florida Department of Transportation (FDOT), and Greater Miami Expressway Agency (GMX). FPL anticipates seeking approvals, easements, or authorizations from the agencies listed in Table 1.

Table 1. Easement, Title, and Crossing Approvals

Agency	Feature
SFWMD	L-33, C-304, L-30, C-4, L-31N Canals Dade-Broward Levee
FDOT	SR 997Krome Avenue SR 90/SW 8 Street (Tamiami Trail)
TIITF	Pennsuco Wetlands C-4 Impoundment Land Adjacent to Thompson Park Bird Drive Basin South of Krome North Service Processing Center
MDC	Northwest Wellfield Canal
GMX	Bird Drive Basin

3.2.4 Everglades National Park and State Managed Areas

3.2.4.1 Everglades National Park

A portion of the proposed Corridor is located within the current eastern boundary of Everglades National Park (ENP). (Refer to section 3.3 of this report for details regarding a land exchange agreement between FPL and the U.S. Department of Interior, National Park Service and future modification of the park boundaries.) ENP was established in 1947 to conserve the natural landscape and prevent further degradation of its land, plants, and animals protecting approximately 1.5 million acres of wetland, forest, and marine habitats.[4] The ENP is a unique subtropical wetland that is the hydrologic connection between central Florida's freshwater ecosystem and the marine systems of Florida Bay and the Gulf of Mexico.[5] The East Everglades Expansion Area was added to the park in 1989, and contains the headwaters of the Northeast Shark River Slough and Taylor Slough, which, along with western Shark Slough, are the primary sources of water flow to the park.[6]

[4] https://www.nps.gov/ever/index.htm
[5] National Park Service, 2015. Acquisition of Florida Power & Light Company Land in the East Everglades Expansion Area Final Environmental Impact Statement, Volume I., 36 https://parkplanning.nps.gov/showFile.cfm?sfid=227190&projectID=37220
[6] Ibid

3.2.4.2 SFWMD Natural Lands

The proposed Corridor crosses portions of the Pennsuco Wetlands and Bird Drive Recharge Basin which are components of the SFWMD East Coast Buffer Natural Lands within the Everglades Land Management Region. SFWMD Natural Lands have been acquired to protect and enhance water resources. This is achieved by buffering critical flow-ways from urban development and by maintaining large areas for groundwater recharge, flood water attenuation, and surface water storage in wetlands. SFWMD's primary focus for these lands is to restore and maintain their ecological and hydrologic function so they can provide the benefits for which they were acquired.[7]

The Pennsuco Wetlands are bordered on the west and north by Krome Avenue, south by Tamiami Trail, and east by the Dade-Broward Levee. The natural communities in Pennsuco are dominated by sawgrass marsh interspersed with depressional sloughs and prairies. The management activities in the Pennsuco Wetlands are primarily focused on improving the habitat functions through nuisance removal. In FY2025, a total of 51 acres were treated for nuisance and invasive plant species.[8] FPL has existing easements from the SFWMD within a portion of the proposed Corridor between Tamiami Trail and Dade-Broward Levee.

The Bird Drive property consists of hundreds of small, disconnected parcels lying south of the Pennsuco Wetlands. The Bird Drive property acquisition increased the spatial extent of wetlands within the Everglades Region in addition to providing additional recharge, flood control, and water quality benefits to the basin. Historically, the area was part of a large freshwater sawgrass marsh community that has been altered through time by canals, roadways, and other types of development and land use. Currently, the vegetation consists of prairie and shrub wetlands interspersed with natural upland communities. The vegetation communities within Bird Drive are characterized by a chronic occurrence of nuisance and invasive plant species and off-road vehicle use. During FY2025, management activities within Bird Drive primarily focused on providing site security for this property.[9] FPL has existing easements from the SFWMD within a portion of the proposed Corridor through the Bird Drive Basin between Krome Avenue and Tamiami Trail.

3.2.4.3 FWC Water Conservation Areas

Water Conservation Area (WCA) 3 covers 915 square miles purchased for the Central and Southern Florida Flood Control Project in western Broward and Miami-Dade Counties, north of ENP. Florida Fish and Wildlife Conservation Commission (FWC) shares cooperative management authority of the Everglades and Francis S. Taylor Wildlife Management Area (EWMA) within WCA 3. These areas are managed for flood control, ecological values, and public recreation and are open for public use activities such as hunting, fishing, and air boating.

3.2.5 Land Uses/Vegetation

Land use and vegetation cover types in and within one half mile of the proposed corridor were classified by FPL with FDOT's Florida Land Use, Cover and Forms Classification System (FLUCFCS), using land use/land cover data from the SFWMD and revised based on field

[7] SFWMD, 2026 South Florida Environmental Report, Volume II, Chapter 6B, Land Stewardship Annual Report, 6B-2, 6B-24; https://sfer-docs.sfwmd.gov/2026_sfer_final/v2/chapters/v2_ch6b.pdf
[8] Ibid., 6B-26
[9] Ibid., 6B-26 and 27

reconnaissance. Based on their analysis, approximately 5,181 acres of wetlands and surface waters exist within the proposed Corridor including approximately 136 acres of channelized waterways/canals, 99 acres of mixed wetland hardwoods, 727 acres of exotic wetland hardwoods, 3,820 acres of freshwater marsh, and 399 acres of wet prairies. Urban and built-up land uses comprise approximately 158 acres of the Corridor composed of low-density rural residential units, rock quarries, holding ponds, and correctional facilities. Approximately 140 acres of the proposed Corridor consist of agricultural land uses, including active and fallow cropland and equestrian facilities. Canal levees comprise approximately 256 acres within the proposed Corridor. Transportation, communication, and utility land uses comprise approximately 170 acres. Further information on land use and land cover is provided in section 2.4.6 and Table 2-6 of the Application.

3.2.6 Water and Wetland Impacts

3.2.6.1 Water Impacts

The proposed Corridor crosses SFWMD L-31N, L-30, C-4, C-304, and L-33 canals used for water conveyance and flood protection. In accordance with Rule 62-302.400, F.A.C. these canals are classified as Class III waters with a designated use listed as Fish Consumption; Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife. Specific water quality criteria have been established for Class III waters to protect fish consumption, recreation and the propagation and maintenance of a healthy, well-balanced population of fish and wildlife. There are no Class I or II waters within the proposed Corridor.

3.2.6.2 Wetland Impacts

Identification of surface waters and wetlands within and within 0.5 miles of the Corridor were provided in the Application. Forested and herbaceous wetland habitat types occurring within the proposed Corridor, include freshwater marsh, wet prairie, mixed wetland hardwoods, and exotic wetland hardwoods. Descriptions of the wetland communities can be found in section 2.4.6 of the Application.

Impacts of construction were estimated based on assumptions regarding structure pad dimensions, span lengths, access roads, and depth of fill. See section 3.2 of the Application for more details regarding design assumptions. At this point in the process, conceptual impact acreage for areas of wetland have been estimated. Once the final right-of-way has been selected and detailed engineering design has been completed, acreages of clearing, canopy clearing, and secondary wetland impact will be calculated, and a determination of the appropriate mitigation to offset wetland functional loss will be provided to the appropriate agencies prior to construction of the Project. The Project's preliminary estimated wetland impacts are summarized in Table 3-2 of the Application and include approximately 134 acres of fill, resulting in approximately 94 credits of functional loss.

3.2.7 Listed Species

A combination of field reconnaissance, database queries, aerial maps, habitat assessment, and literature review was used to evaluate wildlife and plant species likely to occur within the proposed Corridor and nearby vicinity. County-specific lists of threatened and endangered species and element occurrence data were obtained from the Florida Natural Areas Inventory (FNAI, 2025), and the USFWS Information for Planning and Consultation was also queried.

Field surveys were conducted between July and August 2025.

Additional listed species surveys will be conducted once the final transmission line ROW has been determined. If any individual species are observed, or if suitable habitats exist within or directly adjacent to the ROW then coordination with the FWC and/or United States Fish and Wildlife Service will be required.

Non-listed avian, reptile, and mammal species found or likely to occur within the proposed Corridor are listed in section 2.4.8 of the Application. Listed species known to occur within Broward County and MDC and their probability of occurrence within the Proposed Corridor are summarized in Table 2-7 of the Application. There are several listed bird, reptile, mammal, and plant species documented within 1,500 ft of the proposed Corridor or likely to occur based on the presence of suitable habitat, field surveys, and data review. However, many of the listed species known to occur within Broward County and MDC are unlikely to occur within the proposed Corridor due to lack of suitable pine rockland, estuarine, or marine habitats.

The following listed species were observed or have a high likelihood of occurrence within the proposed Corridor:

Birds:	Little Blue Heron, Snail Kite, Wood Stork, Tricolored Heron, Roseate Spoonbill, Least Tern, Eastern Black Rail, Florida Burrowing Owl, Cape Sable Seaside Sparrow White-Crowned Pigeon, and Bald Eagle.
Reptiles:	American Alligator, and Eastern Indigo Snake.
Mammals:	Florida Bonneted Bat, and Everglades Mink.
Plants:	Meadow Jointvetch, Pineland Pencil Flower, Southern Frogfruit, and Everglades Bully.

3.3 Everglades Land-Exchange and Previously Certified Corridor

A portion of the proposed Corridor is co-located with FPL-owned land that is currently within the eastern boundary of the Everglades National Park. This land was obtained through an exchange agreement (Exchange Agreement) between FPL and the U.S. Department of Interior acting through the National Park Service (NPS).[10] A separate strip of land, previously acquired by FPL to ensure an adequate supply of energy into Miami, became a private inholding within the ENP following the park's acquisition of the East Everglades Addition in 1989. The inholding strip of land was conveyed by FPL to ENP in exchange for a linear strip of land along the eastern edge of the ENP's expanded property. The eastern edge strip of land conveyed to FPL lies within a corridor previously approved for transmission lines as part of the FPL Turkey Point Plant Units 6 and 7 Certification (WCC)[11] Figure 8 depicts the portion of the proposed Corridor which overlaps with the previously certified WCC.

Under the Exchange Agreement, once the final transmission facilities alignment is established, FPL will convey land received from ENP that FPL would not need for its final transmission

[10] Agreement for Exchange of Lands and Interests in Lands Located in Everglades National Park Between the United States of America and Florida Power & Light Company, Executed March 21, 2016. https://publicfiles.dep.state.fl.us/Siting/Outgoing/FPL_Andytown-Oasis/Application/20260520_FPL_Andytown-Oasis_TLSA_Application.pdf#page=255

[11] Florida Power and Light Company Turkey Point Units 6 and 7 Power Plant Siting Application PA03-45A3, DOAH Case No. 09-3575-EPP.

facilities alignment back to ENP. The park boundary will then be revised to exclude the transmission line ROW from the park. Additional information regarding the Exchange Agreement and the WCC is provided in section 2.1.4.2 of the Application. The land exchange agreement is included in Appendix B of the Application.

If FPL's Project is approved, the final land conveyance and revision of park boundaries will result in a final right-of-way located outside of ENP. FPL has agreed to conditions requiring FPL to make reasonable efforts to secure the necessary authorizations, approvals, and property rights to support the timely siting, construction, operation, and maintenance of the Project to the east of the western boundary of the South Florida Water Management District's L31-N right-of-way, to the extent practicable. FPL has also committed to reconvey lands not utilized for the Proposed Project to ENP.

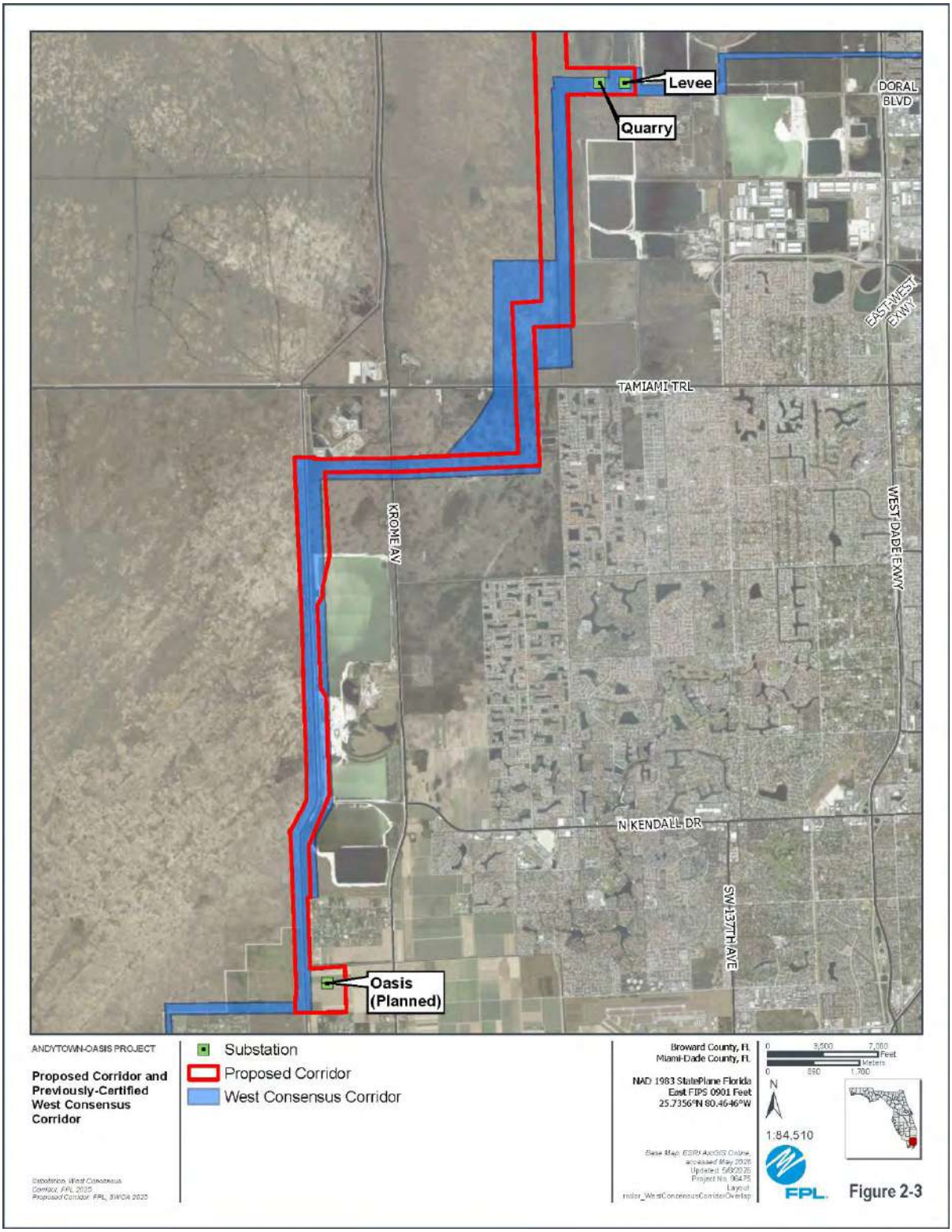


Figure 8: Proposed Corridor and Previous West Consensus Corridor (Andytown-Oasis 500/230kV TLSA Application Figure 2-3)

4.0 ARCHAEOLOGICAL AND HISTORIC SITES

A desktop study conducted in June 2025, by the Applicant revealed previously recorded cultural resources within or near the proposed Corridor. The study included a review of the Florida Master Site File data to screen for the location of previously recorded cultural resources, such as archaeological sites, historic structures, linear resources, historic cemeteries, and bridges. One previously recorded archaeological site, one previously recorded historic structure, and eight previously recorded resource groups were found within, or adjacent to, the proposed Corridor. Four were determined to be eligible for listing on the National Register of Historic Places. Once the final right-of-way has been selected, FPL will coordinate with Department of State, Division of Historical Resources (DHR) to avoid or minimize potential impacts to cultural resources. Precise locations of recorded sites are not included in the Application.

5.0 AGENCY ASSESSMENT

Although the Department is charged with coordinating the TLSA application process, many of the concerns to be addressed during the project impact assessment are outside of the Department's purview and jurisdiction. The transmission line certification process includes the reviews and recommendations of the reviewing agencies listed in section 403.526, F.S., whose jurisdictions are impacted by the location of the proposed Corridor. The Department has requested that DHR review the Application for matters within their jurisdiction in addition to the listed agencies in accordance with section 403.526.(2)(a)8., F.S.

Agency Conditions of Certification may be made provisional as to the final ROW location and specific construction techniques and may require additional information to be submitted for review and approval after certification to ensure compliance with applicable regulations. This "postcertification review" of a certified corridor may include the review of information submitted after the exact location of the final ROW within the corridor is determined.

Through postcertification review, verification occurs which confirms that sensitive areas will be avoided, location and construction of the ROW and the transmission line will have minimal adverse impacts, and the project will be in compliance with all applicable nonprocedural agency regulations. Such review can apply to endangered species monitoring, wetland impact minimization, wetland mitigation requirements, archaeological assessments, road-crossing limitations, as well as any other applicable nonprocedural regulatory requirements. The procedures and timeframes for postcertification review are established by section 403.5317, F.S., and Rule 62-17.660, F.A.C.

Conditions may require postcertification submittals such as monitoring reports, management plans, wildlife surveys, historical surveys, and Environmental Resource Permit (ERP) application information. Proposed Conditions of Certification which require such review with respect to the Andytown-Oasis Transmission Line Application are included in Appendix I of this report.

6.0 AGENCY REPORTS

As stated above, the TLSA requires several state agencies to participate in the Application review process. Each of these agencies review the Application with regard to the proposed project's impacts, and compliance with the applicable statutory and administrative requirements within each agency's jurisdiction. The agencies are further directed to prepare and submit a

written report to the Department on the potential impacts of the proposed transmission line project on subject matters within their jurisdiction. Each agency must provide the Department with a recommendation of approval or denial of the application and specify any restrictions or requirements that should be included in the proposed Conditions of Certification.

The reviewing agencies listed in the TLSA are the Florida Public Service Commission, the Florida Department of Commerce (DOC), the Water Management District in the jurisdiction of the proposed corridor, the Florida Fish and Wildlife Conservation Commission, the Florida Department of Transportation, all local governments having jurisdiction over the area within which the project is located, and any other agency as requested by the Department. For this project, the SFWMD is the jurisdictional Water Management District, and the Department has included the Florida Department of State, Division of Historical Resources as an additional reviewing agency. The local governments with jurisdiction over the Project area include Miami-Dade County, Broward County, and the Town of Southwest Ranches.

Section 403.526(2)(b)3., F.S., requires that any conditions proposed by a reviewing agency must cite the specific statute, rule, or ordinance which authorizes the proposed condition. Both section 403.526(2)(b), F.S., and Rule 62-17.590(1)(e), F.A.C., limit any Condition of Certification proposed by an agency to matters within the proposing agency's jurisdiction. General Conditions applicable to all certified transmission lines, and appropriate reviewing agencies' specific Conditions for the Anytown-Oasis 500/230 kV Project meeting those requirements have been incorporated into the proposed Conditions of Certification found in Appendix I of this report.

The following are summaries of the Department's review, and of the reports submitted by the reviewing agencies. The Agency Reports in their entirety, including their proposed conditions, can be found in Appendix II. The descriptions therein do not necessarily reflect the Department's views or positions. The Department's overall recommendations are described in section 10.4 of this report.

6.1 Department of Environmental Protection

For transmission lines, the scope of the project assessment that falls within the Department's jurisdiction includes the Environmental Resource Permit (ERP) review and electric and magnetic fields (EMF) effects. Consistent with 62-330, 62-340, 62-345, and 62-814, F.A.C., the analysis performed by the Department includes the consideration of the following criteria relating to corridor location impacts:

- Transmission line and ROW access road construction impacts,
- ROW and access road maintenance impacts,
- Mitigation measures,
- Potential impacts of transmission line crossings on navigable waters, and submerged lands or wetlands,
- Potential impacts on water quality and quantity, including hydrology and surface drainage resulting from construction, clearing, and maintenance,
- Final or preliminary identification (depending on the level of detail provided in the Application) of those areas where the Department has environmental resource permit

jurisdiction. Specific identification and the location of the landward extent of jurisdiction may not occur until after the ROW has been defined following certification of a corridor; and

- Electric and magnetic field effects.

6.1.1 ERP Review

For large projects such as this, many site-specific details and site-specific construction and maintenance impacts are not known until after certification, when the final ROW is selected by the Licensee within the certified corridor. The Department's environmental resource assessment may include a review of areas where construction techniques and potential ROW locations will comply with departmental permitting requirements, but the Department does not possess complete information to make such determination. For example, such an instance might occur when neither the Applicant nor the Department has permission to enter private property to verify site conditions deduced from aerial photography or other remote means.

If site-specific project information has not been provided for all locations within a proposed corridor at the time an application is filed, the Department may identify areas within a proposed corridor in which the ROW, if located, would cause the transmission line Corridor to be "uncertifiable." The Department's designation of such areas may be premised on the following:

- There are no construction techniques which can reasonably be used in that area to mitigate adverse construction impacts to the extent that permitting requirements can be met, including considerations of cumulative impacts as provided for in section 373.414(8), F.S.
- It would be appropriate for the particular location to be excluded from the certified corridor based on applicable nonprocedural regulations.
- Other matters relating to dredging and filling, which fail to comply with all nonprocedural requirements of an agency or fail to comply with the standards set forth in section 403.529, F.S., e.g., endangered species habitat.

In its review and evaluation of FPL's Application, the Department's Southeast District ERP Section concluded that the proposed Corridor could be certified, provided the Applicant complies with the proposed Conditions to submit all required information for any regulated activities as listed in Rule 62-330.020, F.A.C., for review and approval prior to the commencement of construction or clearing.

The Applicant has identified a total of approximately 5,045 acres of wetlands and 136 acres of surface waters within the proposed Corridor. The total number of acres was based on available desktop data and has not been field verified. Potential wetland impacts will be reduced upon the shrinking of the proposed Corridor to the final right-of-way. The Applicant has provided reasonable assurance that the project will be able to meet the applicable requirements of the ERP program. The environmental resource requirements included as proposed Conditions in Appendix I must be met before the Applicant will be allowed to begin construction.

Prior to the commencement of construction of new facilities and/or associated facilities, information not submitted in the Application which is necessary to complete the ERP review process will be submitted to the Department as part of the postcertification review process. The

Conditions proposed by the Department require the Applicant to avoid, minimize, or mitigate impacts to wetlands and surface waters and to submit, as applicable, refined surveys of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department approval through the post-certification review process. Any approved mitigation plans will be incorporated into the Conditions.

6.1.2 Electric and Magnetic Fields

The Applicant submitted an electric and magnetic field (EMF) report, including calculated EMF values for each segment of the proposed transmission line within the anticipated ROWs to the Department on August 22, 2025. The Applicant used anticipated typical ROW widths of 200 to 970 feet for transmission lines, and 2,755 to 5,324 feet for substations to calculate EMF levels along the transmission line and known substation property boundaries. The amount of current carried by the transmission line and the height of the conductors above the ground determine the strength of the magnetic field. The voltage of the transmission line and the conductor height above the ground determine the electric field. Consequently, the electric field near the transmission line is relatively constant over time, but the magnetic field fluctuates depending on customer demand for power. EMFs are calculated at the edge of the ROW, at the height of one meter above the ground, using the maximum current rating of the transmission line pursuant to Chapter 62-814, F.A.C.

Rule 62-814.450(2), F.A.C., includes standards for the electric and magnetic fields of new transmission lines. Based on the information provided in the Application and EMF report, the proposed Andytown-Oasis transmission line project will meet the electric and magnetic field standards of Chapter 62-814, F.A.C., as shown in Table 1 below.

Table 2. Maximum EMF Levels (Andytown-Oasis TLSA 500/230kV Application Table 4-1)

Cross Section Location	Ampacity of New Line (amps)	ROW Width (ft)	Electric Field (kV/M) Within ROW	Electric Field (kV/m) At Edge of ROW	Magnetic Field (mG) At Edge of ROW
Andytown-Oasis 500kV					
CS-1 Andytown Substation	5,000	5,324	7.61	Left Edge: 0 Right Edge: 0	Left Edge: 0.12 Right Edge: 1.31
CS-2 West of Andytown Substation & L-30 Canal	5,000	200	7.61	Left Edge: 1.88 Right Edge: 1.89	Left Edge: 188.64 Right Edge: 188.64
CS-3 Parallel to L-30 Canal (Andytown Substation to Krome Avenue)	5,000	360	7.67	Left Edge: 1.66 Right Edge: 1.94	Left Edge: 192.93 Right Edge: 198.57
CS-4 Parallel to Krome Avenue	5,000	460	7.67	Left Edge: 0.57 Right Edge: 0.66	Left Edge: 99.47 Right Edge: 105.25

Cross Section Location	Ampacity of New Line (amps)	ROW Width (ft)	Electric Field (kV/M) Within ROW	Electric Field (kV/m) At Edge of ROW	Magnetic Field (mG) At Edge of ROW
CS-5 Krome Ave South to Quarry/Levee Substation	5,000	490	7.67	Left Edge: 1.66 Right Edge: 0.19	Left Edge: 195.29 Right Edge: 49.95
CS-6 Quarry/Levee Substation	5,000	5,160	7.67	Left Edge: 1.11 Right Edge: 0	Left Edge: 139.78 Right Edge: 0.17
Andytown-Oasis and Oasis-Quarry 500kV/Levee-Oasis and Oasis-Quarry 230kV					
CS-7 Quarry/Levee Substation	5,000/3,000	5288	7.9	Left Edge: 0.05 Right Edge: 0	Left Edge: 40.08 Right Edge: 0.19
CS-8 South of Quarry/Levee Substation	5000/3,000	380	7.7	Left Edge: 0.61 Right Edge: 1.46	Left Edge: 49.08 Right Edge: 197.72
CS-9 West of C-4 Impoundment Area	5,000/3,000	390	7.7	Left Edge: 0.61 Right Edge: 1.16	Left Edge: 49.08 Right Edge: 170.69
C-10 Pennsuco to Bird Drive Basin	5,000/3,000	370	4.2	Left Edge: 0.58 Right Edge: 1.89	Left Edge: 31.15 Right Edge: 198.85
C-11 Parallel to Tamiami Trail	5,000/3,000	395	7.7	Left Edge: 0.53 Right Edge: 1.40	Left Edge: 40.29 Right Edge: 190.33
C-12 East of L-31N Canal (private)	5,000/3,000	970	7.7	Left Edge: 0.01 Right Edge: 0.62	Left Edge: 7.30 Right Edge: 48.57
C-13 East of L-31N Canal (SFWMD)	5,000/3,000	700	7.3	Left Edge: 0.09 Right Edge: 0.14	Left Edge: 14.54 Right Edge: 52.23
C-14 West of L-31N Canal	5,000/3,000	930	7.7	Left Edge: 0.60 Right Edge: 0.01	Left Edge: 110.93 Right Edge: 8.52
C-15 Oasis Substation	5,000/3,000	2755	2.2	Left Edge: 0.02 Right Edge: 0	Left Edge: 2.20 Right Edge: 1.89

Florida EMF Rule Limit for 500kV Lines			10kV/m[a]	2kV/m[b]	200mG[c]

Note: EMF = Electric and magnetic fields
kV = Kilovolt
kV/m = Kilovolts per meter
mG = Milligauss

The field levels of the proposed transmission lines shown in this table are based on the highest fields anticipated for the 500-kV transmission line configurations, even though structural configurations with lower fields may be employed for some portions of the line routes. The transmission lines will generally operate at a level well under the maximum current rating (MCR). MCR is the nominal value expected to cause the conductor to reach a temperature limit of 180 degrees Celsius. The standard field levels are established in Rule 62-814.450(3), F.A.C.

[a]Maximum electric field on the ROW of a 500 kV or smaller transmission line.
[b]Maximum magnetic field at the edge of the ROW or at the property boundary of a new substation serving a 500kV or smaller transmission line.
[c]Maximum magnetic field allowed for a 500kV transmission line.

Sources: EzEMF software program developed through Florida Electric Coordinating Group and accepted by the Florida Department of Environmental Protection. FPL, 2026.

6.2 Florida Department of Transportation

The Florida Department of Transportation submitted its agency report on June 19, 2026. Pursuant to section 403.526(2), F.S., DOT shall prepare a report as to the impact of the proposed transmission line or corridor on state roads, railroads, airports, aeronautics, seaports, and other matters within its jurisdiction.

In its report, DOT acknowledges the Corridor crossings at SR 90/SW 8 Street (north to south) and SR 977/Krome Avenue, and "reserve the opportunity" to coordinate with FPL upon finalization of the ROW to discuss pole placement and potential lane closures.

DOT recommends certification of the project contingent upon compliance with their proposed conditions and continued coordination throughout the project phases. DOT's proposed conditions are included in Appendix I.

6.3 Florida Department of Commerce

Florida Department of Commerce submitted its agency report on August 18, 2026. Pursuant to section 403.526(2), F.S, DOC must review the Project for consistency with the applicable portions of the state comprehensive plan, emergency management, and other matters within its jurisdiction. DOC may also comment on the consistency of the proposed transmission line or corridor with applicable strategic regional policy plans or local comprehensive plans and land development regulations.

DOC concludes that the Project "does not raise any land use issues of concern", stating that, "…the Project is not subject to local government comprehensive plans, zoning ordinances, and land development regulations." DOC lists the following specific goals (including notes) of the State Comprehensive Plan (SCP) (section 187.201, F.S.) that the project was found to be consistent with and further.

- SCP Goal 11 - Energy (section 187.201(11), F.S.), Policy 6. Note: The Project utilizes energy efficient design for a public utility system (furthers Policy 6)
- SCP Goal 15 - Land Use (section 187.201(15), F.S.). Note: In support of development, the Project enhances the service capacity of the electric power system to accommodate growth in an environmentally acceptable manner (furthers Goal 15).
- SCP Goal 17, Policy 4. Note: The Project enhances the existing and future electric power system and will serve residents in a timely, orderly, and efficient manner (furthers Goal 17). The Project enhances the provision of a stable supply of electrical power that assists emergency management activities, including emergency preparedness, response and recovery to serve residents in a timely, orderly, and efficient manner (furthers Goal 17).
- SCP Goal 21 - The Economy (section 187.201(21), F.S.), Policy 1. Note: The Project will help provide Florida with a stable source of electric power and thus enhance the economic stability of the state (furthers Goal 21).

DOC has no proposed conditions and recommends approval of the Project contingent on FPL meeting all applicable certification requirements.

6.4 Florida Fish and Wildlife Conservation Commission

FWC submitted its agency report on August 18, 2026. Pursuant to 403.526(2), F.S, FWC shall prepare a report as to the impact of each proposed transmission line or corridor on fish and wildlife resources and other matters within its jurisdiction.

FWC notes the following listed species identified in FPL's Application that have the potential to occur within the proposed Corridor:

- Florida Manatee
- Florida Burrowing Owl
- Little Blue Heron
- Tricolored Heron
- Roseate Spoonbill
- Least Tern
- Everglades Mink

FWC proposes conditions requiring wildlife surveys for listed species prior to commencement of construction, and to address potential mitigation or avoidance of listed species and their habitat.

FWC also discusses the location of a portion of the proposed Corridor within Everglades and Francis S. Taylor Wildlife Management Area and the necessary steps to obtain state lands authorizations required under Chapter 253, F.S., and the Use of Natural Resource Lands by Linear Facilities Policy, dated January 23, 1996. As FWC notes in its report, the Department has included a proposed condition to address the potential use of state lands.

FWC recommends approval of the Project with the inclusion of their proposed conditions. FWC's proposed conditions are included in Attachment I.

6.5 South Florida Water Management District

SFWMD submitted its draft agency report on August 18, 2026, and submitted amended versions on September 2 and 9, 2026. Pursuant to 403.526(2), F.S., each water management district in the jurisdiction of which a proposed transmission line or corridor is to be located shall prepare a report as to the impact on water resources and other matters within its jurisdiction.

SFWMD is a regional governmental agency that oversees the water resources in south Florida whose mission is to safeguard and restore South Florida's water resources and ecosystems, protect our communities from flooding, and meet the region's water needs while connecting with the public and stakeholders. In its agency report, SFWMD lists their responsibilities regarding water resources under Florida's Water Resources Act, Chapter 373, F.S., as protecting and conserving water supplies; surface water management and wetland resource regulation; flood protection and works of the SFWMD; SFWMD real property interests; and ecosystem restoration and water quality improvement.

SFWMD identifies and summarizes two CERP projects within proximity to FPL's Corridor (the Central Everglades Planning Project South Phase, and the Broward County Water Preserve Area), and CERP study and planning activities (Southern Everglades Restoration Study) in the vicinity of, or intersecting, the Corridor. SFWMD affirms that "as the local sponsor for Comprehensive Everglades Restoration Plan (CERP) projects, [they] must ensure CERP projects can be implemented in accordance with a project's Project Implementation Report (PIR), Project Partnership Agreement (PPA) for a project, the Master Agreement between the United States Army Corps of Engineers and SFWMD (Master Agreement) (2009), the Chief's Report for a project, and Congress's authorization for the project via the applicable WRDA." SFWMD notes that it has proposed conditions of certification to ensure this responsibility is met.

SFWMD recommends approval of the Project subject to their proposed conditions on matters within their jurisdiction. SFWMD's proposed conditions are included in Appendix I.

6.6 Florida Department of State, Division of Historical Resources

The Florida Department of State, Division of Historical Resources submitted its agency report on August 18, 2026. Pursuant to section 403.526(2)(a)8, F.S., if requested by the department, any other agency shall perform studies or prepare reports as to subjects within the jurisdiction of the agency which may potentially be affected by the proposed transmission line. DHS reviewed the Application upon request by the Department for possible effects on historic properties listed, or eligible for listing, in the NRHP or otherwise of historical, architectural or archaeological value.

DHR notes the application includes a provision to complete a cultural resource assessment survey prior to construction and stated that, "Provided this provision is included in the license for the [P]roject, the undertaking will include adequate effort to identify historic properties, assess potential adverse effects, and ensure appropriate treatment or mitigation for any significant historic properties identified during the survey."

DHR recommends approval of the Application and inclusion of conditions requiring cultural resource surveys and procedures for the potential discovery of historical resources before, during, and after construction. DHR's recommended conditions are included in Appendix I.

6.7 Miami-Dade County

Miami-Dade County submitted its agency report on August 18, 2026, and an amended agency report on September 1, 2026. Pursuant to 403.526(2), F.S, each local government shall prepare a report as to the impact of each proposed transmission line or corridor on matters within its jurisdiction, including the consistency of the proposed transmission line or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed transmission line or corridor.

MDC finds that portions of the project as proposed are inconsistent with County Code and their Comprehensive Development Master Plan (CDMP), and states that they cannot recommend approval of the Corridor unless the following criteria are met:

a) No transmission line infrastructure is placed within the boundaries of the area designated as Environmentally Protected Parks (Everglades National Park), and

b) No transmission line infrastructure is placed within the area designated as Environmental Protection Subarea B in the CDMP, except where co-located with existing transmission line rights-of-way or where no reasonable alternative exists, and

c) The Project is modified to comply with all requirements of Miami-Dade County Code and the CDMP. This includes compliance with all requirements of Chapter 33B, including section 33B-28 for any work in the East Everglades Area of Critical Environmental Concern, and

d) For construction of all segments, FPL commits to all conditions of certification proffered within this report, to minimize the impacts of the proposed Corridor and meet substantive Code requirements.

Counties are authorized to adopt comprehensive development plans and land development regulations pursuant to Chapter 163, F.S. MDC has adopted a CDMP to regulate "development" within the County. While the Project may not be consistent with all provisions of MDC's CDMP, it is the Department's position that the CDMP does not apply to the Project given the definition of "Development" as provided in sections 163.3164 and 380.04(3)(b), F.S., which specifically excludes "[w]ork by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, or renewing on established rights-of-way or corridors, or constructing on established or to-be-established rights-of-way or corridors, any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like." DOC supports the Department's position as evidenced by conclusions in its agency report.

In response to completeness questions from MDC, FPL requested a variance from the requirements of Miami-Dade County Code Chapter 33B, Article II., Division 2., East Everglades Zoning Overlay Ordinance. The anticipated fill required for the Project is in excess of the allowable under Chapter 33B. The County recommends denial of this variance in its Agency Report, citing section 33B-28, MDC County Code, which provides requirements for the granting of variances to the provisions of Chapter 33B. However, the local variance procedure is superseded by the TLSA pursuant to section 403.536, F.S., and FPL's request for variance is considered in accordance with sections 403.531(2)(b) and 403.201, F.S. More information regarding the Applicant's request for variance is provided in section 9.0 of this report.

The County has included proposed conditions should the Corridor be certified, some of which

are included as proposed Conditions of Certification in Appendix I. Many of MDC's proposed conditions have been excluded from Appendix I for the following reasons: the condition cites to the County's CDMP as the sole regulatory authority or cites to no regulatory authority; the condition includes citations that are overly broad and a clear connection to the stated requirement cannot be made; and the condition imposes requirements for the Applicant to submit documents to other agencies and/or appear to impose other agency regulations. When a condition cites to both applicable nonprocedural requirements and the CDMP, the condition has been included in Appendix I without the CDMP citation.

Many of the potential impacts identified by MDC in its report and proposed conditions would be addressed under the requirements of other agencies such as SFWMD, FWC, and DEP. The Department has included proposed conditions that require FPL to submit copies of relevant post-certification submittals required by those agencies to MDC.

6.8 Broward County

Broward County submitted its agency report on June 18, 2026, pursuant to 403.526(2), F.S.

In its report, the County states, "The Application is consistent with all applicable nonprocedural ordinances, regulations, standards, and criteria." Further, the County is not proposing conditions and recommends approval of the application.

6.9 Town of Southwest Ranches

The Town of Southwest Ranches submitted its agency report on August 18, 2026, pursuant to 403.526(2), F.S., and provided an amended report on August 25, 2026.

In its report, the Town states, "The Application is consistent with the Town's applicable nonprocedural ordinances, regulations, standards, and criteria." Further, the Town is not proposing conditions and recommends approval of the application.

7.0 OUTREACH AND PUBLIC NOTICING

7.1 Outreach

Prior to filing the Application, FPL developed a public outreach program that included distribution of an informational letter about the project to property owners or persons living within 0.25 miles of all corridor routes that were considered within the study area. The outreach program also included open houses held on March 11, 2026, in Pembroke Pines and March 12, 2026, in Miami to inform the public of the Project, address questions, and gather public input.

7.2 Public Notice

The Applicant met all public notice requirements set forth in the TLSA and implementing rules. Notices of the filing of the Application, the filing of the amended Application, and the scheduled Certification Hearing before the Administrative Law Judge were published in the Florida Administrative Register, Miami Herald, and Sun Sentinel in a timely manner. All public notices have been posted to the Department's Project webpage.

7.3 Public Informational Meetings

Pursuant to section 403.5272, F.S., a local government "whose jurisdiction is to be crossed by a proposed Corridor may hold one informational public meeting…". No local government requested a Public Informational Meeting for this Project.

7.4 Direct Notice

The Applicant provided direct notice, pursuant to section 403.5363(5)(a), F.S., of the filing of the Application to all local landowners whose property and residences were located within a quarter mile of the proposed Corridor boundaries. A total of 330 letters were mailed to these landowners.

8.0 PUBLIC COMMENTS

The Siting Coordination Office received no written or verbal comments regarding this project.

9.0 VARIANCES

Pursuant to section 403.531(2)(b), F.S., certification may include conditions that constitute variances and exemptions from nonprocedural standards or rules of the Department or any other agency which were expressly considered during the certification review and which would otherwise apply to the location of the proposed transmission line corridor or the construction, operation, and maintenance of the transmission lines. The standard for granting variances for projects certified under the TLSA supersedes the variance review requirements of other agencies and is provided in section 403.201, F.S. Pursuant to section 403.526(3)(d), F.S., The Department's Project Analysis Report shall include the recommendation of the department as to the disposition of variances, exemptions, exceptions, or other relief identified by any party.

Under section 403.201(1), F.S., variances may be granted for any one of the following reasons: (a) there is no practicable means known or available for the adequate control of the pollution involved; (b) compliance with the particular requirement or requirements from which a variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time; (c) to relieve or prevent hardship of a kind other than those provided for in paragraphs (a) and (b).

Rule 62-110.104, F.A.C., is the implementing rule which requires that any person seeking such a variance file a petition containing the following information:

(a) The petitioner's name and signature.

(b) The statute or rule from which the variance is sought.

(c) Facts showing that a variance should be granted for one of the reasons set forth in section 403.201, F.S.

(d) The time period for which the variance is sought, including the reasons and facts supporting the time period.

(e) The requirements that the petitioner can meet, including the date or time when the requirements will be met.

(f) The steps or measures that the petitioner is taking to meet the requirement from which the variance is sought. If the request is pursuant to section 403.201(1)(b), F.S., the petitioner shall include a schedule when compliance will be achieved.

(g) The social, economic, and environmental impacts on the applicant and on residents of the area and of the state if the variance is granted.

(h) The social, economic, and environmental impacts on the applicant and on residents of

the area and of the state if the variance is denied.

FPL's Responses to the DEP First Determination of Completeness submitted July 10, 2026, included a request for variance for the reason set forth in section 403.201(1)(c), F.S., for relief from the filling and excavation restrictions in Miami-Dade County Code Chapter 33B, Article II., Division 2., East Everglades Zoning Overlay Ordinance (Chapter 33B). The East Everglades Zoning Overlay Ordinance restricts fill to one-half acre or less and prohibits excavation within segments of the Corridor south of US41/Tamiami Trail and west of the L-31 canal. FPL's Project would exceed the allowable fill limitation and would not comply with the excavation prohibition under Chapter 33B within those areas for construction of transmission structure pads and access.

In its Need Determination, discussed in section 2.0 above, the PSC found that, "AOP is essential to mitigate the load growth of Miami-Dade County and to continue to maintain NERC [North American Electric Reliability Corporation] reliability standards in effect. Without the AOP, there is a significant risk of overloads and potential voltage issues.". They also found that, "each of the four transmission lines of the AOP are needed for abundant, low-cost electrical energy to assure the economic well-being of the citizens of the State." (See Appendix II-A).

The Application includes a detailed description of the corridor selection process, including consideration of environmental and social impacts, as well as utilization of existing ROW to the greatest extent practicable. The portion of the corridor for which a variance is being sought by FPL is an area that MDC ultimately agreed was acceptable for transmission lines under the previous Turkey Point Units 6 and 7 certification. MDC stipulated to certification in that proceeding without requiring a variance. If this Project is approved, FPL will utilize existing roads or co-locate new access roads with existing roads to the greatest extent practicable to minimize wetland impacts within the ROW, and the proposed Conditions of Certification would require best management practices during construction. Denial of this variance would prevent FPL from constructing this corridor as proposed, and could significantly impact FPL's ability to provide the needed electricity in the most cost-effective, reliable and timely manner to its MDC customers.

The Department recommends approval of FPL's request for variance pursuant to section 403.201(1)(c), F.S., for relief from the filling and excavation restrictions in Miami-Dade County Code Chapter 33B.

No other agency identified nonprocedural requirements not specifically listed in the Application from which a variance, exemption, exception, or other relief is necessary pursuant to section 403.526(2)(b)1., F.S.

10.0 CONCLUSIONS AND RECOMMENDATIONS

10.1 Construction Impacts

Construction impacts of the proposed Project are summarized as follows:

- The majority of construction, approximately 75%, will occur within existing linear ROWs.
- Noise from construction will be temporary and comply with applicable state and local regulations.

- Minor traffic disruptions may occur due to the use of heavy equipment along roads and the delivery of materials.
- The Project will avoid, where possible, impacts to wetlands and wildlife. Where avoidance is not possible, impacts will be mitigated through applicable regulations.
- Based on conceptual design assumptions, FPL anticipates filling approximately 134 acres of wetlands.
- Archaeological resources found during surveys and construction will be addressed through coordination with the Division of Historical Resources.
- In conjunction with construction of new access roads, culverts will be added to maintain flow, in accordance with applicable regulations.
- Once the transmission line construction is completed, the ROW will be restored to natural conditions, where feasible.
- Construction will require a variance from the fill and excavation limitations of the East Everglades Zoning Overlay Ordinance, Miami Dade County Code Chapter 33B.

10.2 Operational Impacts

The following operational impacts from the Project are anticipated:

- Improved grid reliability in Miami-Dade and Broward Counties.
- Relief from potential overloads and low voltage conditions under contingency events and reduced line loading on existing circuits.
- Design of the transmission line will comply with the American National Standards Institute's NESC, which covers electrical clearances as well as loading and strength requirements, including during extreme wind events.
- The project will be designed to meet the electric and magnetic field standards of Chapter 62-814, F.A.C.
- The project is consistent with specific goals of the DOC's State Comprehensive Plan regarding Energy, Land Use, Public Facilities, and the Economy.

10.3 Agency Conclusions

The following table includes the recommendations of approval or denial from each of the affected agencies.

Table 3. Agency Recommendations

AGENCY	APPROVAL/NO OBJECTION	DENIAL/NON-APPROVAL
DEP	✓	
PSC*	Issued a Need Determination	
DOT	✓	
FWC	✓	
DOC	✓	
DHR	✓	
SFWMD	✓	
Miami-Dade County**		✓
Broward County	✓	
Town of Southwest Ranches	✓	

*PSC Issued a Final Order Approving Determination of Need for the Project.
**MDC recommends denial of the portions of the Project within ENP and Environmental Protection Subarea B.

10.4 Overall Recommendation

The Department's recommendation includes consideration of the information provided in the agencies' reports required by section 403.526(2)(a), F.S. Pursuant to section 403.526(4), F.S., neither the failure of any agency to submit a report nor the inadequacy of a report is grounds to deny or condition certification of a corridor.

The Department has reviewed the Application and determines that the proposed Corridor will be in compliance and consistent with matters within the Department's standard jurisdiction, including the rules of the Department. The Department considered the recommendations of the affected reviewing agencies and determines that the Andytown-Oasis 500/230 kV Transmission Line Project will be in compliance and consistent with the applicable nonprocedural requirements of the affected agencies provided the Applicant's request for variance is granted. The Department also proposes Conditions of Certification compliant with the Transmission Line Siting Act to monitor impacts and compliance with applicable nonprocedural requirements of the reviewing agencies.

It is the Department's recommendation that, subject to the proposed Conditions of Certification in Appendix I, the Andytown-Oasis 500/230 kV Transmission Line Corridor can be certified considering the following factors to be weighed pursuant to section 403.529(4), F.S.:

> "…whether, and the extent to which, the location of the transmission line Corridor and the construction, operation, and maintenance of the transmission line will:
>
> (a) Ensure electric power system reliability and integrity;
>
> (b) Meet the electrical energy needs of the state in an orderly, economical, and timely fashion;

(c) Comply with applicable nonprocedural requirements of agencies;

(d) Be consistent with applicable provisions of local government comprehensive plans, if any; and

(e) Effect a reasonable balance between the need for the transmission line as a means of providing reliable, economically efficient electric energy, as determined by the commission, under s. 403.537, and the impact upon the public and the environment resulting from the location of the transmission line Corridor and the construction, operation, and maintenance of the transmission lines."

DONE AND ISSUED this 11th day of September 2026



Cindy Mulkey, Deputy Director
Division of Water Resource Management

APPENDIX I – PROPOSED CONDITIONS

STATE OF FLORIDA

DEPARTMENT

OF

ENVIRONMENTAL PROTECTION

Proposed

Proposed Conditions of Certification

Florida Power & Light

Andytown-Oasis 500/230 kV Transmission Line

TA26-21

September 11, 2026

Table of Contents

SECTION A: GENERAL CONDITIONS 1

I. SCOPE 1

II. APPLICABLE DEPARTMENT RULES 1

III. REVISIONS TO DEPARTMENT STATUTES AND RULES 3

IV. DEFINITIONS 3

V. FEDERALLY DELEGATED OR APPROVED PERMIT PROGRAMS 4

VI. DESIGN AND PERFORMANCE CRITERIA 5

VII. NOTIFICATION 5

VIII. EMERGENCY CONDITION NOTIFICATION AND RESTORATION 6

IX. CONSTRUCTION PRACTICES 6

A. Local Building Codes 6

B. Open Burning 6

C. Vegetation 6

D. Existing Underground Utilities 6

E. Electric and Magnetic Fields (EMF) 7

F. Radio and Television Interference 7

G. Existing Wells 7

H. Abandonment of Existing Septic Tanks 7

I. Sanitary Wastes 7

X. RIGHT OF ENTRY 7

XI. DISPUTE RESOLUTION 8

A. General 8

B. Modifications 8

C. Post-certification Submittals 8

XII. SEVERABILITY 8

XIII. ENFORCEMENT 9

XIV. REVOCATION OR SUSPENSION 9

XV. REGULATORY COMPLIANCE 9

XVI. CIVIL AND CRIMINAL LIABILITY 10

XVII. USE OF STATE LANDS 10

Proposed

XVIII. PROCEDURAL RIGHTS 11

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES 11

XX. PROFESSIONAL CERTIFICATION 12

XXI. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS 12

A. Purpose of Submittals 12

B. Filings 13

C. Completeness 13

D. Interagency Meetings 13

E. Determination of Compliance 13

F. Commencement of Construction 13

G. Revisions to Design Previously Reviewed for Compliance 14

XXII. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY 14

XXIII. POST-CERTIFICATION AMENDMENTS 14

XXIV. MODIFICATION OF CERTIFICATION 15

XXV. WATER QUALITY CERTIFICATION 15

XXVI. LABORATORIES AND QUALITY ASSURANCE 15

XXVII. ROW LOCATION 16

XXVIII. PROCESS FOR REVIEW OF ROW LOCATION 16

XXIX. ENVIRONMENTAL RESOURCES 17

A. General 17

B. Surface Water Management Systems 18

C. Wetland and Other Surface Water Impacts 20

XXX. THIRD PARTY IMPACTS 20

XXXI. FACILITY OPERATION 20

XXXII. RECORDS MAINTAINED AT THE FACILITY 21

XXXIII. WATER DISCHARGES 21

XXXIV. SOLID AND HAZARDOUS WASTE 22

A. Solid Waste 22

B. Hazardous Waste, Used Oil, Petroleum Contact Water, and Spent Mercury 22

C. Hazardous Substance Release Notification 22

Proposed

D. Contaminated Site Cleanup 23
SECTION B. SPECIFIC CONDITIONS 24
I. DEPARTMENT OF ENVIRONMENTAL PROTECTION 24
A. Management and Storage of Surface Waters, Activities in Surface Waters and 24
Wetlands, and Water Quality Review 24
B. Everglades National Park Land Exchange 27
C. Electric and Magnetic Fields 27
II. DEPARTMENT OF TRANSPORTATION 27
A. Access Management to the State Highway System 27
B. Overweight or Overdimensional Loads 28
C. Use of State of Florida Right of Way or Transportation Facilities 28
D. Drainage 28
E. Airport Licensing, Registration, and Airspace Protection 28
F. Traffic Control 29
G. Other 29
III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT 29
A. General Conditions 29
B. Central and Southern Florida Communication Systems 37
C. Operations & Maintenance / Right-of-Way 41
D. Land Management / Ecosystem Restoration 49
E. Water Use and Water Supply 49
F. Corridor-Specific Conditions 53
IV. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION 56
A. General Listed Species Surveys 56
B. Specific Listed Species Surveys 57
C. Listed Species Locations 57
D. Florida Manatee 58
E. Florida Burrowing Owl 59
F. Wading Birds 60
G. Least Tern 61
H. Everglades Mink 62

Proposed

V. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES 63

VI. MIAMI-DADE COUNTY 63

A. General Conditions 63

B. Bird Drive Basin 64

C. East Everglades Area of Critical Environmental Concern 64

D. Vegetation Management and Exotic Species 64

E. Wellfield Protection Areas 65

F. Work in County Canal ROWs 65

G. Protected Tree and Vegetation Requirements 66

H. Dewatering 66

I. Additional Post-Certification Submittals 66

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES 66

HISTORY 67

ATTACHMENTS

Attachment A ..... Certified Site/Facilities Delineation Map(s)

Attachment B ..... Surface Water Management System Plan(s)

Attachment C ..... Mitigation Plan(s)

Proposed

SECTION A: GENERAL CONDITIONS

I. SCOPE

A. Pursuant to the Transmission Line Siting Act (TLSA), Sections 403.52-.5365, Florida Statutes (F.S.), and Chapter 62-17, Florida Administrative Code (F.A.C.), this Certification is issued to Florida Power & Light Company (FPL) as owner/operator and Licensee of the Andytown-Oasis 500/230 kV Transmission Line Project (Project). Subject to the requirements contained in these Conditions of Certification (Conditions), FPL will construct, operate, and maintain two 230 kV and two 500 kV transmission lines in an approximately 31.2 mile-long corridor and associated structures and access roads as described in FPL's Site Certification Application (SCA or Application). The electric transmission line will originate in Broward County and end in Miami-Dade County. No substations associated with the transmission line project are included in this certification.

B. The certified facility includes the Andytown-Oasis 500/230 kV transmission line corridor and associated structures and access roads, as shown in Attachment A – Certified Corridor Map.

C. These Conditions, unless specifically modified, are binding upon the Licensee and shall apply to the construction, operation, and maintenance of the certified facility. If a conflict should occur between the design criteria of this certified facility and the Conditions, the Conditions shall prevail unless modified. In any conflict between any of these Conditions, the more specific condition governs.

D. Within 180 days following the corridor narrowing as defined by 403.522(10), F.S., the Licensees shall provide; an aerial photograph(s)/map(s) of their specific Right-of-Way (ROW) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified transmission line right-of-way, 403.522(23), F.S., which shall be known as the Delineations of the Certified Transmission Line ROW and attached as Attachment B Final ROW Maps.

E. If construction on, or condemnation or acquisition of, the ROW for the transmission line is not commenced within 5 years after the date of certification or such later date as may be authorized by the board, the certification of the ROW for which construction on, or condemnation or acquisition of has not commenced shall become void.

[Sections 403.531, F.S.; Rules 62-4.160(1), (2), and 62-17.205(2), F.A.C.]

II. APPLICABLE DEPARTMENT RULES

The construction, operation, and maintenance of the certified facility shall be in accordance with all applicable non-procedural provisions of Florida Statutes and Florida Administrative Code, including, but not limited to, the applicable non-procedural portions of the following Department regulations, except to the extent a variance, exception, exemption, or other relief is granted in the final order of certification or in a subsequent modification to the Conditions, under a federal permit, or as otherwise provided under Chapter 403, F.S.:

Florida Administrative Code:
18-2 (Management of Uplands Vested in the Board of Trustees)
18-14 (Administrative Fines for Damaging State Lands)

Proposed

18-20 (Florida Aquatic Preserves)
18-21 (Sovereignty Submerged Lands Management)
62-4 (Permits)
62-6 (Standards for Onsite Sewage Treatment and Disposal Systems)
62-17 (Electrical Power Plant Siting)
62-40 (Water Resource Implementation Rule)
62-150 (Hazardous Substance Release Notification)
62-160 (Quality Assurance)
62-204 (Air Pollution Control-General Provisions)
62-210 (Stationary Sources-General Requirements)
62-212 (Stationary Sources-Preconstruction Review)
62-213 (Operation Permits for Major Sources of Air Pollution)
62-256 (Open Burning)
62-296 (Stationary Sources-Emission Standards)
62-297 (Stationary Sources-Emission Monitoring)
62-302 (Surface Water Quality Standards)
62-303 (Identification of Impaired Surface Waters)
62-304 (Total Maximum Daily Loads)
62-330 (Environmental Resource Permitting)
62-340 (Delineation of the Landward Extent of Wetlands and Surface Waters)
62-342 (Mitigation Banks)
62-345 (Uniform Mitigation Assessment Method)
62-520 (Ground Water Classes, Standards, and Exemptions)
62-528 (Underground Injection Control)
62-531 (Water Well Contractor Licensing Requirements)
62-532 (Water Well Permitting and Construction Requirements)
62-550 (Drinking Water Standards, Monitoring, and Reporting)
62-555 (Permitting, Construction, Operation, and Maintenance of Public Water Systems)
62-560 (Requirements for Public Water Systems That Are Out of Compliance)
62-600 (Domestic Wastewater Facilities)
62-604 (Collection Systems and Transmission Facilities)
62-610 (Reuse of Reclaimed Water and Land Application)
62-620 (Wastewater Facilities and Activities Permitting)
62-621 (Generic Permits)
62-650 (Water Quality Based Effluent Limitations)
62-660 (Industrial Wastewater Facilities)
62-699 (Treatment Plant Classification and Staffing)
62-701 (Solid Waste Management Facilities)
62-709 (Criteria for Organics Processing and Recycling Facilities)
62-710 (Used Oil Management)
62-730 (Hazardous Waste)
62-737 (The Management of Spent Mercury-Containing Lamps and Devices Destined for Recycling)
62-740 (Petroleum Contact Water)
62-761 (Underground Storage Tank Systems)

Proposed

62-762 (Aboveground Storage Tank Systems)
62-777 (Contaminant Cleanup Target Levels)
62-780 (Contaminated Site Cleanup Criteria)
62-814 (Electric and Magnetic Fields)

III. REVISIONS TO DEPARTMENT STATUTES AND RULES

A. The Licensee shall comply, after a reasonable time, with rules adopted by the Department subsequent to the issuance of the Certification under the TLSA which prescribe new or stricter criteria, to the extent that the rules are applicable to electric transmission lines. Except when a variance, exception, exemption, or other relief has been granted, subsequently adopted Department rules which prescribe new or stricter criteria shall operate as automatic modifications to this Certification.

B. Upon written notification to the Department, the Licensee may choose to operate the certified electrical transmission line in compliance with any rule subsequently adopted by the Department which prescribes criteria more lenient than the criteria required by the terms and conditions in the Certification which are not site-specific.

[Section 403.531, F.S.; Rule 62-4.160(10), F.A.C.]

IV. DEFINITIONS

Unless otherwise indicated herein, the meaning of terms used herein shall be governed by the applicable definitions contained in Chapters 253, 373, 379, and 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these Conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation, or in the alternative, by the use of the commonly accepted meaning. As used herein, the following shall apply:

A. "Application" or "SCA" is defined in Section 403.503(6), F.S. For purposes of this License, "Application" shall also include materials submitted for post-certification Amendments and petitions for Modification to the Conditions of Certification, as well as Supplemental Applications.

B. "Associated Facility" or "Associated Facilities" as defined by Section 403.503(7), F.S.

C. "Certified Facility" or "Certified Facilities" means the certified electrical power generation facilities and all certified on- or off-site Associated Facilities and structures identified or described in the Application, in the final order of Certification, or in a post-certification Amendment or Modification.

D. "DEM" shall mean the Florida Division of Emergency Management.

E. "DEP" or "Department" means the Florida Department of Environmental Protection.

F. "DOC" shall mean the Florida Department of Commerce

G. "DHR" means the Florida Department of State, Division of Historical Resources.

Proposed

H. "DOT" means the Florida Department of Transportation.

I. "Emergency Conditions" or "Emergency Reporting" means urgent circumstances involving potential adverse consequences to human life or property as a result of weather conditions or other calamity.

J. "Feasible" or "Practicable" means reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.

K. "FWC" means the Florida Fish and Wildlife Conservation Commission.

L. "Licensee" means an Applicant that has obtained a Certification order for the subject project.

M. "Post-Certification Submittal" shall mean a submittal made by the Licensee pursuant to a Condition of certification.

N. "Right-of-Way" or "ROW" is defined in Section 403.503(28), F.S.

O. "SCO" means the Department's Siting Coordination Office.

P. "Site" is defined in Section 403.503(29), F.S.

Q. "State Water Quality Standards" shall mean the numerical and narrative criteria applied to specific water uses or classifications set forth in Chapters 62-302 and 62-520, F.A.C.

R. "Surface Water Management System", "SWMS", or "System" means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any combination thereof. The terms "Surface Water Management System", "SWMS", or "System" include areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S.

S. "NED, NWD, CD, SED, SWD, SD" shall mean the Northeast, Northwest, Central, Southeast, Southwest, and South DEP district offices, respectively.

T. "NWF, SR, SJR, SWF, or SFWMD" means the Northwest Florida, Suwannee River, St. Johns River, Southwest Florida, or South Florida Water Management District, respectively.

U. "Wetlands" shall mean those areas meeting the definition set forth in Section 373.019(27), F.S., as delineated pursuant to Chapter 62-340, F.A.C.

V. FEDERALLY DELEGATED OR APPROVED PERMIT PROGRAMS

Subject to the Conditions set forth herein, this Certification shall constitute the sole License of the state and any agency as to the approval of the location of the Corridor and any Associated Facility and the construction and operation of the Electrical Transmission Line, except for the issuance of Department Licenses required under any federally delegated or approved permit program. This certification is not a waiver of any other Department approval that may be required under federally delegated or approved programs. In the event of a conflict between the Certification process and federally required procedures, the applicable federal requirements shall control.

*[Section 403.5*31, F.S.]

Proposed

VI. DESIGN AND PERFORMANCE CRITERIA

Certification, including these conditions, is predicated upon preliminary designs, concepts, and performance criteria described in the SCA or in testimony and exhibits in support of Certification. The final engineering design of the certified facilities will be consistent and in substantial compliance with the preliminary information described in the SCA or as explained at the certification hearing (if any). Conformance to those criteria, unless specifically modified in accordance with Sections 403.5315, F.S., and Rule 62-17.211, F.A.C., is binding upon the Licensee in the design, construction, operation, and maintenance of the Certified Facility.

[Sections 403.5315, F.S.; Rules 62-4.160(2), and 62-17.680, F.A.C.]

VII. NOTIFICATION

A. If, for any reason, the Licensee does not comply with or will be unable to comply with any condition or limitation specified in this License, the Licensee shall provide the DEP District Office with the following information:

1. A description of and cause of noncompliance; and

2. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Licensee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this Certification.

3. All notifications which are made in writing shall additionally be provided to the SCO via email to SCO@dep.state.fl.us.

[Rule 62-4.160(8), F.A.C.]

B. The Licensee shall promptly notify the SCO in writing (email acceptable) of any previously submitted information concerning the Certified Facility that is later discovered to be inaccurate.

[Rule 62-4.160(15), F.A.C.]

C. Any owner or operator of a facility who has knowledge of any incident reportable to the State Watch Office regarding a Certified Facility shall notify the State Watch Office at (800) 320-0519 as soon as possible, but not later than 24 hours after discovery of the incident.

D. Any owner or operator of a facility who has knowledge of any reportable pollution release shall submit a Public Notice of Pollution by following the instructions at https://prodenv.dep.state.fl.us/DepPNP/user/pnpRequest, as soon as possible, but not later than 24 hours after discovery of the release.

[Section 403.077, F.S.]

E. Within 60 days after certification of the corridor, the Licensee shall file a notice of the certified route with the Department and the clerk of the circuit court for each county through which the corridor will pass.

The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and shall state that the certification of the corridor

Proposed

will result in the acquisition of rights-of-way within the corridor. After acquisition of all lands required for the transmission line right-of-way have been acquired, the Licensee shall certify to the Department and clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county.

[Section 403.5312, F.S.]

VIII. EMERGENCY CONDITION NOTIFICATION AND RESTORATION

If the Licensee is temporarily unable to comply with any of the conditions of the License due to breakdown of equipment or destruction by hazard of fire, wind, or other cause, such as an emergency as defined by Sections 252.34(4), (7), (8), or (10), F.S., the Licensee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the Licensee from any liability for failure to comply with Department rules. Any exceedances and/or violations recorded during emergency conditions shall be reported as such, but the Department acknowledges that it intends to use its enforcement discretion during this timeframe. This acknowledgement by the Department does not constitute a waiver or variance from any requirements of any federal permit. Relief from any federal agency must be separately sought.

[Rule 62-4.130, F.A.C.]

IX. CONSTRUCTION PRACTICES

A. Local Building Codes

This certification does not in any way affect the right of any local government to charge appropriate fees or require that construction be in compliance with the National Electrical Safety Code, as prescribed by the commission.

[Section 403.531(4), F.S.]

B. Open Burning

Prior to open burning in connection with land clearing, the Licensee shall seek authorization from the Florida Forest Service in accordance with the requirements of Chapters 62-256 and 5I-2, F.A.C.

[Chapters 5I-2 and 62-256, F.A.C.]

C. Vegetation

For areas located in any Florida Department of Transportation (DOT) ROW, Chapter 3.18 of the Florida DOT Utility Accommodation Manual available on the DOT website at https://www.fdot.gov/programmanagement/utilities/default.shtm shall serve as guidelines for best management practices.

[Sections 403.531 and 373.414, F.S.; Chapters 40D-4 and 40E-4, F.A.C.]

D. Existing Underground Utilities

The Licensee must follow all applicable portions of the Underground Facility Damage Prevention and Safety Act, Chapter 556, F.S. The Licensee shall provide the affected local government and the SCO with copies of valid tickets obtained from Sunshine State One

Proposed

Call of Florida upon request. Tickets shall be available for request until the underground work is completed for the affected area.

[Chapter 556, F.S.]

E. Electric and Magnetic Fields (EMF)

Any transmission lines and electrical substations that are associated facilities shall comply with the applicable requirements of Chapter 62-814, F.A.C.

[Chapter 62-814, F.A.C.]

F. Radio and Television Interference

The Licensee shall investigate all complaints and take appropriate corrective action for impacts to radio or television reception caused by the proposed transmission line.

[Section 403.531, F.S.]

G. Existing Wells

Any existing wells to be impacted in the path of construction of certified facilities that will no longer be used shall be abandoned by a licensed well contractor. All abandoned wells shall be filled and sealed in accordance with Rule 62-532.500(5), F.A.C., or with the rules of the authorizing agency, or consistent with these Conditions.

[Rules 62-532.400 and 62-532.500(5), F.A.C.]

H. Abandonment of Existing Septic Tanks

Any existing septic tanks that will no longer be used shall be abandoned in accordance with Rule 62-6.011, F.A.C., unless these Conditions provide otherwise.

[Chapter 62-6, F.A.C.]

I. Sanitary Wastes

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the Department.

[Rule 62-6.0101, F.A.C.]

X. RIGHT OF ENTRY

A. Upon presentation of credentials or other documents as may be required by law, the Licensee shall allow authorized representatives of the Department or other agencies with jurisdiction over a portion of the certified facility, any authorized off-site mitigation/compensation area or Associated facility:

1. At reasonable times, to enter upon the certified facility in order to monitor activities within their respective jurisdictions for purposes of assessing compliance with this certification; or

2. During business hours, to enter the Licensee's premises in which records are required to be kept under this certification; and to have access to and copy any records required to be kept under this certification.

Proposed

B. When requested by the Department, on its own behalf or on behalf of another agency with regulatory jurisdiction, the Licensee shall within a reasonable time frame as may be mutually agreed upon by the Department and the Licensee, furnish any information required by law, which is needed to determine compliance with the certification.

[Rules 62-4.160(7)(a) and 62-4.160(15), F.A.C.]

XI. DISPUTE RESOLUTION

A. General

If a situation arises in which mutual agreement cannot be reached between the Department and the Licensee, and/or an agency with substantive regulatory jurisdiction over a matter, the Department may act as a facilitator in an attempt to resolve the issue. If the dispute is not resolved informally in this manner, Licensee may request one or more meetings in which both Licensee and the agency with substantive regulatory jurisdiction over the matter can participate and attempt to resolve the issue informally. If, after such meetings, a mutual agreement cannot be reached between the parties, then the matter shall be referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S. The Licensee or the Department may request DOAH to establish an expedited schedule for processing the dispute. Any filing with DOAH shall state with particularity the specific project and geographic location to which the dispute relates. Work unrelated to the specific project and in areas other than the location to which the dispute relates will not be affected by the dispute.

B. Modifications

If written objections are filed regarding a requested modification, and the objections address only a portion of a requested modification, the Department shall issue a final order approving the portion of the modification to which no objections were filed, unless that portion of the requested modification is substantially related to or necessary to implement the portion to which written objections are filed.

C. Post-certification Submittals

If it is determined, after assessment of a post-certification submittal, that compliance with the Conditions will not be achieved for a particular portion of a submittal, the Department may make a separate assessment of other portions of the submittal, unless those portions of the submittal are substantially related to or necessary to implement that portion for which it has been determined that compliance with the Conditions will not be achieved. The Licensee may proceed with those portions of the submittal which were separately assessed and approved by the Department.

[Section 120.57, F.S.; Rule 62-17.211, F.A.C.]

XII. SEVERABILITY

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstance is held invalid, the remainder of the certification or the application of such provision to other circumstances shall not be affected thereby.

Proposed

XIII. ENFORCEMENT

A. The terms, conditions, requirements, limitations, and restrictions set forth in these Conditions are binding and enforceable pursuant to Sections 403.141, 403.161, 403.533, 403.727, and 403.859 through 403.861, F.S., as applicable. Any noncompliance by the Licensee with these Conditions constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, which may result in license termination, license revocation, or license revision. The Licensee is placed on notice that the Department may review this certification periodically and may initiate enforcement action for any violation of these Conditions.

B. All records, notes, monitoring data, and other information relating to the construction or operation of the certified facility which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified facility and arising under the Florida Statutes or Department rules, subject to the restrictions in Sections 403.111 and 403.73, F.S. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

[Sections 403.121, 403.131, 403.141, 403.151, 403.161, 403.533, F.S.; Rules 62-4.160(1) and (9), F.A.C.]

XIV. REVOCATION OR SUSPENSION

This certification shall be final unless revised, revoked, or suspended pursuant to law. This certification may be suspended or revoked pursuant to Section 403.532, F.S. This certification is valid only for the specific processes and operations identified in the SCA and approved in the final order of certification or indicated in the testimony and exhibits in support of certification or approved in a subsequent amendment or modification of the certification. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this approval may constitute grounds for revocation and enforcement action by the Department. Any enforcement action, including suspension and revocation, shall only affect the portion(s) of the certified facility that are the cause of such action, and other portions of the certified facility shall remain unaffected by such action.

[Sections 403.532, F.S.; Rule 62-4.160(2), F.A.C.]

XV. REGULATORY COMPLIANCE

As provided in Sections 403.087(8) and 403.722(5), F.S., except as specifically provided in the final order of certification, a subsequent modification or amendment, or these Conditions, the issuance of this License does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This License is not a waiver of or approval of any other Department license or permit that may be required for other aspects of the certified facility that are not addressed in this License. This license does not relieve the Licensee from liability for harm or injury to human health or welfare, animal, or plant life, or public or private property caused by the construction or operation of the certified facility, or from penalties therefore.

[Rules 62-4.160(3) and (5), F.A.C.; Section 403.531, F.S.]

Proposed

XVI. CIVIL AND CRIMINAL LIABILITY

Except to the extent a variance, exception, exemption, or other relief is granted in a final order of certification, in a subsequent modification to these Conditions, or as otherwise provided under Chapter 403, F.S., this certification does not relieve the Licensee from civil or criminal penalties for noncompliance with any Condition, applicable rules or regulations of the Department, or any other state statutes or regulations which may apply.

[Sections 403.141, 403.161, and 403.531, F.S.]

XVII. USE OF STATE LANDS

A. Except as specifically provided in the final order of certification or these Conditions, the issuance of this License conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

B. If any portion of the certified facility is located on sovereign submerged lands, state-owned uplands, or within an aquatic preserve, then the Licensee must comply with the applicable portions of Chapters 18-2, 18-20, and 18-21, F.A.C., and Chapters 253 and 258, F.S., except as specifically provided in the final order of certification or these Conditions. If any portion of the certified facility is located on sovereign submerged lands, the Licensee must submit section F of Form 62-330.060(1), F.A.C., *Application for Individual and Conceptual Approval Environmental Resource Permit* (State 404 Program Permit) *and Authorization to Use State-Owned Submerged Lands* to the Department prior to construction. If any portion of the certified facility is located on state-owned uplands, the Licensee must submit an Upland Easement Application to the Department prior to construction.

C. If a portion of the certified facility is located on sovereign submerged lands or state-owned uplands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, then the proposed activity on such lands requires a proprietary authorization. Under such circumstances, the proposed activity is not exempt from the need to obtain a proprietary authorization. Unless otherwise provided in the final order of certification or these Conditions, the Department has the responsibility to review and take action on requests for proprietary authorization in accordance with Rule 18-2.018 or 18-21.0051, F.A.C.

D. The Licensee is hereby advised that Florida law states: "A person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund under this chapter, until the person has received the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to $10,000 per offense.

E. The terms, conditions, and provisions of any required lease or easement issued by the State shall be met. Any construction activity associated with the certified facility shall not commence on sovereign submerged lands or state-owned uplands, title to which is held by the

Proposed

Board of Trustees of the Internal Improvement Trust Fund, until all required lease or easement documents have been executed.

[Chapters 253 and 258, 403.531, F.S.; Chapters 18-2, 18-14, 18-21, 62-340, and Rules 62-330.060(1) and 62-4.160(4), F.A.C.]

XVIII. PROCEDURAL RIGHTS

Except as specified in Chapter 403, F.S., or Chapter 62-17, F.A.C., no term or condition of certification shall be interpreted to preclude the post-certification exercise by any party of whatever procedural rights it may have under Chapter 120, F.S., including those related to rule-making proceedings.

[Section 403.531(5), F.S.]

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES

Where a Condition requires post-certification submittals and/or notices to be sent to a specific agency, the following agency addresses shall be used unless the Conditions specify otherwise or unless the Licensee and the Department are notified in writing of an agency's change in address for such submittals and notices:

Florida Department of Environmental Protection
Siting Coordination Office, MS 3500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
SCO@floridadep.gov

Florida Department of Environmental Protection
Southeast District Office
3301 Gun Club Rd, MSC 7210-1
West Palm Beach, Florida 33406

Florida Department of Commerce
Bureau of Community Planning and Growth
107 East Madison Street
Tallahassee, Florida 32399-2100

Florida Fish & Wildlife Conservation Commission
Conservation Planning Services
620 South Meridian Street, MS 5B5
Tallahassee, Florida 32399-1600
ConservationPlanningServices@myfwc.com

Florida Department of Transportation
District Administration
605 Suwannee Street
Tallahassee, Florida 32399-0450

Proposed

South Florida Water Management District
Office of General Counsel
3301 Gun Club Rd
West Palm Beach, Florida 33406
WUCompliance@sfwmd.gov

Florida Department of State
Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32399-0250
compliancepermits@dos.myflorida.com

Miami-Dade County
Office of General Counsel
9105 NW 25th St
Doral, Florida 33172

Broward County
Office of General Counsel
115 S Andrews Ave Suite 423
Fort Lauderdale, Florida 33301

Town of Southwest Ranches
Government Office
13400 Griffin Rd
Southwest Ranches, Florida 33330

[Section 403.531, F.S.]

XX. PROFESSIONAL CERTIFICATION

To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, or of a public drinking water supply, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S.; and all final geological papers or documents involving the practice of the profession of geology shall be in accordance with sound professional geological practices pursuant to Chapter 492, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of amendment requests, petitions for modifications, post certification submittals, and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

[Rule 62-4.050, F.A.C.]

XXI. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS

A. Purpose of Submittals

Conditions which provide for the post-certification submittal of information to DEP or other agencies by the Licensee are for the purpose of facilitating the agencies' monitoring of the effects arising from the location of the certified facility and the construction

Proposed

and maintenance of the certified facility. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action. A submittal of information or determination of compliance pursuant to a post-certification submittal under this Condition does not provide a point of entry for a third party.

B. Filings

All post-certification submittals of information by Licensee are to be filed with the agency or office that requires the submittal pursuant to these Conditions. The SCO shall be copied on all post-certification submittals in electronic .pdf format (unless other formats are requested), via email to SCO@dep.state.fl.us. Each submittal shall clearly identify the Certified facility name, TA#, and the Condition number(s) (i.e. Section X, Condition XX.y.(z)) requiring the submittal. As required by Section 403.5317(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

C. Completeness

DEP shall review each post-certification submittal for completeness. This review may include consultation with the other agency(ies) receiving the post-certification submittal with regulatory jurisdiction over the matter addressed in the submittal. DEP's finding of completeness shall specify the area of the certified facility affected and shall not delay further processing of the post-certification submittal for non-affected areas.

If any portion of a post-certification submittal is found to be incomplete, the Licensee shall be so notified. Failure to issue such a notice within 30 days after filing of the submittal shall constitute a finding of completeness. Subsequent findings of incompleteness, if any, shall address only the newly filed information.

D. Interagency Meetings

If a situation arises in which mutual agreement between either the department and the licensee, or the licensee and an agency with substantive regulatory jurisdiction over a matter cannot be reached, the department may act as a facilitator in an attempt to resolve the issue.

E. Determination of Compliance

DEP shall give written notification within 90 days to the Licensee and the other agency(ies) to which the post-certification information was submitted of DEP's determination of whether there is demonstration of compliance with these Conditions. If it is determined that compliance with the Conditions has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify Licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a determination of compliance. A post-certification compliance review may be the basis for initiating modifications to the relevant Condition or to other related Conditions.

F. Commencement of Construction

If DEP does not object within the time period specified in paragraph E., above, Licensee may begin construction pursuant to the terms of these Conditions and the subsequently submitted construction details.

Proposed

G. Revisions to Design Previously Reviewed for Compliance

If revisions to site-specific designs occur after submittal, the Licensee shall submit revised plans prior to construction for review in accordance with the post-certification process specified in this Condition.

[Sections 403.531 and 403.5317, F.S.; and Rules 62-17.600, 62-17.665, F.A.C.]

XXII. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY

Within 90 days after certification, and within 90 days after any subsequent modification or certification, the Licensee shall provide the SCO a complete summary of those post-certification submittals that are identified in these Conditions when due-dates for the information required of the Licensee have been identified. A summary shall be provided as a separate document for each transmission line, if any. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the SCO, in a sortable spreadsheet, electronically, in the format shown below or equivalent. For subsequent modifications and certifications, a "Post-Certification Submittal Requirements Summary" shall be required only for new or altered post-certification requirements.

Condition Number	Requirement and Timeframe	Due Date	Name of Agency or Agency Subunit to whom the submittal is required to be provided

Proposed

[Section 403.5317, F.S.; Rule 62-17.191(3), F.A.C.]

XXIII. POST-CERTIFICATION AMENDMENTS

If, subsequent to certification, the Licensee proposes any material change to the SCA and revisions or amendments thereto, as certified, the Licensee shall submit a written request for amendment and a description of the proposed change to the SCA to the Department. Within 30 days after the receipt of a complete request for an amendment, the Department shall determine whether the proposed change to the SCA requires a modification to the Conditions.

A. If the Department concludes that the change would not require a modification to the Conditions, the Department shall provide written notification of the approval of the proposed amendment to the Licensee, all agencies, and all other parties to the certification.

B. If the Department concludes that the change would require a modification to the Conditions, the Department shall provide written notification to the Licensee that the proposed change to the SCA requires a request for modification pursuant to Section 403.5315, F.S.

[Section 403.5317, F.S.]

XXIV. MODIFICATION OF CERTIFICATION

A. Pursuant to Section 403.5315(1), F.S., and Rule 62-17.211, F.A.C., the Siting Board hereby delegates the authority to the Department to modify any Condition which would not otherwise require approval by the Siting Board, after notice and receipt of no objection by a party to the certification within 45 days after notice by mail to the party's last address of record, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days of public notice.

B. Except as otherwise provided in the conditions of certification, the licensee shall petition to modify the certification for all changes in transmission line corridor alignment.

C. Expansions in right-of-way width following the narrowing of the certified site pursuant to Section. 403.522(10), F.S., will be considered modifications pursuant to Section 403.5315, F.S. If such a modification occurs the Licensee shall submit a revised ROW map to replace Attachment B.

D. Once all property interests required for the right-of-way have been acquired by the licensee, the area of the corridor certified narrows to only that land within the boundaries of the right-of-way, unless specified otherwise by the conditions of certification. Under the provisions of Section 403.522(10), F.S., this shall not be construed to require a modification or further agency review.

E. Alteration of Site boundaries may require modification of the Conditions of Certification.

[Section 403.5315, F.S.; and 62-17.680, F.A.C.]

XXV. WATER QUALITY CERTIFICATION

Pursuant to the Operating Agreement between the Department, United States Army Corps of Engineers (USACE) and water management districts, the written final order granting certification under the Florida Electrical Transmission Line Siting Act, sections 403.52-.539, F.S., also constitutes certification of compliance with state water quality standards pursuant to section 401 of the Clean Water Act, 33 U.S.C.

[2012 Operating Agreement, Jacksonville District USACOE, DEP and Water Management Districts, Section II.A.1.(f)]

XXVI. LABORATORIES AND QUALITY ASSURANCE

Chemical, physical, biological, microbiological, and toxicological data collected as a requirement of these Conditions must be reliable and collected and analyzed by scientifically sound procedures. Unless otherwise specified in these Conditions, the Licensee shall adhere to the minimum field and laboratory quality assurance, methodological and reporting requirements of the Department as set forth in Chapter 62-160, F.A.C.

[Chapter 62-160, F.A.C.]

Proposed

XXVII. ROW LOCATION

A. Licensee shall co-locate the transmission line ROW to the extent feasible within or adjacent to existing public rights-of-way for those portions of the corridor which include such existing public rights-of-way. To the extent a widened road right-of-way has been acquired by the appropriate governmental agency at the time of final transmission line design, Licensee's design shall reflect that new widened right-of-way.

B. To the extent feasible Licensee shall locate the transmission line right-of-way so as to avoid the taking of homes.

C. To the extent feasible and consistent with good engineering design and practices, the Licensees shall use best management practices to minimize impacts to pre-existing natural features and minimize tree removal and trimming of vegetation.

XXVIII. PROCESS FOR REVIEW OF ROW LOCATION

A. Prior to the finalization of the ROW location, three copies of the most recent available aerial photographs at a scale of 1" = 400' with wetland locations generally identified shall be submitted to DEP Siting Coordination Office, and one copy each to the applicable district office, SFWMD, DOT, DOC, FWC, Miami-Dade County, Broward County, and the Town of Southwest Ranches, delineating the certified corridor, and the selected transmission line ROW. In addition, Licensee shall note on the aerial photographs any new construction within the corridor that has occurred since the photograph was taken. Licensee shall notify all parties of such filing and, if needed, shall meet with DEP to discuss the ROW location. This information may be submitted in segments. The agencies receiving the aerial photographs from Licensee shall review the photographs as a post-certification submittal (see Section A. Condition XXI. Procedures for Post-certification submittals) and notify DEP of any apparent conflicts with the requirements of the Conditions of Certification, or requests for additional information. However, this paragraph shall not operate to avoid the need for post-certification submittals and compliance reviews otherwise required by the Conditions of Certification.

B. After review of the aerial photographs and comments from the other reviewing agencies, if DEP Siting Coordination Office has reason to believe that the construction of the transmission line, access roads or pads within Licensee's designated ROW cannot be accomplished in compliance with the Conditions of Certification, Licensee shall be so notified in writing, with copies to other parties to the certification proceeding of the particular basis for DEP's conclusion, and possible corrective measures which would bring the Project into compliance. If such notice is not received within 15 days of Licensee's submittal of the aerial photographs to the agencies, Licensee may proceed with design of the transmission line on the noticed ROW.

C. The acquisition of a particular ROW or the expenditure of funds toward acquisition of a particular ROW prior to the agencies' review pursuant to this condition will be at Licensee's risk, and no party will be estopped by such acquisition to seek disapproval of the construction of the transmission line or access road within the ROW in accordance with these Conditions of Certification.

D. After Licensee has acquired interest in the entire length of the transmission line ROW, Licensee shall:

Proposed

1. File a statement with the clerk of the circuit court for each county through which the corridor passes certifying that all lands required for the transmission line ROW within the corridor have been acquired. Licensee shall also file with the county Planning Department a map at the scale of 1" = 400' showing the boundaries of the acquired ROW.

2. File with DEP Siting Coordination Office a map at a scale of 1" = 400' showing the boundaries of the acquired ROW, if such boundaries are different from those shown in the filing required by paragraph A above. Such maps shall comply with the requirements of paragraph A. If the boundaries have not changed, Licensee shall file a statement with DEP Siting Coordination Office accordingly.

E. Once the ROW has been determined, Licensee will submit, to the applicable County offices, information that is consistent with County ROW permits for the portions of the line which pass through each affected county.

[Sections 403.531 and 403.5312, F.S.; Rule 62-17.600(4), F.A.C.]

XXIX. ENVIRONMENTAL RESOURCES

A. General

1. Submittals for Construction Activities

a. Prior to the commencement of construction of new facilities and/or new Associated facilities the Licensee shall provide to the DEP Southeast District for review, all information necessary for a complete *Application for Individual and Conceptual Approval Environmental Resource Permit and Authorization to Use State-Owned Lands* (ERP), DEP Form 62-330.060(1), F.A.C., or other applicable ERP authorization form. A copy of the submittal shall also be provided to the SCO.

b. This form may: 1) be submitted concurrently with a SCA; 2) be submitted as part of an amendment request or a petition for modification; or 3) be submitted as a post-certification submittal following approval of a Project through certification, modification, or amendment. Such ERP submittals, once received, shall be reviewed in accordance with the non-procedural standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapter 62-330, F.A.C., as applicable, unless otherwise stated in these Conditions. While the information is provided for review via submittal of the ERP form, consistent with Section 403.531, F.S., a separate ERP is not required for certified facilities, and therefore, a separate ERP will not be issued.

c. Those forms submitted as part of a SCA, an amendment, or modification, shall be processed concurrently with the respective SCA, amendment, or modification, in compliance with the applicable TLSA procedures. Those forms submitted as a post-certification submittal (after certification, modification, or amendment and prior to construction) shall be processed in accordance with Section A. General Conditions, Condition XXI., Procedures for Post-Certification Submittals. Post-certification submittal information may be submitted for discrete portions of the certified facilities for a determination of compliance with these Conditions.

d. No construction shall commence on a project feature, or in a particular segment of a linear facility, until the Department has determined that there is a

Proposed

demonstration of compliance with these Conditions. For post-certification submittal reviews, the Department's determination is governed by Section A, General Conditions, Condition XXI., Procedures for Post-Certification Submittals.

e. Concurrent with submittal of the DEP form required in subparagraph A.1.a., above, the Licensee shall submit, as applicable, a survey of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department compliance review. Available DEP-approved wetland and surface water delineations within the boundaries of a certified site or a portion thereof may be used and reproduced for this delineation submittal and verification. Formal DEP-approved wetland and surface water delineations are valid only for a period of five years.

[Section 373.416, F.S.; Chapters 62-330 and 62-340, F.A.C.]

2. Construction, operation, and maintenance of the proposed project (including any access roads and structures constructed within wetlands and other surface waters, and/or Associated facilities) shall satisfy any applicable non-procedural requirements in the Department rules.

[Section 373.414(1)(a), F.S.]

3. Any delineation of the extent of a wetland or other surface water submitted as part of the DEP ERP Application Form required by subparagraph A.1.a., above, including plans or other supporting documentation, shall not be considered binding on the Department unless a specific condition of this certification or a formal wetlands jurisdictional determination under Section 373.421(2), F.S., provides otherwise.

[Sections 373.421 and 403.523, F.S.]

4. Silt screens, hay bales, turbidity screens/barriers, or other such sediment control measures shall be utilized during construction. The selected sediment control measure shall be installed landward of all protected wetlands and other surface waters and shall be properly "trenched" etc. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into wetlands and other surface waters.

[Chapter 62-330, F.A.C.]

B. Surface Water Management Systems

1. Information regarding surface water management systems (SWMS) will be reviewed for consistency with the applicable non-procedural requirements under Part IV of Chapter 373, F.S., following submittal of Form 62-330.060(1), F.A.C., to the DEP District.

2. All construction, operation, and maintenance of the SWMS(s) for the certified facilities shall be as set forth in the plans, specifications, and performance criteria contained in the SCA and other materials presented during the certification proceeding, post-certification submittals, and as otherwise approved. If specific requirements are necessary for construction, operation, and/or maintenance of an approved SWMS, those requirements shall be incorporated into a SWMS Operation and Maintenance Requirements for that system and incorporated herein as Attachment B (Surface Water Management System Requirements). Any alteration or modification to the SWMS Plan or the SWMS as certified requires prior approval from the Department.

Proposed

3. To allow for stabilization of all disturbed areas, prior to construction, during construction of the SWMS, and for a period of time after construction of the SWMS, the Licensee shall implement and maintain erosion and sediment control best management practices, such as silt fences, erosion control blankets, mulch, sediment traps, polyacrylamide (PAM), temporary grass seed, permanent sod, and floating turbidity screens to retain sediment on-site and to prevent violations of state water quality standards. These devices shall be installed, used, and maintained at all locations where the possibility exists of transferring suspended solids into the receiving waterbody due to the licensed work, and shall remain in place at all locations until construction in that location is completed and soils are permanently stabilized. All best management practices shall be in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection, by HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2013) unless a project-specific erosion and sediment control plan is approved as part of this License. If project-specific Conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved erosion and sediment control plan, the Licensee shall implement additional best management practices as necessary, in accordance with the guidelines and specifications in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual*. The Licensee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as feasible. Once project construction is complete in an area, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before conversion to the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

4. The Licensee shall complete construction of all aspects of the SWMS described in the ERP Application Form, submitted as part of a post-certification submittal, amendment, modification, or SCA including water quality treatment features, and discharge control facilities prior to use of the portion of the certified facility being served by the SWMS.

5. At least 48 hours prior to beginning the authorized activities, the Licensee shall submit to the DEP District a fully executed Form 62-330.350(1), F.A.C., "Construction Commencement Notice," (October 1, 2013), (http://www.flrules.org/Gateway/reference.asp?No=Ref-02505), indicating the expected start and completion dates. A copy of this form may be obtained from the Department, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), F.A.C., shall also serve as notice of commencement of construction and, in such a case, submittal of Form 62-330.350(1), F.A.C., is not required.

6. Each phase or independent portion of the approved system must be completed in accordance with the submitted DEP Form prior to the operation of the portion of the certified facility being served by that portion or phase of the system.

7. Within 30 days, or such other date as agreed to by DEP and the Licensee, after completion of construction of any new portions of the SWMS, the Licensee shall submit to the DEP District, and copy the SCO, a written statement of completion and certification by a

Proposed

registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required "As-Built Certification and Request for Conversion to Operation Phase" (DEP Form 62-330.310(1), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.

8. Any substantial deviation from the approved drawings, exhibits, specifications, or Conditions may constitute grounds for revocation or enforcement action by the Department.

9. The operation phase of any new SWMS approved by the Department shall not become effective until the Licensee has complied with the requirements of the conditions herein, the Department determines the System to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the System.

10. The DEP District must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in off-site discharge or sediment transport into wetlands or surface waters, a written dewatering plan must be submitted to and approved by the Department prior to the dewatering event.

[Section 373.414, F.S.; Chapters 62-302, 62-330, and Rule 62-4.242, F.A.C.]

C. Wetland and Other Surface Water Impacts

1. All certified facilities shall be constructed in a manner which will eliminate or reduce adverse impacts to on-site and/or adjacent wetlands or other surface waters to the extent practicable or otherwise comply with the Department's substantive criteria for elimination or reduction of such impacts. When impacts to wetlands will occur as a result of a future amendment, modification, or certification, and cannot be practicably eliminated or reduced, the Licensee may propose, and the Department or Board shall consider, mitigation to offset such impacts under the ERP review process pursuant to subparagraph A.1., above.

2. Proposed mitigation requirements/plans submitted with the DEP ERP Application forms required in subparagraph A.1.a., above, or submitted as part of an amendment, modification, or certification, and that are deemed acceptable by DEP, shall include applicable construction conditions, success criteria, monitoring plans, and remedial actions (if applicable), and shall be incorporated into these Conditions as Attachment C (Wetland Mitigation Requirements/Plans).

[Sections 373.413, 373.414, 373.4145, 403.531, 403.814(6), F.S.; Chapters 62-312, 62-330, 62-340, 62-342, and 62-345, F.A.C.]

XXX. THIRD PARTY IMPACTS

The Licensee is responsible for maintaining compliance with these Conditions even when third party activities authorized by the Licensee occur in or on the certified site.

[Sections 403.524(1), F.S.]

XXXI. FACILITY OPERATION

The Licensee shall properly operate and maintain the certified facility and systems of treatment and control (and related appurtenances) that are installed and used by the Licensee to

Proposed

achieve compliance with these Conditions, as required by the final order of certification, these Conditions, or a post-certification amendment or modification. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the final order of certification, these Conditions, or a post-certification amendment or modification.

[Rule 62-4.160(6), F.A.C.]

XXXII. RECORDS MAINTAINED AT THE FACILITY

A. The Licensee shall hold at the Site, or other location designated by these Conditions, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by these Conditions (if any), copies of all reports required by these Conditions, and records of all data used to complete the SCA for this approval. These materials shall be retained at least 3 years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

C. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

[Rules 62-4.160(12) and (14)(b), F.A.C.]

XXXIII. WATER DISCHARGES

A. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption or other relief is granted or authorized by these Conditions, the Licensee shall not discharge to surface or ground waters of the State wastes in concentrations which alone or in combinations with other substances, or components of discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, or teratogenic to human beings (unless specific criteria are established for such components in Rule 62-520.400, F.A.C.) or are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters.

B. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions, all discharges and activities must be conducted so as to not cause a violation of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, 62-550, and 62-620, F.A.C., including the provisions of Rules 62-4.243, 62-4.244, and 62-4.246, F.A.C., the antidegradation provisions of Rules 62-4.242(1)(a), (1)(b), and 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in Rules 62-4.242(2) and (3), F.A.C.

Proposed

C. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions, all dewatering discharges must be in compliance with Rule 62-621.300, F.A.C.

[Chapters 62-4, 62-302, 62-520, 62-550, 62-620, and 62-621, F.A.C.]

XXXIV. SOLID AND HAZARDOUS WASTE

A. Solid Waste

1. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-701, F.A.C., for any solid waste generated within the certified facility during construction, operation, maintenance, and closure.

[Chapter 62-701, F.A.C.]

B. Hazardous Waste, Used Oil, Petroleum Contact Water, and Spent Mercury

1. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-730, F.A.C., for any hazardous waste generated within the certified facility. An EPA identification number must be obtained before beginning hazardous waste activities unless the facility is a Very Small Quantity Generator (VSQG). VSQGs generate no more than 100 kg (220 lbs) of hazardous waste in any month and have less than 1,000 kg (2,200 lbs) of accumulated hazardous waste at any one time.

2. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-710, F.A.C., for any used oil and used oil filters generated within the certified facility.

3. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-737, F.A.C., for any spent mercury-containing lamps and devices generated within the certified facility.

4. The Licensee shall comply with all applicable provisions of Chapter 62-740, F.A.C., for any petroleum contact water located within the certified facility.

[Chapters 62-710, 62-730, 62-737, and 62-740, F.A.C.]

C. Hazardous Substance Release Notification

1. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a certified facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the Department by calling the State Watch Office, (800) 320-0519, as soon as possible, but not later than one working day of discovery of the release.

2. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a certified facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the public by submitting a Public Notice of Pollution, https://prodenv.dep.state.fl.us/DepPNP/user/pnpRequest, as soon as possible, but not later than 24 hours after discovery of the release.

Proposed

3. Releases of mixtures and solutions are subject to these notification requirements only where a component hazardous substance of the mixture or solution is released in a quantity equal to or greater than its reportable quantity.

4. Notification of the release of a reportable quantity of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers (0.004 inches).

[Chapter 62-150, F.A.C.]

D. Contaminated Site Cleanup

The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-780, F.A.C., for any violations of relevant provisions of Chapters 376 or 403, F.S., that result in legal responsibility for site rehabilitation pursuant to those chapters. This responsibility for site rehabilitation does not affect any activity or discharge permitted or exempted pursuant to Chapters 376 or 403, F.S., or rules promulgated pursuant to Chapters 376 or 403, F.S.

[Chapter 62-780, F.A.C.]

Proposed

SECTION B. SPECIFIC CONDITIONS

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Management and Storage of Surface Waters, Activities in Surface Waters and Wetlands, and Water Quality Review

1. Field Inspection

Prior to any construction, FPL shall arrange with the appropriate DEP district staff a field inspection to verify wetland and other surface water boundaries and site conditions. Prior to field inspection, FPL shall have wetland and other surface water boundaries field staked or flagged for DEP staff verification and approval. Additional information, depending on the outcome of the field inspection, may be required. Verification and approval will be processed as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Section 10.2, Vol I Applicant's Handbook]

2. Transition from Construction Area into Adjacent Wetlands

Prior to any construction, FPL shall provide to the applicable DEP district typical cross-sectional diagrams showing the transition from the construction area into adjacent wetlands. Details of slope grades, location of erosion and turbidity control devices, location of limits of construction, and methods and timing of slope stabilization and revegetation shall also be included. Review and approval will be processed as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330.060, and 62-17.665, F.A.C]

3. Wetland Mitigation Plan

Prior to any construction, FPL shall submit documentation demonstrating that the proposed ROW will meet the requirements of Section 10.2.1 of the Applicant's Handbook Volume I with regard to the elimination or reduction of wetland and other surface water impacts. A detailed mitigation plan shall be submitted if there will be any unavoidable wetland impacts. The plan shall include adequate compensation for wetland and other surface water impacts in accordance with the requirements of Section 10.3, Vol. I, including an estimation of credits for functional loss to determine the extent of potential wetland and other surface water impacts associated with the proposed ROW. The plan will be reviewed, and notification of compliance issued, by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals. As described in Section A. Condition XXIX. Environmental Resources, paragraph C, such plan and requirements will be incorporated and attached hereto as Attachment D.

[Rules 62-330.060, and 62-17.665, F.A.C]

4. Erosion and Sediment Plan

Prior to any construction FPL will submit to the DEP Southeast District ERP Section, a detailed erosion and sediment control plan for the project area. The plan will be reviewed, and notification of compliance issued by the appropriate DEP district through the post-

Proposed

certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40.432(2), 62-330 and 62-17.665, F.A.C]

5. Construction Schedule

Prior to any construction, FPL shall submit to the DEP Southeast District a construction schedule which will include, at a minimum, details on phases of vegetation clearing, installation of erosion and turbidity control devices, dredging, filling, slope stabilization and replanting. The schedule shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

6. Water Quality Assurance

Prior to any construction, FPL shall provide reasonable assurance to the appropriate DEP district that the regulated activity will not cause or contribute to violations of water quality standards within surface waters and wetlands. The location of turbidity and erosion control devices shall be included on the plans as well as descriptions of the proposed methodology for ensuring the project will not result in adverse short-term impacts to water quality. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

7. Navigation

Prior to any construction, FPL shall provide reasonable assurance to the appropriate DEP district that the regulated activity will not adversely affect navigation within waterbodies that the regulated activity will be crossing. The methods for construction and minimizing impacts to navigation during construction shall be included on the plans, as well as descriptions of any proposed methodology for ensuring that the project will not result in short-term or long-term adverse impacts to navigation. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

8. Nighttime Construction Activities

All proposed dredging and filling activities within other surface waters shall be limited to daylight hours as turbidity plumes are not visible at night. Should such nighttime activities need to occur, FPL shall provide reasonable assurances to the appropriate DEP district that such activities shall not violate water quality standards. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

Proposed

9. Hydrologic Studies

Prior to any construction, FPL shall submit to the appropriate DEP district hydrologic studies to evaluate runoff characteristics for new culvert crossings and access road designs. The hydrologic studies shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

10. Sovereign Submerged Lands

Prior to any construction, FPL shall obtain appropriate leases and/or easements for any state-owned lands as outlined in Section A. Condition XVII. Use of State Lands.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

11. Floodplain

Prior to any construction, FPL shall provide documentation to demonstrate the no-net encroachment into the floodplain, between the average wet season water table and that encompassed by the 100-year event, which will adversely affect the existing rights of others. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

12. Passage of Drainage

Prior to any construction, FPL shall provide documentation to demonstrate that onsite works such as swales and dikes shall be used to allow the passage of drainage from offsite areas to downstream areas. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40, 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

13. Stormwater Treatment Methodology

Prior to any construction, FPL shall provide a description of the proposed stormwater treatment methodology for existing and proposed paved and unpaved access roads, temporary or permanent, and impervious areas of the monopoles. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40, 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

14. Flowage Easements

Prior to any construction, FPL shall provide drafts of all stormwater management system easements and plats of the property containing the proposed system. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

Proposed

[Rule 62-330, F.A.C; Applicant's Handbook]

15. Herbicide Management and Application Plan

Prior to any construction FPL shall provide a proposed herbicide management and application plan including stormwater runoff, distance to nearby surface water, wetlands and sensitive areas. Review of the plan and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Chapter 62-330, F.A.C]

B. Everglades National Park Land Exchange

1. In the section of the Proposed Corridor within the current boundary of Everglades National Park (ENP), FPL shall make reasonable efforts to secure the necessary authorizations, approvals, and property rights to support the timely siting, construction, operation, and maintenance of the Project to the east of the western boundary of the South Florida Water Management District's L-31N right-of-way to the extent practicable, taking into account factors including but not limited to cost, engineering, SFWMD operations, and regulatory and proprietary constraints.

2. In areas where FPL is unable to build and maintain its structures east of the L-31N canal right-of-way boundary (outside of the current boundaries of ENP), FPL shall only use the minimum amount of land west of the L-31N canal right-of-way boundary (inside of the current boundaries of ENP) that is necessary to build and maintain the structures, and FPL shall return to installing structures to the east of the western boundary of the L-31N canal right-of-way at the first practicable location as provided in paragraph 1. above.

3. Within 90 days of determination of the final right-of-way alignment for the Project, FPL shall initiate activities to reconvey lands not utilized for the Project to the National Park Service for Everglades National Park, including the processes necessary to proceed to closing on the exchange of lands.

[Applicant Agreement]

C. Electric and Magnetic Fields

Prior to construction, FPL shall submit to the Department an EMF report demonstrating compliance with the provisions of Rule 62-814, F.A.C., for review in accordance with Condition XXI.

II. DEPARTMENT OF TRANSPORTATION

A. 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, F.A.C., State Highway System Connection Permits, and 14-97, F.A.C., State Highway System Access Control Classification System and Access Management Standards.

[Chapters 14-96, and 14-97, F.A.C.]

Proposed

B. 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 as defined in Section 316.550, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

C. Use of State of Florida Right of Way or Transportation Facilities

Any use of State of Florida right of way and certain activities on state transportation facilities will be subject to the requirements of FDOT's 2017 Utility Accommodation Manual, Rule Chapter 14-46, Utilities Installation or Adjustment, F.A.C., and Chapter 337, including, but not limited to, Section 337.403, F.S., Interference caused by relocation of utility; expenses.

[Sections 337.403 and 337.404, F.S.; Chapters 14-15, 14-46, and 14-96, F.A.C.]

D. 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, F.A.C., including, but not limited to, the requirement to obtain all applicable permits.

[Chapter 14-86, F.A.C.]

E. Airport Licensing, Registration, and Airspace Protection

Any proposed construction or alteration in the application that exceeds the criteria detailed in 14 C.F.R. Section 77, Subpart B, will be subject to an aeronautical study by the Federal Aviation Administration (FAA). The FAA has provided a Notice Criteria Tool at https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredTool Form, to simplify compliance with the federal regulation in determining when an aeronautical study is required. An airspace determination is required for all structures that are determined to exceed by the Notice Criteria Tool. Applications for an aeronautical study are made utilizing the electronic FAA Form 7460-1 available at the following FAA website: https://oeaaa.faa.gov/oeaaa/external/portal.jsp.

If the FAA aeronautical study determines that the construction or alteration "Exceeds But Is Okay" (EBO) or is "Determined Not To Be A Hazard" (DNH), the construction or alteration is subject to the requirements of Chapter 333, F.S., and Chapter 14-60, F.A.C.. If political subdivisions have adopted airport protection zoning regulations, the construction or alteration requires a permit from the political subdivision pursuant to Chapter 333, F.S. Absent political subdivision airport protection zoning regulations, if the construction or alteration is within a 10-nautical mile radius of the airport reference point of a public-use or military airport, the construction or alteration requires a permit from FDOT pursuant to Chapter 333, F.S. A permit from FDOT may be obtained using FDOT Form 725-040-11, and following the instructions in Rule Chapter 14-60, F.A.C.; FDOT Form 725-040-11 is available at the following FDOT website: https://www.florida-aviation-database.com/dotsite/pdfs/725-040-11.pdf.

Applicants seeking Certification or Post-Certification Amendment(s) under the Florida Transmission Line Siting Act (TLSA), must comply with the provisions of Chapter 330,

Proposed

F.S., Chapter 333, F.S., and Rule Chapter 14-60, F.A.C., to operate an airport within the State of Florida.

[Chapter 333, F.S.; Rule 14-60.009, F.A.C.]

F. Traffic Control

Traffic control will be maintained during construction and maintenance in compliance with the standards contained in the Manual of Uniform Traffic Control Devices; FDOT's Standard Plans for Road and Bridge Construction; FDOT's Standard Specifications for Road and Bridge Construction; and the Department's 2017 Utility Accommodation Manual, whichever is more stringent.

[Chapter 316, F.S.; Chapter 14-46, F.A.C.]

G. Other

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

• Heavy construction vehicles are to remain onsite during construction.

• A bulletin board shall be located such that employees have easy access to it and on which carpooling advertisements can be placed.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the Applicant shall ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. General Conditions

1. For purposes of these conditions of certification, the following definitions shall apply:

a. "Inconsistency" shall mean any significant incompatibility, encroachment, or obstruction that hinders, compromises, or detrimentally affects SFWMD Planned and Existing projects, including but not limited to scheduling, costs, goals, purposes, benefits, functions, operation, maintenance, repair, replacement, rehabilitation, performance, or life expectancy.

b. "Planned and Existing Projects" shall mean any project or facility of the SFWMD that is either: (1) the projects provided in Attachments 1 and 2, as may be amended; and (2) the projects and/or project components of the Comprehensive Everglades Restoration Plan (CERP), as listed in the CERP Yellowbook (1999).

c. "Planned Communication Facilities" are those facilities that are either in the construction phase or in the final construction design phase with approved funding for design.

Proposed

d. "Pollutant" shall mean any hazardous or toxic substance, material, or waste of any kind or any contaminant, pollutant as defined by Rule 62-150 F.A.C., and 42 USC 9601, in addition to petroleum, petroleum product, or petroleum by-product.

e. "Release" shall mean the release, spill, or discharge of such Pollutants.

f. "SFWMD ROW Criteria Manual" shall mean the SFWMD Right-of-Way Criteria Manual for Use of Works or Lands of the District dated August 12, 2013 together with the rules set forth in Chapter 40E-6, F.A.C.

g. "SFWMD Right(s)-of-Way" when used in SFWMD Conditions is intended to mean those lands acquired by SFWMD in fee, easement, or other type of grant, for the purpose of operations and maintenance of SFWMD's canal and levee system, spoil areas, and access and other easements.

h. "SFWMD Real Property Interests" is defined as SFWMD Right(s)-of-Way, Works of the District, and any property interest evidenced by being recorded in the public records.

2. If this Certification is transferred from the Licensee to another party, the Licensee from whom the Certification is transferred shall remain liable for corrective actions that may be required as a result of any violations that occurred prior to the transfer.

[Sections 373.044, 373.085, 373.223, 373.342, and 373.413, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-3.101(1), and 40E-6.351, F.A.C.]

3. This project must be constructed, operated, and maintained in compliance with and meet all non-procedural requirements and criteria set forth in Chapter 373, F.S., and Chapters 40E-2 (Consumptive Use), 40E-6 (Works or Lands of the District), 40E-8 (Minimum Flows and Levels "MFLs"), 40E-10 (Water Reservations), and 40E-21 (Water Shortage), F.A.C.

[Rule 62-17.191, F.A.C.]

4. Prior to constructing any certified facilities along, within or across SFWMD Real Property Interests, Licensee shall obtain an easement interest, which shall be contingent on SFWMD Governing Board's approval.

[Sections 373.085 and 373.086, F.S.]

5. It is the responsibility of the Licensee to avoid or minimize and mitigate any impacts to the water resources, SFWMD routine and/or emergency operations or maintenance, or Planned and Existing Projects within its rights-of-way and property interests during the construction, operation, and maintenance of the project in accordance with these conditions of certification.

[Chapter 373, F.S.; Rules 40E-2.09l, 40E-2.38l, and 40E-6, F.A.C.]

6. The Licensee shall be responsible for the construction, operation, and maintenance of all facilities installed for the proposed project in accordance with the terms of these conditions of certification and any other applicable agreements between the Licensee and the SFWMD.

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

Proposed

7. Information submitted to SFWMD subsequent to Certification, in compliance with these Conditions of Certification, shall be for the purpose of SFWMD determining the Licensee's compliance with the non-procedural criteria contained in Chapter 373, F.S., Chapters 40E-2, 40E-6, 40E-8, 40E-10, and 40E-21, F.A.C., as applicable prior to the commencement of the subject construction, operation, and/or maintenance activity covered by these Conditions of Certification.

[Rule 62-17.191, F.A.C.]

8. SFWMD may confer with DEP to request that DEP take any and all lawful actions that are necessary to enforce any condition of this Certification based on the authorizing statutes and rules of SFWMD.

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

9. It is understood that the Licensee and SFWMD shall strive to resolve disputes by mutual agreement. However, SFWMD retains its right to seek any and all available relief under Florida law for the protection of the water resources, health, safety, and welfare of persons and property within its jurisdictional boundaries.

[Sections 373.044, 373.085, 373.113, 373.129, 373.413 and 373.429, F.S.; Rules 40E-1, 40E-6.331, and 40E-6.341, F.A.C.]

10. With concurrence from DEP, SFWMD and the Licensee may jointly agree to vary the informational requirement necessary to conduct the post certification review.

[Sections 373.085 and 373.229, F.S.; and Rules 40E-2.101(1), F.A.C.]

11. Licensee shall maintain the status (exempt from public disclosure) in a confidential manner of any documents received from SFWMD, including communications systems and building plans, blueprints, schematic drawings, and diagrams, in preliminary draft and final formats, which depict the internal layout and structural elements of a building or water structure, or other SFWMD facilities, owned and operated by SFWMD, which are exempt from the Public Records law, unless required to disclose such documents pursuant to Section 119.071(3)(b)3., F.S., as also agreed to in the Exempt Records Memorandum of Understanding Between FPL and SFWMD, which was executed in April 2024, and is attached hereto as Attachment 3.

12. Indemnification / Insurance - Licensee shall also be responsible for the following:

a. For good and valuable consideration received, and to the fullest extent permitted by law, Licensee agrees to defend, indemnify, and hold harmless SFWMD, its Board members, Directors, employees, and agents (collectively, the "Indemnified Parties") from and against any and all claims, suits, loss, including, but not limited to, bodily injury, death, and property damage and all other damage, including reasonable attorneys' fees and costs, sustained by the SFWMD Entities to the extent caused by or arising from Licensee's and its agents' (which includes Licensee's officers, employees, contractors, subcontractors, agents, representatives, and invitees) planning, engineering, design, construction, alteration, operation, maintenance, removal, abandonment of facilities on, activities upon and access over SFWMD Real Property Interests or activities undertaken under this Certification (including post certification reviews,

Proposed

amendments or modifications, collectively the "Certification") unless Licensee can establish that the damages were attributable solely to the negligent or willful actions of one or more Indemnified Parties or third parties other than Licensee and its agents. SFWMD shall have the right to approve, in SFWMD's reasonable discretion, Licensee's legal counsel in connection with this indemnity.

b. Licensee shall procure and maintain during the occupancy of SFWMD Premises, through self-insurance or insurance, at least $1,000,000 per occurrence/$2,000,000 general aggregate in limits of liability for General Liability Insurance. Licensee shall procure and maintain, through self-insurance or insurance, at least $1,000,000 per occurrence in limits of liability for Automobile Liability Insurance. In addition, Licensee must carry Workers' Compensation and Employer's Liability insurance if required by Florida Statutes, Chapter 440. Depending on the activity, other specialty insurance may be required. If operating drones/unmanned aircraft systems (UAS), Licensee or their Drone contractor must provide a current drone operator's license/certificate for all operators and have applicable UAS drone liability insurance of at least $1,000,000 per occurrence in limits of liability. Licensee shall provide to SFWMD a certificate of insurance signed by the insurance carrier's authorized representative, indicating the producer, insured, carrier's name and A.M. Best rating, policy numbers and effective and expiration dates of each type of coverage required. The certificate of insurance must name the SFWMD as the certificate holder and must name the SFWMD as an additional insured for the General Liability, Automobile Liability, and UAS Drone Liability coverages. Licensee, contractors, and their insurance carriers shall provide a Waiver of Subrogation endorsement in favor of SFWMD for all insurance coverages. The coverage required shall extend to all employees and subcontractors of the Licensee. If the Licensee is a self-insured entity, the Licensee may submit a letter citing a state-approved self-insurance program in lieu of satisfying these insurance requirements subject to SFWMD approval.

c. Any insurance provided by Licensee and its agents naming SFWMD and its agents as an additional insured, including self-insurance, shall respond first and defend and indemnify SFWMD and its agents with respect to any and all claims or suits arising out of Licensee's or its agents access over or adjacent to SFWMD Right(s)-of-Way, Works of the District or SFWMD Real Property Interests recorded in the public records, interference with SFWMD communication systems, or activities undertaken under this Certification, including design, construction, operation, and maintenance of facilities. If and only if such insurance does not apply or is otherwise not available with respect to a particular matter, the indemnity provisions in the first paragraph of this section will apply.

d. It is expressly agreed that this Section shall survive the termination or expiration of this Certification.

[Sections 373.016, 373.085(1)(b), and 373.1391, F.S and Rules 40E-6.051(3), 40E-6.381(6), 40E-6.221(2)(i), F.A.C.]

13. Consistency with Planned and Existing Projects

a. During the planning and design of the certified transmission lines, and prior to the final design of the transmission lines right-of-way to be located on SFWMD real property interests, Licensee shall coordinate with SFWMD to obtain SFWMD's plans, including detailed design plans and specifications, for any Planned and Existing Projects. Licensee shall

Proposed

coordinate all project activities with SFWMD in such a manner as to avoid inconsistencies with Planned and Existing Projects, as defined in section I.A.1.C.

b. No later than twelve (12) days after receipt of Licensee's post-certification submittal of the proposed transmission line right-of-way location as required by Section A., Condition XXI, SFWMD will submit to Licensee any revised SFWMD plans for Planned and Existing Project.

c. Licensee will undertake its preliminary through final design of the certified transmission facilities to be located on SFWMD Real Property Interests to accommodate and avoid inconsistencies with Planned and Existing Projects. Licensee's designs must account for flowage elevations, as necessary, in order to be consistent with Planned and Existing Projects. Outcomes of SFWMD planning projects include, and are not limited to, change in groundwater elevation, surface water elevation, and site existing conditions. The Licensee as part of their design process will coordinate and incorporate in their design the best-to-date information regarding water elevation data from SFWMD planning projects for site future conditions.

d. At the time of design of the certified transmission facilities, Licensee shall submit to SFWMD a preliminary design demonstrating compliance with paragraph 13(c) above, so that SFWMD can review this information. SFWMD must review Licensee's preliminary design within ninety (90) days following SFWMD receipt of Licensee's preliminary design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with final design consistent with the submitted preliminary design. If SFWMD's review indicates an Inconsistency (as defined in Section I.A.1.a above) exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the United States Army Corps of Engineers (USACE). Any costs associated with the review, evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

e. At least ninety (90) days prior to construction, Licensee shall submit to SFWMD a final design demonstrating compliance with its preliminary design and any agreeable solutions for design modifications identified pursuant to paragraph 12(d), so that SFWMD can review this information for consistency with Planned and Existing Projects. SFWMD must review Licensee's final design within ninety (90) days following SFWMD receipt of Licensee's final design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with construction consistent with the submitted final design. If SFWMD's review indicates an inconsistency exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the USACE. Any costs associated with the review,

Proposed

evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

f. If two (2) years elapse after Licensee submittal of its final design demonstrating compliance with paragraph 12(c) above without commencement of construction of Licensee's project, Licensee shall request a list of new or updated planned project information. If SFWMD provides a list of new or updated planned project information within thirty (30) days of Licensee's request, Licensee shall incorporate this new or updated information to achieve compliance with paragraph 12(c) above. In the event that new or updated information is provided by SFWMD to Licensee, the coordination process as described in paragraph 12(d) above shall be followed.

14. Reimbursements and Costs - In addition to any requirements specified elsewhere in these conditions, the Licensee shall also be responsible for the following:

a. Modifications to Licensee Project Facilities - Where the certified transmission line(s) will cross or use lands where SFWMD holds a real property interest, Licensee shall design any future modifications to its transmission line(s), including its structures and access roads, to avoid Inconsistency with Planned and Existing Projects utilizing the process described in Condition I.A.12. above. Licensee shall undertake at its own expense any necessary alterations to Licensee's project as a result of such Inconsistencies as defined in condition I.A.12.g.

b. Payment Timeliness and Other Remedies - Licensee shall make reimbursements within sixty (60) days following receipt of invoices submitted by SFWMD. Each invoice must be accompanied by an itemization of the time and expenses incurred in accordance with state auditing procedures. In the event a dispute arises as to the appropriateness of the request for reimbursement of one or more cost items, the dispute may be resolved pursuant to the dispute resolution process specified in Section A, Condition XI. Dispute Resolution. However, this provision is not intended to be an exclusive remedy and does not preclude the exercise of any other rights and remedies available under law or equity. Reimbursement of a disputed cost shall be held in abeyance until the dispute is resolved.

[Rules 40E-6.381(3), (4), F.A.C.]

15. Licensee Access to SFWMD Areas of Real Property Interest

a. For informational purposes and to the extent practicable, and subject to any easements or other agreements between Licensee and SFWMD, Licensee shall meet with SFWMD representatives no less than six (6) months prior to construction to identify all of Licensee's construction activities SFWMD Real Property Interests. Licensee shall also meet with SFWMD representatives no less than one (1) month prior to commencement of construction to coordinate with SFWMD the Licensee's construction schedule and non-major activities on SFWMD Real Property Interests. Licensee is encouraged to discuss coordination with SFWMD any minor activities that arise unexpectedly.

[Rule 62-17 F.A.C.]

b. Licensee shall be responsible for any mitigation or permitting arising from impacts to any state or federally listed threatened or endangered species where

Proposed

SFWMD holds a real property interest occurring from the construction, operation, or maintenance of the proposed transmission line facilities, in accordance with the terms and conditions of any local, state, or federal approvals, and all applicable regulatory laws, including, but not limited to the conditions in this Certification.

[Sections 373.085 and 373.086, F.S; Rules 40E-6.221(2), 40E-6.091(1) and 62-17 F.A.C. and Right of Way Criteria Manual for Use of Works or Lands of the District]

c. Licensee, its agents, employees, contractors and subcontractors shall be prohibited from removing any items of historical, architectural, archaeological, or cultural significance on lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.; 40E-6.311(3) and 62-17 F.A.C.]

d. Any release of Pollutants SFWMD Real Property Interests, whether caused by the Licensee or any other third party, shall be reported to the SFWMD within twenty-four (24) hours upon the knowledge thereof by the Licensee. The Licensee shall be solely responsible for the entire cost of cleanup of any release of Pollutants resulting from the activities of the Licensee, its contractors, subcontractors, agents, and/or assigns discovered in or on canals or lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. SFWMD does not waive sovereign immunity in any respect.

[Rules Chapter 40E-6.091(1) and 40E-6.381(7), F.A.C.]

f. No vehicular maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, be used, stored or discarded within lands where SFWMD holds a real property interest nor shall these lands be used for storage or parking of equipment, associated machinery, or construction trailers unless specifically authorized by these Conditions of Certification or agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), and 62-17 F.A.C.]

g. Licensee shall not stockpile excavated material in the canal or within lands where SFWMD has a real property interest, except as specifically authorized by SFWMD. Licensee shall be responsible for the removal of all construction materials and debris from SFWMD canal and SFWMD Right(s)-of-Way; and, for the repair, replacement, and restoration of any sections of SFWMD Right(s)-of-Way damaged or disturbed resulting from the authorized activity. Repair, replacement and restoration shall be to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance (i.e., for backfill material, density/compaction, stabilization and maintainability). Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge. Furthermore, such restoration, when required, shall include grading/re-shaping, seeding, resodding with bahia, Argentine, or other species recognized by SFWMD as a drought tolerant species. Licensee is also responsible for removal of all excess project-related material from SFWMD Right(s)-of-Way, unless otherwise authorized in these conditions of certification or agreed to by SFWMD in writing.

Proposed

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.081(8), and 62-17 F.A.C.]

h. Licensee shall work collaboratively with SFWMD to address any proprietary interests or issues arising with respect to the placement of transmission facilities on SFWMD Real Property Interests within the transmission line corridor having any encumbrance, such as those having a federal interest as described in the June 1999 SFWMD and U.S. Department of Interior (DOI) Grant Agreement for Everglades Watershed Restoration in accordance with the DOI and Related Agencies Appropriations Act, 1999, Public Law 105-277, Stat. 2681 (Grant Agreement), as specified in the paragraph below.

[Sections 373.085 and 373.086, F.S.]

i. Use of SFWMD Parcels Subject to Encumbrances: FPL shall bear the SFWMD's administrative costs (e.g., surveying, appraisals, and title searches) of release of encumbrances within the proposed transmission line rights-of-way, or the cost of replacement lands, if necessary, in an area acceptable to SFWMD and DOI.

[Sections 373.085 and 373.086, F.S.]

j. Licensee shall comply with the following concerning removal of exotic vegetation as identified on the Florida Invasive Species Council Plant List (2026).

i. Licensee shall coordinate with SFWMD prior to conducting any exotic vegetation removal work to ensure such activities do not interfere with SFWMD's land management activities.

ii. Licensee shall remove all exotic vegetation throughout the limits of the transmission line right-of-way from lands where SFWMD holds a real property interest and keep these lands free of said exotic vegetation throughout the life of the project, where practicable.

iii. Licensee is put on notice that successful removal of the exotic vegetation may require the application of a suitable herbicide on cut stumps, etc. by following manufacturer's label instructions.

iv. Licensee shall take all reasonable precautions to not damage or destroy existing native (indigenous) vegetation located within the SFWMD Right(s)-of-Way throughout the project limits.

v. Licensee shall maintain the project area on a regular cycle basis and keep Licensee's rights of way free of excessive weeds and exotic vegetation.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1) and 62 17F.A.C.; SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

16. *SFWMD Approval Limitations* - No right of review, inspection, or approval by SFWMD under this Certification shall: (1) be deemed a waiver of any of SFWMD rights under the Certification or at law or in equity; (2) be deemed to be an assumption of such responsibility by SFWMD for any defect, error, omission; or (3) relieve Licensee of its responsibility for the performance of its obligations under the Certification and the accuracy, competency, adequacy, fitness, suitability, or coordination of its post-certification responsibilities and deliverables under this Certification. Approval by any governmental or other

Proposed

regulatory agency or other governing body, including DEP and USACE (as it relates to CERP projects and the C&SF system), shall not relieve Licensee of responsibility for the strict performance of its obligations under this Certification. Licensee expressly accepts the risk that defects in its performance, if any, may not be discovered until after completion of the transmission line project. Licensee's post-certification submittal may be submitted in segments and/or on a line-by-line basis. SFWMD's failure to timely object to a particular post-certification submittal for any particular segment or line does not waive SFWMD's right to object to the same information for another post-certification submittal.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381, F.A.C.]

17. These conditions of certification shall not operate to revoke any rights, terms or conditions of any permit, license, easement, or other property interest, over SFWMD-owned lands, for the uses identified in those instruments.

B. Central and Southern Florida Communication Systems

1. Communication Systems

a. Licensee's project, as described in the Site Certification Application and in post certification submittals, shall not result in harmful interference or other adverse impacts to the South Florida Water Management District Communication System and Facilities (WMDCSF). WMDCSF refers to the SFWMD Information Technology (IT) Systems and Supervisory Control and Data Acquisition (SCADA) systems necessary for the operations and maintenance of the SFWMD and C&SF Flood Control Project. The IT Systems are the collection of microwave sites, communications towers, antenna sub-systems, microwave radios, SCADA base stations, mobile radio base stations, multiplex electronics, data internet protocol (IP) electronics, direct current (DC) power systems, standby power systems, shelters, and all other related and supporting systems and sub-systems. The SCADA systems are the collection of base radios, remote terminal unit (RTU) radios, antenna sub-systems, antenna support pole, RTUs, data loggers, wireline communications, enclosures, sensors, instrumentation, and all other related and supporting systems and sub-systems. The SCADA systems include the central software applications that monitor, control, collect, and store data.

b. Prior to initiation of detailed design, Licensee shall request an updated list of WMDCSF identifying existing and Planned Communication Facilities within 5,280 feet of the certified transmission line corridor.

c. Licensee shall take the WMDCSF into consideration during its design to avoid harmful interference, as defined by the FCC, or adverse impacts to WMDCSF. Adverse impacts to WMDCSF shall be defined as any manifestation of performance degradation, misinterpretation, or loss of information beyond the range of normal variation in signal strength that would not otherwise happen in the absence of unwanted energy or physical obstructions.

d. The Consulting Engineer shall take the following WMDCSF technical specifications into consideration in the proposed transmission line design. Any proposed alternatives to these specifications shall be documented in the Preliminary Evaluation Report.

i. For maintenance of microwave communications performance and reliability purposes, the design for the electrical transmission lines shall be such that:

Proposed

1) Electrical transmission line towers are not located within the 0.3F1 at K=2/3 and 1.0F1 at K=4/3 of a SFWMD microwave path (GTE Lenkurt Inc., "Engineering Considerations for Microwave Systems", Section 7, "Clearance Criteria").

2) Electrical transmission line conductors are not located within the first Fresnel zone of a SFWMD microwave path when the conductors are located within 2 kilometers of a microwave site (Seizawa, Y., Takeshita, K. Takeshita, S., "Influence of Microwave Scattering by Power Transmission Lines on Digital Radio Communications", IEEE Transactions on Electromagnetic Compatibility, Volume 31, No.4, pp 346-352, November 1989).

3) Electrical transmission line conductors that will cross a microwave path should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDSCF.

4) Electrical Transmission line conductors that will run adjacent or parallel to a microwave path along any point along the path for any length should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDCSF.

ii. For maintenance of land mobile radio voice communications base station and area coverage performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, attributable to the electrical transmission lines, is not sufficient to cause harmful interference or other harmful impacts to WMDCSF.

iii. For maintenance of SCADA telemetry communications performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, is not increased to an amount that reduces the fade margin for SCADA base station and RTU fade margin to less than 30 dB for the primary communications path and 20 dB for the secondary communications path (SFWMD Design Standard). For SCADA systems that have fade margins less than the SFWMD Design Standard any reduction in fade margin shall be eliminated or mitigated.

e. Licensee, in consultation with SFWMD, shall identify and retain an independent Consulting Engineer(s) with demonstrated knowledge of and/or experience with RF and SCADA communications systems such as the WMDCSF for the purpose of conducting the evaluations, including modeling and measurements, required by these SFWMD Communications Conditions (collectively referred to as the "Evaluation Program"). Licensee shall be responsible for payment of fees charged by the Consulting Engineer(s).

f. The Consulting Engineer, in consultation with Licensee and SFWMD, shall develop a scope of work and schedule to accomplish the Evaluation Program. Licensee shall submit the proposed scope of work and schedule for the Evaluation Program, together with any revisions proposed by Licensee, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI. At a minimum, the scope shall include:

i. Identification of the location and characteristics of all existing and planned WMDCSF within 5,280 feet of the certified transmission line corridors that

Proposed

have the potential to experience harmful interference or other adverse impacts from the certified transmission facilities.

ii. Identification of the appropriate evaluation methodology to assess whether harmful interference or any other adverse impact to WMDCSF will occur due to Licensee's facilities.

iii. The Preliminary Evaluation shall include:

1) Based on Licensee's preliminary design of its transmission line facilities, a modeling and analysis effort to determine the potential for transmission line harmful interference or adverse impacts to operation of the WMDCSF.

2) Field measurements, and review of SFWMD maintenance and performance records for the WMDCSF, to establish environmental baseline operability of the WMDCSF where the modeling and analysis in Section I.B.1.f.iii.(1) above, show a potential for harmful interference or adverse impacts to operation of the WMDCSF, and ambient or preexisting corona discharge, power line noise (arcing/sparking across transmission line hardware), electromagnetic and radio interference conditions in the vicinity of the WMDCSF. The Baseline Testing shall be conducted during the wet season, dry season, or during other times as agreed upon by SFWMD and Licensee for a period sufficient to capture significant weather events and establish signal strength profiles.

iv. A report that will communicate the findings of the Preliminary Evaluation and identify specific potential interference issues that should be addressed in Licensee's final design of the transmission line facilities to avoid harmful interference or adverse impacts to WMDCSF.

v. Review of Final Transmission Line Design. The Consulting Engineer shall advise the Licensee and SFWMD of any potential harmful interference or adverse impact issues identified in the Preliminary Evaluation report that do not appear to have been addressed in the final transmission line design.

vi. Construction Acceptance Test Program shall include:

1) If construction is commenced more than two (2) years following field measurements under Section I.B.1.f.iii.2. above, verification of baseline conditions and WMDCSF operability during the wet season immediately prior to initiation of construction.

2) Measurement of post-construction conditions and WMDCSF operability immediately following transmission line energization and load condition during the next wet season, dry season or during other times as agreed upon by SFWMD and Licensee.

vii. Provision of methodology for collection of all test data.

viii. Provision of a report from the Consulting Engineer to Licensee analyzing the pre- and post-transmission line construction testing data and communicate the findings of the Construction Acceptance Test Program and identify any specific harmful interference or adverse impacts to the WMDCSF that Licensee must address

Proposed

through avoidance (i.e., redesign) or mitigation or determine that no harmful interference or adverse impacts are created by Licensee's project.

g. Sixty (60) days prior to any planned testing or invasive measurements of WMDCSF, Licensee shall submit a calendar schedule to allow for SFWMD coordination of access, water management operation change control, SFWMD observation of testing, and staff support.

h. Licensee shall submit its preliminary design of transmission facilities necessary for the evaluation in Section C. I.B.1.f.iii above, to the Consulting Engineer, with an informational copy to SFWMD.

i. Licensee shall submit the Preliminary Evaluation Report as a postcertification submittal for review pursuant to Section A., Condition XXI.

j. If the results of the Evaluation Program indicate that harmful interference or adverse impacts are likely to occur or are occurring, Licensee shall avoid or mitigate for such harmful interference or adverse impacts. Licensee shall either revise the design of the transmission facilities, or work with SFWMD to develop a mitigation plan for enhancement of the WMDCSF or other remedial redesign of affected WMDCSF. Should the mitigation plan involve service affecting operations, Licensee shall develop a Cutover Plan that details the timeframes WMDCSF service will be affected and coordinate with SFWMD on scheduling activities. The Cutover Plan shall be included in the mitigation plan submitted as a post-certification submittal for review pursuant to Section A., Condition XXI. All mitigation costs attributable to Licensee-created harmful interference or adverse impacts shall be the responsibility of Licensee. Such mitigation will be implemented on a mutually agreeable schedule upon determination that the transmission facilities will produce or are producing harmful interference or adverse impacts to WMDCSF. Design and mitigation solutions to offset adverse impacts to existing and planned WMDCSF shall be submitted to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and may include, but are not limited to:

i. Redesign of Licensee's transmission facilities, such as upgrades to the phase-conductor design to lower the corona-produced radio frequency interference generated by the transmission lines, relocation of poles, and changing height of phase conductors.

ii. Enhancements to SFWMD's system, such as larger antennas; raising, lowering, adjusting or relocating SFWMD's antennas, antenna-mounting structures, poles, or transmitters; a dedicated fiber optic circuit or communications link to be deployed during and/or after Licensee's construction activities; temporary facilities and systems to maintain operations during construction; relocating or hardening of SCADA monitoring stations and/or associated RF Systems; working with SFWMD to enhance the communication system signal strength or coverage areas near the transmission facilities.

iii. An implementation schedule.

k. Licensee shall submit its final transmission line design to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and to the Consulting Engineer at least ninety (90) days prior to commencement of construction, identifying design

Proposed

features that have been incorporated to address all potential harmful interference issues or adverse impacts identified in the Consulting Engineer's report under Section I.B.1.f.iv. above.

l. Licensee shall submit the report of the Construction Acceptance Test Program, together with any Licensee comments, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI.

m. Before, during, and after construction, and after energizing the power transmission lines, and for long term operation after the power transmission lines are placed into service Licensee shall immediately investigate all complaints of harmful interference or other adverse impacts disrupting communications through any portion of WMDCSF in proximity to Licensee's certified transmission facilities. If such investigation indicates the harmful interference or other adverse impacts are caused by Licensee's transmission lines, Licensee shall implement appropriate mitigation.

[33 C.F.R. 208.10 and C.F.R. 385.37; Sections 373.085(1)(b) and 373.086(1); Rule 62-17, F.A.C.]

n. Licensee shall provide the SFWMD direct contact information for submitting interference complaints which will result in prompt response and action to investigate any reported issue, and remedy if necessary. Licensee shall keep the contact information current and shall work with or develop a process with the SFWMD to convey the contact information.

C. Operations & Maintenance / Right-of-Way

1. General Conditions

a. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines on SFWMD Right(s)-of-Way, Licensee shall provide SFWMD with the final right-of-way location within the certified corridor.

[Sections 373.085(1) and 373.413(2), F.S.; Chapter 40E-6, F.A.C.]

b. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines over, across, or using any SFWMD canal or levee right-of-way to facilitate the construction or maintenance of the transmission line, Licensee shall submit complete scaled or fully dimensioned plans to SFWMD showing the proposed facilities for SFWMD review for compliance with the non-procedural requirements of the SFWMD ROW Criteria Manual. The plans shall depict all of the Licensee's proposed improvements within the SFWMD Right(s)-of Way, in both plan and profile views, and shall show, at a minimum, information sufficient to demonstrate compliance with the SFWMD ROW Criteria Manual.

[Sections 373.085, 373.086, and 373.413(2), F.S.; Rule 40E-6.091(1) and 40E-6.201(1)(i), F.A.C.]

c. Prior to use of SFWMD Right(s)-of-Way for construction access, the Licensee shall submit to SFWMD a detailed plan identifying the following: proposed route; type, weight, length, and number of vehicles to be used; daily trips for each vehicle; proposed material and/or vehicle/equipment storage within the SFWMD Right(s)-of-Way; and dates of proposed access of the right-of-way. If travel over a SFWMD bridge or facility is required, the Licensee shall submit engineering analysis required by SFWMD to determine if the bridge or facility can support the vehicles/equipment proposed to travel over the bridge or facility. Prior to

Proposed

the use of any portion of SFWMD Right(s)-of-Way, the Licensee shall post a financial assurance, which shall be a minimum of $5,000 per one-half mile, or a greater amount as determined by SFWMD, depending on the scope of work, the route, vehicular trips traveled, use of or travel over SFWMD bridges and/or facilities, types of vehicles, and duration.

[Section 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.201(1)(i), and 40E-6.361(1), F.A.C.]

d. The Licensee shall maintain the area of SFWMD Right(s)-of-Way occupied by Licensee's facilities at all times in a condition as good or better than the condition existing prior to Licensee's use, including cycle mowing a minimum of 5 times per year and trimming around all above-ground improvements, unless otherwise agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. If deemed necessary to accommodate unimpeded continuous access by SFWMD vehicles and equipment, the Licensee shall construct vehicle turn-around/passing areas to meet SFWMD requirements or coordinate with SFWMD when construction activities that may impede access are scheduled to occur.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

f. Vertical clearances for any aerial crossings over SFWMD canals and rights-of-way shall meet SFWMD non-procedural criteria and requirements in effect at the time of Licensee's submittal of plans in subsection (b) above, as set forth in Chapter 40E-6, F.A.C.

[Sections 373.085(1) and 373.086(1), F.S.; Rule 40E-6.091, F.A.C.]

g. Subsequent to Certification and acquisition of an easement interests, which shall be contingent on SFWMD Governing Board's approval, within the SFWMD Right(s)-of-Way by the Licensee, any requests for use of SFWMD Right(s)-of-Way deemed acceptable by SFWMD through such easement interest shall not require Governing Board approval of a waiver to the SFWMD ROW Criteria Manual.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

h. The Licensee is responsible for identifying potential conflicts with existing facilities owned by third parties permitted by SFWMD and for coordinating relocation of previously permitted facilities, as required, including obtaining the necessary right-of-way occupancy permit modifications for those previously permitted facilities. Similarly, if during the course of future permit application reviews SFWMD notices a proposed facility that potentially interferes with the transmission lines, SFWMD will require the applicant to coordinate with Licensee to resolve potential conflicts.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

i. The Licensee shall only have the right to utilize SFWMD right-of-way for those activities, uses, and purposes specifically authorized in this Certification for the purpose of construction, operation, and maintenance of the certified transmission facilities unless otherwise agreed to by SFWMD and Licensee in writing. All other activities, uses, and purposes on SFWMD Right(s)-of-Way by Licensee not specifically authorized in this Certification are

Proposed

prohibited. Furthermore, the Licensee shall not have the right to authorize any other person or entity to utilize SFWMD Right(s)-of-Way for any activity, use, or purpose without the prior written consent of SFWMD.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

j. SFWMD reserves the right of priority access in order to perform its regional water management missions and the Licensee shall not interfere with that access, particularly during emergencies. The Licensee shall ensure that SFWMD access within its right-of-way is available and sufficient for SFWMD vehicles and equipment at all times. If, in the Licensee's opinion, it will be necessary for the SFWMD access to be blocked, impeded, or altered at any time, the Licensee shall submit a written request to SFWMD setting forth the proposed activities that will result in obstruction of the right-of-way and the dates that the right-of-way will be rendered inaccessible. Written agreement from SFWMD shall be obtained by the Licensee prior to the proposed obstruction of the right-of-way.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, and Rule 40E-6.381, F.A.C.]

k. The Licensee does not have any authority to incur liens for labor or materials on SFWMD rights-of-way. All persons contracting with the Licensee, all material, men, contractors, mechanics, and laborers are hereby charged with notice they must look to the Licensee, and to the Licensee only, to secure the payment of any bill for work done or any materials furnished during the term of this Certification. Pursuant to Sections 713.01(26), F. S., SFWMD right-of-way shall not be subject to liens for improvements and such liability is expressly prohibited. This paragraph shall be included in all contracts with the Licensee for materials or services involving SFWMD right-of-way. In the event that the Licensee does not, within thirty (30) days following Licensee's notice of the imposition of any such lien, cause the same to be released of record by payment or posting of a bond or other means acceptable to SFWMD, SFWMD shall have, in addition to all other remedies provided herein and by law, the right, but not the obligation, to cause the same to be released by such means as it shall deem proper, including payment of the claim giving rise to such lien. All such sums paid by SFWMD, including, but not limited to reasonable attorney's fees and expenses incurred by it in connection therewith, together with interest at the maximum rate allowed by law, shall be payable to SFWMD by the Licensee on demand.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

l. SFWMD, its Governing Board members, employees, contractors, and subcontractors, are not responsible or liable for any claims by the Licensee, or any partner, parent, affiliate, or subsidiary, for damages (including special and consequential), loss, expense, or costs with respect to the Licensee's project or other property or improvements arising directly, indirectly, or proximately from water level fluctuations, water flows, or operations of water control structures.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

m. The Licensee shall only use the access points and gates authorized by SFWMD. Upon payment of applicable key deposit fees and submission of complete key permit applications, SFWMD agrees to issue, as a ministerial act, to Licensee the necessary key permits allowing access to SFWMD roads to support the construction, operation, and

Proposed

maintenance needs of the Licensee. The Licensee shall take all necessary measures practicable to preclude the general public from accessing those portions of the right-of-way under construction such as posting of designated construction zones.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

n. Licensee shall not utilize SFWMD right-of-way for the storage of any contaminant, hazardous substance, fuel, or other petroleum products unless agreed to by SFWMD in writing. The Licensee shall ensure that no vehicle or equipment maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, or be used, stored, or discarded with the SFWMD right-of-way unless agreed to by SFWMD in writing. Vehicles or equipment that become inoperable within the SFWMD right-of- way shall be removed from the right-of-way as quickly as possible.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

o. Licensee shall be solely responsible for the costs, preparation, and implementation of any repair, remediation, mitigation, and/or related plans required to address damages and/or any other adverse impacts to SFWMD facilities or systems caused by the Licensee during the design, construction, operation, and/or maintenance of the certified facilities. *[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]*

2. Standard Limiting Conditions

a. All structures on SFWMD works or lands constructed by Licensee shall remain the property of Licensee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. The Licensee is advised that other federal, state, and local safety standards may govern the occupancy and use of SFWMD lands or works. SFWMD assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(1), F.A.C.]

b. Licensee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features that meet applicable engineering practice and accepted industry standards into the design, construction, operation, and continued maintenance of the authorized facilities/use. This duty shall include, but not be limited to, the Licensee's understanding of SFWMD regulation, and potential fluctuation, of water levels in canals and facilities of the C&SF system which are operated in compliance with the USACE Master Water Control Manual for the C&SF Project and the Operations and Maintenance (O&M) Manual for the C&SF Project, as well as the Licensee's understanding that upgrades and modifications to the authorized facilities/use may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. The Licensee acknowledges that SFWMD's review of this project, including, but not limited to, any post-certification reviews and field inspections performed by SFWMD, does not in any way consider or ensure that the authorized use/facilities are planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. The Licensee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any SFWMD staff or representative during the post-certification review process, including, but not limited to, any field inspections, shall not in any way be relied upon by Licensee as SFWMD assumption of

Proposed

any duty to incorporate safety features, as set forth above, and shall also not be relied upon by the Licensee in order to meet Licensee's duty to incorporate safety features, as set forth above.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(2), F.A.C.]

c. The Licensee shall not engage in any activity regarding the authorized use that interferes with the construction, alteration, maintenance, or operation of the works of the SFWMD, including:

i. discharge of debris or aquatic weeds into the works of the SFWMD;

ii. causing erosion or shoaling within the works of the SFWMD;

iii. planting trees or shrubs or erecting structures that limit or hinder access by SFWMD equipment and vehicles, except as may be authorized by this Certification.

iv. leaving construction or other debris in/on SFWMD right-of-ways or waterways;

v. damaging SFWMD berms and levees; removal of SFWMD-owned spoil material without written approval of SFWMD; removal of or damage to SFWMD locks, gates, and fencing; opening of SFWMD rights-of-way to unauthorized vehicular access; or running or allowing livestock on SFWMD rights-of-way.

d. Licensee shall be responsible for any costs incurred by the SFWMD resulting from any such interference, as set forth in i. through v. above. Should the authorized activities or placement of the authorized facilities within SFWMD right-of-way or maintenance of same contribute to sloughing, erosion, or wash-outs of SFWMD right-of-way, berm, or side slope of the canal, it is the Licensee's sole responsibility and expense to, upon notification from SFWMD, immediately take appropriate steps to restore the right-of-way to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance. Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge (i.e., for backfill material, density/ compaction, stabilization, and maintainability).

[Sections 373.085 and 373.086, F.S.; Rules 62-17and Chapter 40E-6, F.A.C.]

e. SFWMD shall not be responsible for any personal injury or property damage that may directly or indirectly result from the use of water from SFWMD's canal or any activities that may include use or contact with water from the SFWMD canal, since SFWMD periodically sprays its canals for aquatic weed control purposes and uses substances that may be harmful to human health or plant life.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(9), F.A.C.]

f. SFWMD has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the SFWMD in accordance with criteria established by SFWMD or USACE for the works of the SFWMD.

Proposed

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(13) and 62-17 F.A.C.]

g. Licensee shall be responsible for the repair or replacement of any existing facilities located within SFWMD right-of-way that are damaged as a result of Licensee's installation or maintenance of the authorized facilities.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(18), F.A.C.]

h. It is the responsibility of the Licensee to make prospective bidders on construction contracts for the certified facilities aware of the pertinent terms and conditions of this Certification.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(20), F.A.C.]

[Sections 373.044, 373.113, 373.085(1), 373.086, 373.103, 373.129, and 373.603, F.S.; Rule 40E-6.381, F.A.C.]

3. Special Conditions

a. A copy of the Certification application, Certification order, and SFWMD post-certification submittals shall be available for review by SFWMD upon request.

b. At no time shall Licensee place permanent or semi-permanent above-ground encroachments or facilities within the 40-foot-wide strip of land lying parallel to any SFWMD canal as measured from the top of the existing canal bank landward unless agreed to by SFWMD in writing.

c. At no time shall Licensee place facilities crossing over SFWMD structures or project culverts unless agreed to by SFWMD in writing.

d. At no time shall Licensee place permanent or semi-permanent above-ground structures within SFWMD's one hundred (100) foot-long equipment staging areas defined as being immediately upstream and downstream of all bridges and pile-supported utility crossings of SFWMD canals unless agreed to by SFWMD in writing. Temporary placement of equipment or materials is allowable as long as the equipment or materials can be removed by Licensee within 48 hours of notice given by SFWMD that a tropical storm watch has been declared for Miami-Dade or Broward County, or at times when post-storm debris removal activities must be undertaken by SFWMD.

e. Within thirty (30) days of completion of the work, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a final inspection for compliance with right-of-way conditions of certification.

f. Licensee shall comply with the following requirements during use of SFWMD right-of-way for construction, maintenance, and operation activities:

i. Prior to commencement of construction or utilization of SFWMD right-of-way, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a pre-construction meeting. The Licensee shall prepare and present the following at the pre-construction meeting:

Proposed

1) Contact information for FPL representative(s) and the contractor(s)/subcontractor(s), including telephone numbers for 24-hour contact and email addresses.

2) A written inventory of the type of vehicles, construction equipment, other machinery, and materials that will be located within SFWMD right-of-way.

3) Written procedures for the removal of all construction materials, machinery, equipment, and vehicles from the canal, required SFWMD staging areas, and the overbank lying within 40 feet from top of bank within 24 hours of notice from SFWMD.

4) Contact information for the contractor(s)/subcontractor(s) or parties responsible for implementation of the written procedures required in f.i.(3) of this subsection.

ii. Entry into the SFWMD rights-of-way shall be limited to the Licensee and the Licensee's contractor(s)/subcontractor(s) only. The Licensee and/or its contractor(s)/subcontractor(s) shall obtain a SFWMD gate key(s) to the SFWMD right-of-way through the SFWMD Key Permit Application process.

iii. The Licensee shall be responsible for locking SFWMD access gates upon entering and leaving SFWMD right-of-way. The Licensee shall take all necessary measures to preclude the general public from accessing the right-of-way with motorized vehicles.

iv. The Licensee shall be responsible for posting a watchman at any SFWMD vehicular access gates unlocked by Licensee during any working hours that the gate remains unlocked. At no time shall a SFWMD gate unlocked by Licensee be left unlocked and unattended by Licensee.

v. The Licensee shall be responsible for providing and utilizing acceptable dust control measures during the duration of the proposed work.

vi. The Licensee shall submit bi-weekly status reports to the SFWMD field representative with both narrative and photographs, as needed, to document the condition of the SFWMD right-of-way, work progress, and compliance with conditions of certification.

vii. The Licensee shall immediately notify the SFWMD field representative if any SFWMD gate, structure, facility, or other SFWMD improvement is damaged by the Licensee's contractor(s)/subcontractor(s). The Licensee shall be solely responsible for the construction, repair, replacement, or modification of such improvements at its sole expense. Such remedial action shall be performed in compliance with SFWMD standards and specifications.

viii. The Licensee shall grade, repair, sod, fill, or make correction to the SFWMD right-of-way, including SFWMD access roads, when it is determined by SFWMD that such work is required to restore the right-of-way to its condition prior to the commencement of work. The Licensee shall perform such work at its sole expense and in compliance with SFWMD standards and specifications.

Proposed

g. The Licensee shall comply with the following concerning storm event notifications and requirements during construction activities:

i. If storm, hurricane, or emergency circumstances are developing, SFWMD will attempt to provide a 48-hour notice. The Licensee will be contacted by telephone, e-mail, or a visit to the construction site wherein the Licensee will be informed of the emergency situation. The Licensee is put on notice that the 48-hour notice is a warning that SFWMD may or may not be able to provide the Licensee.

ii. If storm, hurricane, or emergency circumstances have developed, SFWMD will contact the Licensee by telephone, e-mail, or visit the site to place the Licensee on 24-hour alert. At this time, the Licensee and the Licensee's contractor(s)/subcontractor(s) shall begin securing the project site in accordance with Special Condition f.i.(3) of this subsection.

iii. The Licensee is advised that SFWMD's hurricane, storm event, and/or emergency alert may differ from the National Hurricane Center or the local news and weather. SFWMD takes into consideration the numerous factors concerning construction within the canal rights-of-way. As such, upon SFWMD notification to the Licensee of a pending emergency, storm event, or hurricane, the Licensee will have 24 hours or less to comply with SFWMD orders.

h. In the event of floods or other natural or civil disaster or emergencies affecting SFWMD or SFWMD rights-of-way, the Licensee shall cooperate with SFWMD to facilitate mitigation of the impact of such emergencies. The Licensee shall immediately notify SFWMD of any emergency situation observed on SFWMD rights-of way.

i. Licensee shall be responsible for obtaining any and all other necessary federal, state, local, special district, private, and underlying owner authorizations in connection with its activities conducted under this Certification. In the event the Licensee does not obtain such authorizations from the underlying owner, the Licensee shall acquire or otherwise satisfy any interest or claims made by such underlying owners with respect to this Certification.

j. If required by the Florida Department of Transportation (FDOT) to prepare a Maintenance of Traffic (MOT) Plan that involves SFWMD property, the Licensee shall provide SFWMD with a copy of the MOT Plan upon submittal to FDOT. The Licensee shall provide SFWMD with a copy of the Final MOT Plan reviewed by the FDOT.

k. Licensee acknowledges that Licensee's proposed activities contemplated under this Certification may be subject to USACE 33 U.S. Code Section 408 approval requirements. Licensee further acknowledges, and agrees, that in the event a relocation is deemed necessary for the Planned and Existing Projects identified as of the date of this certification, or a portion thereof, by USACE, it shall be the responsibility of the Licensee to implement any and all necessary modifications to Licensee's facilities including, but not limited to, relocations thereof required by the USACE at Licensee's sole cost and expense.

[Federal Water Resources Development Acts of 1992, 1996 and 2000; 33 U.S.C. 408; 33 C.F.R. 385 and 208; Sections 373.085, 373.086, 373.1501 and 373.103(2), F.S.; Chapter 40E-6 and Rule 62-17, F.A.C.]

Proposed

D. Land Management / Ecosystem Restoration

1. The Licensee shall, to the extent practicable, use adjacent existing public roads for access to the SFWMD Real Property Interests for construction, operation, and/or maintenance purposes before using non-public roads or building new roads.

[Sections 373.085, 373.086, and 373.1391, F.S.]

2. All new access points created by Licensee for access to its transmission facilities located on SFWMD Real Property Interests shall be designed to include locked gates, or other appropriate methods or techniques to prevent illegal access to SFWMD Real Property Interests, including, but not limited to, lands within the Pennsuco Wetlands. Licensee shall maintain these access points by repairing illegal breaches within thirty (30) days of being notified of or discovering such breaches.

[Sections 373.085, 373.086, and 373.1391, F.S; Rules 40E-6.311, 40E-6.091 and SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

3. Licensee shall provide SFWMD with final construction drawings of all Licensee's facilities that encroach or cross SFWMD Real Property Interests, works, or projects.

[Sections 373.085(1)(b) and 373.1391, F.S]

4. At least thirty (30) days prior to construction of the transmission line segments located within SFWMD Real Property Interests, Licensee shall submit a construction schedule and a coordination plan to SFWMD for review and approval. The coordination plan will be for the purpose of coordinating Licensee and SFWMD construction activities in areas where both entities will have ongoing simultaneous construction activities.

[Sections 373.085and 373.086, F.S.]

5. Conditions set forth in Sections C.1.c. through e. and C.1.h. through p. related to access and staging within SFWMD Right(s)-of-Way shall also be applicable to access and staging within SFWMD Real Property Interests.

[Sections 373.085and 373.086, F.S.]

6. Should Licensee require use of SFWMD Real Property Interests to construct temporary crane pads or staging areas, Licensee shall submit plans depicting the construction of such temporary facilities to SFWMD for review and approval at least ninety (90) day prior to construction of such temporary facilities.

[Sections 373.085, 373.086, 373.1391, 373.1501(4)(d), 373.1502(2)(a), and 373.4592, F.S.]

E. Water Use and Water Supply

1. General

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

Proposed

further put on notice that during a water shortage, pumpage, water levels, and water quality data shall be collected and submitted as required by SFWMD orders issued pursuant to Chapter 40E-21, F.A.C.

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

b. *Interference with Existing Legal Use*s. The Licensee shall mitigate interference with existing legal uses that were caused in whole or in part by the Licensee's withdrawals, consistent with an approved mitigation plan. As necessary to offset the interference, mitigation may include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means. Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1-in-10 year drought event that results in the:

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

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

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

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

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

ii. Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

iii. Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

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

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

Proposed

Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

i. Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/saltwater interface; wetlands;

ii. Reduction in water levels that harm the hydroperiod of wetlands;

iii. Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond;

iv. Harmful movement of contaminants in violation of state water quality standards; or

v. Harm to the natural system including damage to habitat for rare or endangered species.

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

e. The project shall conform with all SFWMD resource protection criteria for any and all water reservations, restricted allocation areas, and Minimum Flow and Level water bodies along or adjacent to the transmission line corridor.

[Section 373.223, F.S., Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-8.221, 40E-8.421, 40E-10.021, 40E-10.031, and 40E-10.061, F.A.C.]

2. Site Specific Design Authorizations/Requirements

a. Water Use

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

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

b. Prior to the commencement of construction of those portions of the project that involve dewatering activities, unless the proposed dewatering activity meets the General Permits by Rule criteria of Rule 40E-2.061(2), F.A.C. and Section 2.3.2.B. of the *Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District* Applicant's Handbook) , the Licensee shall submit a detailed plan for the proposed dewatering activities to SFWMD for an assessment of consistency with the nonprocedural requirements of Chapters 40E-2, and 40E-3 , F.A.C., in effect at the time of submittal and impact monitoring if necessary. The following information, referenced to North American Vertical Datum of 1988 (NAVD88) where appropriate, shall be submitted:

i. Provide reasonable assurances that the project will not cause harm to the resource, existing legal uses, offsite land uses, and wetland environments or cause harmful saline water intrusion or movement of pollutants, as described in Chapter 3 of this Applicant's Handbook. If the potential for harm exists, the applicant shall redesign the

Proposed

dewatering activities, including recharge trenches or storage areas to offset the potential drawdown impacts of the proposed activity;

ii. Demonstrate that the requested allocations represent reasonable dewatering needs. These needs are generally demonstrated by providing information on the water budget for the operation, including all sources and losses of water utilized in the dewatering process. The water budget should demonstrate where and in what quantities water is generated to accomplish the dewatering, including any associated losses, and where and in what quantity water is stored, recharged, disposed, or reused. If processing of materials is associated with the dewatering, a separate water budget describing these activities is required. The water budget may be in the form of a spreadsheet or a flow diagram that indicates all water sources and losses;

iii. Identify the areal extent and depth of the proposed excavation, the depth of dewatering, and the areal extent of the drawdown of the Water Table aquifer associated with the proposed dewatering;

iv. Provide reasonable assurances that all dewatering water will be retained on the project site, unless the applicant demonstrates that it is not technically feasible to retain the dewatering water onsite. If any offsite discharge is requested due to demonstrated technical infeasibility of onsite retention, the applicant must provide the following information with the permit application:

1) Documentation of authorization that allows the applicant to discharge directly into the receiving water body and/or adjacent lands (e.g., NPDES or ERP permit), and a demonstration that the receiving water body or adjacent lands are capable of accepting the dewatering discharge;

2) An operational plan which demonstrates that the discharge to the receiving water body will meet all applicable State Water Quality standards prior to discharge;

3) An operational plan which demonstrates that the discharge to protected wetlands will not contain turbidity levels in violation of State Water Quality standards (must be less than 29 NTU above background levels) prior to discharge;

4) A monitoring plan which includes, at a minimum, proposed sampling locations and daily turbidity measurements of the discharge and background conditions in the receiving body and/or wetland; and

5) A contingency plan which includes procedures for ceasing dewatering operations and correcting the situation until monitoring demonstrates water quality standards are met;

v. Demonstrate that reserved water will not be withdrawn pursuant to paragraph 40E-10.041, F.A.C., by retaining all water onsite;

vi. Provide reasonable assurances that fresh dewatering water will not be discharged to saline tidal waters, unless the applicant demonstrates that it is not technically feasible to prevent discharge to saline water and requests specific authority from the SFWMD for discharge. Saline dewatering water, as defined in this Applicant's Handbook, may be discharged to tidewater;

Proposed

vii. Provide an operational plan which describes how stormwater will be handled during dewatering operations;

viii. For Standard Individual Permits, the applicant shall specify all proposed dewatering activities for the project in terms of depth, duration, and areal extent of dewatering and proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm. The applicant may proceed with all dewatering activities once the permit has been approved.

F. Corridor-Specific Conditions

1. Central and Southern Florida Project

a. Levee Procedures/Requirements

i. Pre-Construction Surveys/Inspections

1) Within thirty (30) days of written request from the Licensee, SFWMD shall provide the Licensee with a copy of the most recent levee inspection reports, if available, for the levees or other embankments within SFWMD right-of-way that the Licensee is proposing to access for construction and/or maintenance activities. For the purpose of these conditions of certification, the term "levee" shall apply to both Federal levees within the National Levee Database or other embankments within SFWMD Real Property Interests.

2) In areas where the transmission line access will be located on SFWMD levee(s), the Licensee shall conduct surveys, including a level survey at the toe and crest of the levee and cross-section surveys every 500 feet (including both toes of the levee) and at locations agreed between SFWMD and Licensee as potential problem areas. Potential problem areas will be identified by visual inspection or where there are significant changes proposed to the levee. Upon completion of the surveys, Licensee shall submit certified, copies of the surveys to SFWMD. The surveys will be used to establish a baseline of the pre-construction topographic features of the levee(s) including, but not limited to, top-of-levee width and elevation and side slopes in NAVD88.

3) In addition to surveys, the Licensee shall also perform a visual inspection of the levee(s), documented by videotape or photographs, to assess the structural integrity of the levee(s). Where video or photographic documentation is used, station markers and GPS coordinates should be installed or used so that exact locations can be determined for reference.

4) If Licensee's surveys, visual inspection, or other assessment methods indicate that further investigation is needed to accurately assess the integrity of the levee(s), Licensee shall conduct additional investigations in consultation with SFWMD. Further investigations may include, but shall not be limited to, soil borings, piezometer installations/monitoring, laboratory tests, modeling, etc. The Licensee shall provide its written findings, conclusions, and recommendations, certified by a Florida-registered Professional Engineer, to SFWMD. Licensee shall conduct additional investigations or assessments, as necessary, to satisfy SFWMD non-procedural requirements, prior to any construction activities on SFWMD levees. Any activities that disturb the existing levee, including but not limited to, soil borings and piezometers may require approval from the USACE prior to commencement of the activity. Those activities shall be coordinated through the SFWMD and any costs associated with the review shall be paid for by the Licensee.

Proposed

ii. Post-Construction

1) Licensee shall provide as-built drawings and corresponding SFWMD engineer certification forms showing all levee improvements within the, L-30, and L-31N, L-33, C-4, C-304, and Dade-Broward canal rights-of-way within ninety (90) days of completion of each phase of construction. The as-built drawings and certifications shall be signed and sealed by a Florida-registered Professional Engineer and shall be referenced to NAVD88. Licensee and SFWMD may use the drawings as a reference for maintenance or improvements of ingress and egress areas to the levees that are utilized by the Licensee for ongoing operation of the adjacent electrical transmission line facilities, or until modified/utilized by other parties.

2) If Licensee's improvements within SFWMD canal rights-of-way are modified / utilized by parties other than the Licensee, the Licensee shall not be responsible for any impacts to the levee(s) caused by such third-party use. The third-party user and/or SFWMD shall be responsible for approval of any changes to the as-built drawings to reflect said third party use of the Licensee's improvements.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Section 601(h)(3)(C); 33 C.F.R. 208 and 385; Sections 373.085(1)(b) and 373.1501, F.S.; Rules 40E-6.091(1) and 62-17, F.A.C.]

b. Unless authorized by an easement interest, which shall be contingent on SFWMD Governing Board's approval, in SFWMD Real Property Interests, electrical transmission line support structures and overhead lines shall not be placed in the SFWMD Real Property Interests along the transmission corridor. Installation of aerial crossings over canal rights of way or other activities that would otherwise be permitted by the SFWMD ROW Criteria Manual are expressly exempt and may be placed in the SFWMD Right(s)-of-Way provided they comply with Section C.1.(f) of this Certification.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]

c. To the greatest extent possible and when doing so is necessary to protect SFWMD Real Property Interests and Planned and Existing Projects, Licensee shall design its transmission line facilities located within SFWMD Real Property Interests to comply with the SFWMD ROW Criteria Manual, expect where otherwise agreed to between the Licensee and SFWMD. Where applicable, transmission line support structures (poles) shall be placed a minimum of forty (40) feet from the toe of the water conservation area side of the levee.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]

d. The Licensee shall comply with the following conditions concerning use of service bridges:

i. The Licensee's proposed use is secondary to SFWMD and USACE proposed use and shall not interfere with SFWMD proposed use.

Proposed

ii. The Licensee shall inspect the bridges prior to and after construction activities in accordance with FDOT standards.

iii. Prior to construction, the Licensee shall provide load rating calculations for specific high frequency and special vehicles that will need to use the bridges.

iv. Maximum load criteria shall not be exceeded.

v. Prior to construction, the Licensee shall provide SFWMD with videos and/or photographs documenting the condition of the bridges.

vi. The Licensee shall be responsible for paying the cost of any necessary bridge improvements required to accommodate Licensee's activities.

vii. The Licensee shall be responsible for repairing or paying the cost of repairing any damage to the bridge as a result of Licensee's activities. Upon notice of any damage caused by the Licensee's construction activities the licensee shall document and make notice to SFWMD of the damage and shall begin restoration of the bridge and its immediate surroundings to its original condition prior to construction, including, but not limited to, concrete/asphalt repairs, canal bank repairs, gravel, and sod.

viii. The Licensee shall provide SFWMD with uninterrupted access acceptable to SFWMD for the duration of any necessary repair work.

ix. The Licensee shall obtain consent from the underlying fee owners for use of lands adjacent to any bridges, if needed, and related access road and shall submit a copy of said documentation to SFWMD prior to use.

x. Prior to Licensee's use of SFWMD service bridges, Licensee shall submit to SFWMD a Bypass Pumping Plan. The Plan shall address, to SFWMD's satisfaction, bypass pumping, in the event any water control structures are damaged as a result of Licensee's use thereof, such that the conveyance capability of water control structures is impacted. The Bypass Pumping Plan must contemplate on-site facilities in order to effectuate immediate implementation in the event of damage to any water control structures.

[FPL Stipulation –6/20/13; Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17 F.A.C.]

[Federal Water Resources Development Acts of 1992, 1996 and 2000; Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2), (4), (5), (6), (7) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10), and 62-17, F.A.C.]

2. Land Management / Ecosystem Restoration

a. SFWMD C-4 Emergency Detention Basin

i. Licensee's use and occupancy of the SFWMD C-4 Emergency Detention Basin works, including levees and access roads, shall comply with Section C.VI.F.2.b. above.

ii. Licensee's use is secondary to that of SFWMD and shall not interfere with SFWMD use.

Proposed

iii. Any proposed levee improvements shall be designed and constructed so as not to cause a significant reduction in the C-4 Emergency Detention Basin existing water storage capacity.

b. Transmission line facilities in the Pennsuco Regional Mitigation Area shall comply with Section C.VI.D. above.

3. The following conditions apply to the AOP Corridor:

a. Licensee may place the certified facilities along, within or across the L-31N and L-30 right-of-way through the granting of an easement, which shall be contingent on SFWMD Governing Board's approval, subject to the SFWMD's review of the final alignment for compliance with applicable conditions of certification. All Licensee transmission facilities placed on the west side of L-31N shall comply with all conditions in Section C.VI.F.2.b. above.

b. Licensee shall coordinate with Permittee of SFWMD Standard Permit No. 12872 to ensure compatibility of design and operation of Licensee transmission facilities with Permittee's authorized use of SFWMD Right(s)-of-Way, or work with permittee and the SFWMD to modify the above-referenced permit. SFWMD proposed conditions and Licensee anticipated compliance therewith in no way constitutes a waiver or variance of the above referenced permit.

c. Licensee shall design the transmission facilities to be compatible with the SFWMD South Miami microwave tower (B-90) and in compliance with Communication Systems condition in Section C.VI.B. above; if compatibility requires modification of the SFWMD tower or tower facilities, such modification shall be at Licensee's expense.

IV. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

A. General Listed Species Surveys

1. The Licensee shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) to obtain and follow the current survey protocols for all listed species that may occur within the FPL Andytown-Oasis Transmission Line area to be impacted, as well as accessible appropriate buffers within the Licensee property or rights-of-way as defined by the listed species survey protocols, prior to conducting detailed surveys. Guidance related to general and species-specific survey protocols can be found in the appropriate species permitting guidelines or management plan (http://myfwc.com/wildlifehabitats/imperiled/mangement-plans/) or in FWC's Florida Wildlife Conservation Guide (FWCG) at http://myfwc.com/conservation/value/fwcg/.

2. Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those surveys shall be provided to the FWC in a report and coordination shall occur with the FWC on appropriate impact avoidance, minimization, or mitigation methodologies. Reports may be sent to: ConservationPlanningServices@MyFWC.com.

[Article IV, Section 9, Florida Constitution; Sections 379.2291, 403.507, F.S.; Chapter 68A-27 and Rule 62-17.191, F.A.C.]

Proposed

B. Specific Listed Species Surveys

Before land clearing and construction activities within the Project Area, the Licensee shall conduct an assessment for terrestrial listed species and shall note all habitat, occurrence, or evidence of listed species. Wildlife surveys shall be conducted during the reproductive or active season for each species that falls before the projected clearing activity schedule unless otherwise approved by the FWC. For species that are difficult to detect, the Licensee may make the assumption that the species is present and plan appropriate avoidance or mitigation measures after consultation with the FWC. The Licensee will submit avoidance or mitigation measures to the FWC for post-certification review and approval at least 60 days prior to commencing clearing or construction activities within the surveyed area. The surveys required by these Conditions of Certification may be conducted prior to issuance of the final order of certification, in which case this Condition would be considered satisfied.

1. This survey shall be conducted in accordance with U.S. Fish and Wildlife Service (USFWS) or FWC guidelines and methodologies by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for each potentially occurring listed species.

2. This survey shall identify locations of breeding sites, nests, and burrows for listed wildlife species. Nests and burrows shall be recorded with global positioning system (GPS) coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, the FWC prefers that any applicable protection radii surrounding groups of nest sites and burrows be included on a site-specific basis, rather than around individual nests and burrows, and be physically marked so that clearing and construction shall avoid impacting them.

3. This survey shall include an estimate of the acreage and percent cover of each existing vegetation community that is contained within the Certified Site area to be impacted prior to land clearing and construction activities using a geographic information system (GIS). Examples of such wildlife-based habitat classification schemes include Florida's State Wildlife Action Plan[1] (FWC 2019) or the Natural Communities Guide[2] (Florida Natural Areas Inventory 2010).

[Article IV, Section 9, Florida Constitution; Sections 379.2291, F.S.; Chapters 68A-4, 68A-16, 68A-27, and Rule 62-17.191, F.A.C.]

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

C. Listed Species Locations

1. Where any suitable habitat or evidence is found of the presence of listed species, including but not limited to those specified in Paragraph D, E, F, G, and H below, within the FPL Andytown-Oasis Transmission Line area to be impacted, the Licensee shall report those locations to and confer with the FWC regarding the need for additional pre-clearing surveys, and to identify potential avoidance, minimization, or mitigation recommendations. If additional pre-clearing surveys are required by the FWC as appropriate and as specified in these Conditions of Certification, they shall occur in the reproductive season prior to the anticipated date for the start of construction within the FPL Andytown-Oasis Transmission Line area to be impacted. The

Proposed

Licensee shall not construct in areas where evidence of listed species was identified during the initial survey until the particular listed species issues have been resolved.

2. If listed wildlife species are found, their presence shall be reported to the DEP Siting Coordination Office, the DEP Southeast District, the FWC, USFWS, and other agencies as appropriate.

3. If avoidance of state-listed wildlife species is not feasible, the Licensee shall consult with the FWC to determine the steps appropriate for the species potentially impacted to avoid, minimize, mitigate, or otherwise appropriately address the potential impacts. These steps shall be memorialized in a Wildlife Species Management Plan and submitted to the FWC.

[Article IV, Section 9, Florida Constitution; Section 379.2291, F.S.; Chapter 68A-27and Rule 62-17.191, F.A.C.]

D. Florida Manatee

1. All personnel associated with portions of the project expected to occur in manatee accessible waters shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The Licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

2. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

3. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

4. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

5. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission's Alert Hotline at (888) 404-3922. Collision and/or injury should also be reported to the USFWS in Jacksonville at (904) 731-3336 for north Florida or Vero Beach at (772) 562-3909 for south Florida, and to FWC at ImperiledSpecies@myFWC.com.

6. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution Boaters: Watch for Manatees must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the

Proposed

shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

7. Due to the project's location in a narrow waterway, at least one (1) observer shall be present onsite and dedicated to watch for manatees during all in-water operations. Observers shall have prior on-the-job experience observing for manatees during previous in-water work and meet the criteria outlined in the Observer Guidelines for Protected Species Monitoring Programs in Florida State Waters manual: https://myfwc.com/media/a14gnftv/observerguidelines.pdf. In-water work shall not be performed after dusk or before dawn, when the possibility of spotting manatees is negligible.

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

E. Florida Burrowing Owl

1. The Licensee shall conduct project planning surveys for Florida burrowing owls and their burrows in accordance with FWC-approved Species Conservation Measures and Permitting Guidelines: https://myfwc.com/media/2028/florida-burrowing-owl-guidelines.pdf. Project planning surveys shall be conducted within 90 days of clearing or earthwork activities.

2. If potentially occupied Florida burrowing owl burrows (as defined by the Species Conservation Measures and Permitting Guidelines) are found during the project planning surveys, pre-activity surveys shall be conducted in the active part of the project site within 48 hours prior to commencing site preparation, clearing, or project activities.

3. If Florida burrowing owl burrows are identified on-site, the following buffers shall be maintained to avoid disturbance:

a. During the non-breeding season (July 11 to February 14), no site preparation, clearing, staging, or other project-related activities shall occur within a 10-foot (3-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.

b. During the breeding season (February 15 to July 10), no site preparation, clearing, staging, or project activities shall occur within a 33-foot (10-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.

4. Buffers for potentially occupied burrows shall be posted as follows:

a. Posting shall be installed prior to earthwork or other construction activities that are to occur in the general vicinity of the burrow(s) to deter equipment operators or project personnel from entering the recommended buffers.

b. Posting shall be placed at a minimum of 33 feet from the burrows from February 15 to July 10 and a minimum 10 feet from July 11 to February 14. No posting materials shall be placed within 10 feet (3 meters) of the burrow.

c. Posting shall consist of 1 to 4 PVC poles or 2-inch by 1-inch by 4-foot wooden stakes. The wooden stakes may be constructed in t-perch fashion.

Proposed

d. Silt fencing shall not be used for posting, except when needed to prevent soil and debris from construction from encroaching upon a burrow. In these instances, silt fencing shall be installed on the uphill side but shall not completely encircle the burrows.

e. Educational signage warning of the State Threatened status of the burrowing owl shall be posted on wooden stakes at minimum of 10 feet from the burrow.

5. The Licensee shall ensure all personnel associated with the project are advised of the presence of Florida burrowing owls and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Florida burrowing owls or their eggs, or to collapse or block their burrows, or to attempt to engage in such conduct. All personnel shall be directed not to enter posted areas around potentially occupied burrows.

6. If a Florida burrowing owl burrow is identified on-site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the nests and what steps were taken to avoid these areas. If these areas cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.

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

*[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 4*03.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

F. Wading Birds

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

2. If wading bird nesting is identified within or adjacent to the planned right-of-way or other areas associated with the project, a 330-foot (100-meter) buffer distance from the nest shall be maintained.

3. If wading bird nesting is identified on the site, the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the wading bird nesting areas and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.

4. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, the Licensee shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

Proposed

G. Least Tern

1. If least terns or other imperiled beach nesting birds are observed on the subject property during project activities, the permittee shall alert the Florida Fish and Wildlife Conservation Commission (FWC) Regional Shorebird Contact within 48 hours: https://myfwc.com/conservation/you-conserve/wildlife/shorebirds/contacts/. In addition, a qualified Bird Monitor shall be used to identify breeding behavior and the location of active nests. The permittee shall ensure that the Bird Monitor meets the minimum qualifications established by the FWC as outlined below. If you are unsure if a bird monitor meets minimum qualifications, contact your Regional Shorebird Contact for more information:

a. Ability to identify all species of beach-nesting birds that nest in the project area by sight and sound.

b. Ability to identify breeding/territorial behaviors and find nests of shorebirds that occur in the project area.

c. Ability to identify habitats preferred by shorebirds nesting in the project area.

d. Have a clear working knowledge of, and adhere to, the Breeding Bird Protocol for Florida's Seabirds and Shorebirds.

e. Complete the full-length webinars and annual refresher training, Route-Surveyor Training and Rooftop Monitoring Training, available on the Florida Shorebird Database (FSD) website at: https://app.myfwc.com/crossdoi/shorebirds/resources.aspx.

f. Familiar with FWC beach driving guidelines: https://myfwc.com/conservation/you-conserve/wildlife/beach-driving/#:~:text=Avoid%20driving%20on%20the%20upper,nests%20or%20shorebird%20breeding%20areas.

g. Previously participated in beach-nesting bird surveys in Florida and is a registered contributor to the FSD.

h. Experience posting beach-nesting bird sites, consistent with Florida Shorebird Alliance Guidelines (https://flshorebirdalliance.org/media/v3ebapky/2021-guidelines-for-posting-shorebird-and-seabird-sites-in-florida.pdf).

2. If least terns or other imperiled beach nesting birds are present within the project boundary, surveys for detecting breeding behavior and the presence of flightless chicks shall be completed daily by a qualified Bird Monitor prior to project activities taking place when construction activities occur during the breeding season. Breeding Season dates can be found in the Species Conservation Measures and Permitting Guidelines at: https://myfwc.com/media/0t0dt3ro/ibnb-guidelines.pdf. Movement of equipment or other activities prior to bird monitoring and protection measures can cause take of state-Threatened beach nesting birds, their eggs, or young (harm or harassment as defined in 68A-27.001, F.A.C. and Species Conservation Measures and Permitting Guidelines).

3. If active nests are observed onsite, all project activities conducted during the breeding season shall maintain a buffer of 300 feet (91 meters) around active nests. The buffer zone shall be clearly visible to all personnel associated with the project. The perimeter of the buffer zone shall be marked with posts, twine, and signs approved by the FWC stating "Do

Proposed

Not Enter, Important Nesting Area" or similar language. Posts shall not exceed 4 feet in height once installed. Symbolic fencing, consisting of twine, string, or rope, shall be placed between all posts at least 2.5 feet above the ground. The posting shall be maintained in good repair until breeding is completed (when all chicks have fledged) or terminated. Signs and fencing shall not be removed, repositioned, or otherwise modified by anyone other than the Bird Monitor. Sign examples and templates are available at https://flshorebirdalliance.org/resources/signs/.

a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.

b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.

4. If least tern nesting is observed, all personnel associated with the project shall be advised of the presence of least terns and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect least terns or their eggs, or to attempt to engage in such conduct. The Permittee shall place and maintain a bulletin board in the project staging area with the location map of the construction site showing the bird breeding areas and a warning, clearly visible, stating that "NESTING BIRDS ARE PROTECTED BY LAW INCLUDING THE FLORIDA ENDANGERED AND THREATENED SPECIES ACT AND THE STATE and FEDERAL MIGRATORY BIRD ACTS".

5. No pedestrian traffic, operation of a vehicle, site preparation, staging, clearing, or other project activities shall occur within the 300-foot (91-meter) nest buffer zone.

a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.

b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.

6. Injury or mortality of a least tern, including crushing eggs or chicks, shall be immediately reported to the FWC Wildlife Alert Hotline at (888) 404-3922 and the Regional Shorebird Contact.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

H. Everglades Mink

1. If an Everglades mink is observed onsite after construction begins, work activities shall cease, and the mink be allowed to leave on its own accord.

2. Any sitings of Everglades mink shall be reported to the FWC online at https://app.myfwc.com/hsc/weasel/Default.aspx, preferably with a photograph and GPS coordinates.

Proposed

3. All personnel associated with the project shall be advised of the presence of Everglades Mink and that it is a violation of state law to feed, harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Everglades mink, their young, and nests, or to attempt to engage in such conduct.

4. Injury or mortality of an Everglades mink shall be immediately reported to the Florida Fish and Wildlife Conservation Commission's Wildlife Alert Hotline at (888) 404-3922.

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

V. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES

A. Prior to new construction in areas not previously surveyed, the Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the certified facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and subsequently during maintenance. If avoidance of any discovered sites is not feasible, impact shall be mitigated through archaeological salvage operations or other methods acceptable to DHR, as appropriate.

B. If historical or archaeological artifacts or features are discovered at any time within the certified facility, the Licensee shall notify the appropriate DEP District office(s) and the DHR, R.A. Gray Building, 500 South Bronough Street, Room 423, Tallahassee, Florida 32399-0250, telephone number (850) 245-6333, and the Licensee shall consult with DHR to determine appropriate action.

[Sections 267.061, 403.531, and 872.02, F.S.]

VI. MIAMI-DADE COUNTY

A. General Conditions

1. The construction, operation, and maintenance of all transmission lines shall be in full compliance with all applicable non-procedural requirements of the Miami-Dade County Code including Chapters 24 and 33B as well as the Miami-Dade County Public Works Manual.

2. Impacts shall be avoided and minimized in all wetland areas.

[Miami-Dade County Code Section 24-48.4]

3. Any filling in the wetlands of Miami-Dade County shall consist of only clean fill as defined in Section 24-5(52), Miami-Dade County Code.

[Miami-Dade County Code Section 24-48.3(4)]

4. Licensee shall mitigate adverse environmental impacts in accordance with Miami Dade County Code Section 24-48.4.

Proposed

5. Licensee and their contractors shall comply with Chapter 556, F.S., relating to underground facility damage prevention and safety.

[Applicant Agreement]

6. Licensee shall design the transmission lines to comply with applicable provisions of the Americans with Disabilities Act.

[Applicant Agreement]

B. Bird Drive Basin

All work performed in the Bird Drive Everglades Wetland Basin shall be consistent with the Bird Drive Everglades Basin Plan and the Bird Drive Everglades Fill Encroachment and Water Management Criteria, and shall be reviewed by the Miami-Dade County Water Control Section in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.21]

C. East Everglades Area of Critical Environmental Concern

1. Road construction is prohibited in Management Areas 2A within the East Everglades Area of Critical Environmental Concern.

[Miami-Dade County Code Section 33B-26(c)(1)]

2. Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual.

[Miami-Dade County Code Section 33B-26(c)(2)]

3. Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas.

[Miami-Dade County Code Section 33B-26(d)]

D. Vegetation Management and Exotic Species

1. There shall be no planting or propagation of prohibited species as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual within the FPL transmission rights-of-way. In addition, planting or propagation of controlled species, as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual, shall be prohibited within FPL transmission right-of-way within 500 feet of a natural forest community or native habitats as defined by Miami-Dade County Code Chapter 18A.

[Miami-Dade County Code Sections 18A-12 and 18B-2]

2. Prior to construction, Licensee shall eliminate all plants listed as Prohibited or Controlled by Miami-Dade County pursuant to the Miami-Dade County Code, as well as species contained in the current Florida Invasive Species Council (FISC) List of Invasive Plant Species. Licensee shall limit the broadcast use of non-selective herbicides to control exotic

Proposed

and invasive vegetation. Only aquatic-labelled herbicides approved by the U.S. Environmental Protection Agency (EPA) and the Florida Department of Agriculture and Consumer Services (FDACS) shall be applied in proximity of wetland habitats.

[Miami-Dade County Code Sections 24-7, 24-48 and 24-49]

3. All work to remove exotic and invasive plant species from wetland areas shall be conducted in a manner that avoids adverse environmental impacts, including but not limited to the placement of construction mats to prevent rutting and soil compaction.

[Miami-Dade County Code Section 24-48]

E. Wellfield Protection Areas

1. The use of pesticides, including but not limited to herbicides, is prohibited within all portions of the transmission line corridor located within wellfield protection areas.

[Miami-Dade County Code Section 24-43]

2. The Licensee, its agents and contractors shall not transport, generate or store hazardous wastes or hazardous materials as defined pursuant to Section 24-45 Miami-Dade County Code within any portion of the transmission lines located within a wellfield protection area in Miami-Dade County. Discharge or disposal of hazardous wastes or hazardous materials along or adjacent to any portion of the transmission lines including outside of wellfield protection areas is also prohibited within Miami-Dade County.

[Miami-Dade County Code Section 24-43(5)]

F. Work in County Canal ROWs

1. Overhead utility crossings, such as telephone and power lines, over a County canal shall be required to have a minimum vertical clearance of forty (40) feet above ground surface, per Section D4.04, Part 2 – Public Works Manual, of the Code of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

2. Any work within Miami-Dade County secondary canal features (i.e., canal right-of-way, canal maintenance easements, and canal reservations) must be reviewed and coordinated with the Water Control Section to ensure they are allowable and do not interfere with conveyance, water quality, or maintenance of the secondary canal system, in accordance with Chapter 24 and the Miami-Dade County Public Works Manual. Licensee shall submit to the Water Control Section detailed construction plans and surveys showing the proposed transmission infrastructure within or adjacent to County canal interests, including transmission structures, access and maintenance roads, and any other improvements that may affect canal interests for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.1(1)(c)]

Proposed

G. Protected Tree and Vegetation Requirements

1. Existing specimen trees and native vegetation (including canopy, understory, and ground cover) shall be preserved to the maximum extent practicable, and Licensee shall mitigate for impacts to tree canopy in accordance with the requirements of Section 24-49 of the Code of Miami-Dade County.

[Miami-Dade County Code Section 24-49]

2. Prior to construction within each segment of transmission line within uplands on newly established transmission line right-of-way (including site clearing or tree removal), Licensee shall submit to Miami-Dade County (and applicable municipalities) for review in accordance with Condition XXI. Procedures for Post-Certification Submittals, a tree survey for that segment showing all upland trees that need to be removed, as well as a tree mitigation plan to compensate for the tree canopy to be removed for that segment as required by Section 24-49 Miami-Dade County Code.

H. Dewatering

Prior to the initiation of any dewatering activities associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all necessary applicable information required for a Class V permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Section 24-48, Code Miami-Dade County]

I. Additional Post-Certification Submittals

Licensee shall provide a copy of the following post-certification submittals to Miami-Dade County:

1. Wildlife surveys required by FWC in Section B. Condition IV., paragraphs A., and B.

2. ERP submittals required by DEP in Section A. Condition XXIX., and Section B. Condition I., paragraph A., including Wetland Mitigation Plans.

3. Preliminary and final designs as required by SFWMD in Section B. Condition III., paragraph A.13.

[Applicant Agreement]

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services shall be used at certified facilities. Herbicide applications will be in accordance with the pesticide product label and in compliance with all federal and state regulations.

[Chapter 482 and 487, F.S. and Chapters 5E-2, 5E-9, and 5E-14, Florida Administrative Code]

Proposed

HISTORY

Proposed

ATTACHMENT A: Certified Corridor Map(s) (To be inserted upon receipt)

Proposed

ATTACHMENT B: Surface Water Management System Operation and Maintenance Requirements (To be inserted as applicable)

Proposed

ATTACHMENT C: Mitigation Requirements/Plans (To be inserted upon receipt)

Proposed

APPENDIX II – AGENCY REPORTS

APPENDIX II-A – PUBLIC SERVICE COMMISSION

FILED 6/1/2026
DOCUMENT NO. 03235-2026
FPSC - COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination of need for Andytown-Oasis transmission lines project in Broward and Miami-Dade Counties, by Florida Power & Light Company.	DOCKET NO. 20260020-EI ORDER NO. PSC-2026-0179-FOF-EI ISSUED: June 1, 2026

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK
BOBBY PAYNE
ANA ORTEGA

FINAL ORDER APPROVING DETERMINATION OF NEED FOR ELECTRICAL TRANSMISSION LINES

APPERANCES:

WILLIAM P. COX and CHRISTOPHER WRIGHT, ESQUIRES, 700 Universe Boulevard, Juno Beach, Florida 33408
On behalf of Florida Power & Light Company (FPL)

WALT TRIERWEILER, CHARLES J. REHWINKEL, and PATRICIA A. CHRISTENSEN, ESQUIRES, c/o The Florida Legislature, 111 West Madison Street, Suite 812, Tallahassee, Florida 32399
On behalf of the Office of Public Counsel (OPC)

ROBERT SCHEFFEL WRIGHT, JOHN T. LAVIA III, and TIMOTHY J. PERRY, ESQUIRES, Gardner Bist King & Wood, 1300 Thomaswood Drive, Tallahassee, Florida 32308
On behalf of Environmental Defense Fund, Inc. (EDF)

CARLOS M. MARQUEZ II and SHAW STILLER, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Staff of the Florida Public Service Commission (Staff)

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

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Florida Public Service Commission General Counsel

BY THE COMMISSION:

BACKGROUND

On February 9, 2026, pursuant to Section 403.537, Florida Statutes (F.S.), and Rule 25-22.075, Florida Administrative Code (F.A.C.), Florida Power & Light Company (FPL) filed a Notice of Intent to File Petition for Transmission Lines Need Determination. FPL subsequently filed its Petition to Determine Need for Electrical Transmission Lines on March 11, 2026, in accordance with Section 403.537, F.S., Chapter 120, F.S., and Rules 25-22.076 and 28-106.201, F.A.C.

FPL petitioned for an affirmative determination of need for the construction of four new high-voltage transmission lines: (a) one 500-kilovolt (kV) line starting at FPL's existing Andytown substation in Broward County and ending at FPL's planned Oasis substation in Miami-Dade County; (b) one 500-kV line starting at FPL's existing Quarry substation in Miami-Dade County and ending at FPL's planned Oasis substation in Miami-Dade County; (c) one 230-kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Quarry substation in Miami-Dade County; and (d) one 230-kV line starting at FPL's planned Oasis substation in Miami-Dade County and ending at FPL's existing Levee substation in Miami-Dade County (collectively, the Andytown-Oasis Transmission Lines Project or AOP).

A formal administrative hearing was held on April 23, 2026. Post-hearing briefs were filed by the parties on April 29, 2026. On May 11, 2026, we held a Special Agenda Conference where Florida Public Service Commission (Commission) staff provided us with an oral recommendation on each issue. After reviewing all the evidence, and with the benefit of post-hearing briefs as well as Commission staff's recommendation, we rendered our official vote and decision for purposes of Section 403.537, F.S., on May 11th approving each of the four transmission lines of the AOP, as discussed within the body of this Order.

An affirmative determination of need is a condition precedent to the conduct of the siting processes under Chapter 403, F.S.[1] As we have noted in prior orders, it is prudent for a utility to continue to evaluate whether a project remains in the best interests of its ratepayers. If conditions change from those presented at the need determination proceeding, then a prudent utility is expected to respond appropriately.[2]

[1] Section 403.507(4)(b), F.S. (siting of electrical power plants); Section 403.537(1)(d), F.S. (siting of electric transmission lines); Section 403.9422(1)(c), F.S. (siting of natural gas transmission pipelines).
[2] *See e.g.*, Order No. PSC-2018-0263-FOF-EC, issued May 25, 2018, in Docket No. 20170267-EC, *In re: Joint petition for determination of need for Shady Hills combined cycle facility in Pasco County, by Seminole Electric Cooperative, Inc. and Shady Hills Energy Center, LLC*, p. 28; Order No. PSC-2018-0150-FOF-EI, issued March 19, 2018, in Docket No. 20170225-EI, *In re: Petition for determination of need for Dania Beach Clean Energy Center*

We are vested with subject matter jurisdiction over this matter pursuant to Section 403.537, F.S.

LEGAL STANDARD

Any transmission line[3] proposed by a Florida electric utility[4] which is designed to operate at 230-kV or more is subject to the Florida Electric Transmission Line Siting Act (TLSA) and, unless it meets one of four statutory exemptions, must receive an affirmative determination of need prior to construction. Section 403.524, F.S. This Commission is the sole forum for a transmission line need determination under the TLSA. Section 403.537(1)(b), F.S.; *see Fla. Power Corp. v. State of Florida, Siting Bd.*, 513 So. 2d 1341, 1344 (Fla. 1st DCA 1987).

Transmission lines that "are located in a single county in the state" are statutorily exempt from the TLSA need determination requirements. Section 403.524(2)(d), F.S. Of the four substations involved in this proceeding as starting and ending points for the proposed transmission lines, only Andytown is located in Broward County. The remaining three substations will be within Miami-Dade County. As a result, three of the four transmission lines of the AOP will be constructed entirely within Miami-Dade County and, although designed to operate at a minimum of 230-kV, would normally be exempt from certification under the TLSA. However, the statutory provision that exempts intra-county lines from the TLSA does not apply if "the applicant has applied for certification under this act." Section 403.524(2)(d), F.S. Because one of the four lines that comprise the AOP is subject to the TLSA and required an application for a need determination (in this case the 500-kv Andytown-Oasis transmission line), FPL included the other three lines in its petition as permitted by the statute to allow for a more comprehensive review of the project as a whole.

Pursuant to Section 403.537(1)(c), F.S., in determining the need for transmission lines, we shall take into account:

(1) the need for electric system reliability and integrity;
(2) the need for abundant, low-cost electrical energy to assure the economic well-being of the residents of this state;
(3) the appropriate starting and ending point of the line; and
(4) other matters within the Commission's jurisdiction deemed relevant to the determination of need.

Unit 7, by Florida Power & Light Company, p. 14; Order No. PSC-14-0557-FOF-EI, issued October 10, 2014, in Docket No. 140110-EI, *In re: Petition for determination of need for Citrus County Combined Cycle Power Plant, by Duke Energy Florida, Inc.*, pp. 6, 18.

[3] Section 403.522(22), F.S.

[4] Section 403.522(12), F.S.

ANALYSIS AND DECISION

I. *Impacts of Federal Energy Regulatory Commission Orders*

All parties to this proceeding correctly recognize that Section 403.537, F.S., governs transmission line need determinations before this Commission. However, the parties disagree regarding the scope of considerations that we must take into account during such proceedings. Subsection (1)(c) of Section 403.537, F.S., directs us to "take into account . . . other matters within [our] jurisdiction deemed relevant to the determination of need." To fall within this catch-all provision, something must be *both* within our jurisdiction *and* deemed relevant by us to the determination of need. EDF and OPC argue that Federal Energy Regulatory Commission (FERC) Order Nos. 1000, 1920, 1920-A, and 1920-B are relevant to this proceeding and within our jurisdiction. Given the totality of circumstances presented in this case, with the benefit of a full evidentiary record, we disagree and find that those FERC Orders are not relevant to this proceeding and are beyond our jurisdiction, as discussed more fully below.

A. FERC Order No. 1000

1. Jurisdiction

FERC Order No. 1000, issued July 2011, was intended to improve transmission planning and cost allocation mechanisms by requiring FERC-jurisdictional transmission providers to participate in a regional planning process that accounts for reliability, cost-effectiveness, and public policy. FERC Order No. 1000, ¶¶ 1–12. Under the regional transmission planning framework of FERC Order No. 1000, a project is considered "regional" if it provides benefits to two or more FERC-jurisdictional transmission providers. *See* FERC Order No. 1000, ¶¶ 63–66 (referring to cost-allocation principles in addressing a regional transmission need).

EDF argues that FERC Order No. 1000 is within our jurisdiction to consider because of our jurisdiction over the planning and development of transmission facilities to ensure reliability and avoid uneconomic duplication of transmission facilities as well as our overarching statutory mandate to regulate utilities in the public interest. EDF adds that under principles of federal supremacy, state regulatory commissions must consider and give effect to FERC-approved tariffs and federal transmission regulations. OPC averred that Rule 25-22.076(3), F.A.C., indicates regional information subject to FERC's jurisdiction is appropriate for us to consider. FPL counters that nothing in either Section 403.537 or Section 366.04(5), F.S., grants this Commission authority to enforce, implement, revise, supervise, or entertain complaints or collateral attacks on regional transmission planning processes. For the following reasons, we conclude FERC Order No. 1000 is beyond our jurisdiction.

"As the State entity charged by law with planning and regulating the generation and transmission of electrical power throughout Florida, the [Commission] is to determine its own jurisdiction." *Roemmele-Putney v. Reynolds*, 106 So. 3d 78, 80 (Fla. 1st DCA 2013). In *Florida Public Service Commission v. Bryson*, the Florida Supreme Court recognized our discretion "to interpret the statutes that empower [us], including jurisdictional statutes, and to make rules and

issue orders accordingly." 569 So. 2d 1253, 1255 (Fla. 1990). In resolving jurisdictional issues, courts have looked to the nature of the relief sought "because it is the *nature of the relief sought*, not the language of the complaint, that ultimately determines which tribunal has jurisdiction over the claim." *Fla. Power & Light Co. v. Albert Litter Studios, Inc.*, 896 So. 2d 891, 893 (Fla. 3d DCA 2005) (emphasis in original). Although "states retain authority over transmission-line siting, permitting, and construction, and apply state law in reviewing transmission-line applications," *Transource Pennsylvania, LLC v. DeFrank*, 156 F. 4th 351, 364 (3d Cir. 2025), jurisdiction over the regional transmission planning process contemplated in FERC Order No. 1000 rests with FERC pursuant to the Federal Power Act, 16 U.S.C. §§ 791, *et seq. See also Transource*, 156 F. 4th at 377. Florida's statutes do not confer upon us a comparable scope of authority over that specific process.

We disagree with EDF's argument that Section 366.04(5), F.S., expands our jurisdiction over the issues in this case to include FERC Order No. 1000. That statute empowers us to avoid "uneconomic duplication of generation, transmission, and distribution facilities" between utilities. Nothing therein brings FERC Order No. 1000 within this Commission's jurisdiction. EDF's assertion that the *possible* use of technological alternatives somehow renders the proposed AOP duplicative would mean every project presented to us was, under EDF's reading, always duplicative of some other theoretical option. The record before us, however, does not demonstrate that the underlying need for the AOP is already being addressed by facilities approved for, or facilities to be put in place by, Florida's electric utilities.

In Florida, the Florida Reliability Coordinating Council (FRCC) is charged with considering FERC's orders and rules as it facilitates the regional planning process. The FRCC is a member-services organization comprised of utilities. This Commission is not a part of the FRCC, and as such, we do not participate in the planning, operation, or recommendations developed by the FRCC. The testimonies of EDF witnesses Cranston and Thomas seek to call into question the efficacy of the FRCC as a regional planning entity. However, we do not regulate the FRCC and cannot grant the relief requested by EDF's witnesses as it relates to forcing FPL to conduct the so-called "true" FERC Order No. 1000 regional transmission planning analyses with full and timely opportunities for stakeholder involvement in that process. Nor can we adjudicate EDF's allegation that FPL has violated its FERC Open Access Transmission Tariff. Whether or not the FRCC adequately furthers the letter or spirit of FERC's regional planning regime is a question beyond this Commission's jurisdiction to answer. As FPL witness McLain correctly testified, the proper forum for such complaints is through FERC. Therefore, we find that FERC Order No. 1000 is beyond our jurisdiction.

2. Relevancy

We also find FERC Order No. 1000 irrelevant to the need determination before us. FPL offered testimony and evidence that FERC Order No. 1000 is not "regional" and is irrelevant to this proceeding because the AOP benefits only FPL and its customers, was not identified through the FRCC's most recent Biennial Transmission Planning Process, and seeks to resolve anticipated local North American Electric Reliability Corporation (NERC) reliability standards violations. Meanwhile, EDF offered testimony and evidence in support of the assertion that

FERC Order No. 1000's regional planning processes required FPL to evaluate whether a regional solution would meet the energy grid's needs more efficiently or cost-effectively than the AOP and that FPL failed to do so. Finally, OPC argued that Rule 25-22.076(3), F.A.C., can be broadly construed so as to permit our consideration of FERC Order No. 1000.

Under the regional transmission planning framework of FERC Order No. 1000, a project is considered "regional" if it provides benefits to two or more FERC-jurisdictional transmission providers. *See* FERC Order No. 1000, ¶¶ 63–66 (referring to cost-allocation principles in addressing a regional transmission need). In this case, there is only one transmission provider who benefits—FPL. Importantly, the most recent Biennial Transmission Planning Process conducted by the FRCC did not identify any regional transmission needs within FPL's service area. This fact alone supports the conclusion that the AOP is not a regional project.

Nonetheless, we are also persuaded that the four transmission lines comprising the AOP are a localized solution to an identified local reliability problem, meaning that the AOP only benefits FPL and its customers, not other providers. FPL witness Yanes explained that Miami-Dade County is a load-dense area and is geographically constrained. Located at the southern end of mainland, peninsular Florida, Miami-Dade County is bordered by the Everglades National Park to the west and the Atlantic Ocean to the east. Miami-Dade County's electrical interconnection is thus limited to northward ties into Broward County, which is also part of FPL's service territory.

As testified to by FPL witness Yanes, transforming the AOP into a regional project (assuming FRCC had identified a regional need) could mean extending transmission from Miami-Dade County to central or west Florida (i.e., into the service territories of Duke Energy Florida, LLC (DEF) or Tampa Electric Company (TECO)), a distance exceeding 250 miles per line. In such a scenario, "to transfer the magnitude of power needed, such facilities would necessarily be constructed at the 500 kV voltage level, with at least two 500 kV lines required, resulting in a project involving a minimum of approximately 500 miles of new 500 kV transmission," compared to the approximately 75 miles of line associated with the AOP. However, TECO does not own 500-kV facilities, and DEF's 500-kV system is much further north. FPL witness Yanes concluded that the "scale, scope, cost, and geographic reach of such regional transmission solutions underscore why the AOP is appropriately planned as a local reliability project rather than a regional transmission solution."

For the foregoing reasons, we find that FERC Order No. 1000 is not relevant to this need determination proceeding.

B. FERC Order Nos. 1920, 1920-A, and 1920-B

1. Jurisdiction

FERC Order Nos. 1920, 1920-A, and 1920-B are the most recent reforms by FERC to regional and, to a lesser extent, interregional transmission planning processes. In accordance with those orders, regional transmission planning must utilize a minimum 20-year planning

horizon as well as consider alternative transmission technologies and right-sizing.[5] While these FERC Orders contemplate a robust regional planning procedure, they do not (in and of themselves) mandate substantive outcomes. *See Transource*, 156 F. 4th at 365–66 (noting regional transmission organization officially selected project and later FERC approved project). Planning regions are only required to perform the long-term studies. They are not limited to pursuing only those projects that were assessed in those studies.

With regard to these three orders, the parties raise jurisdictional arguments that are substantially similar to those discussed in connection with FERC Order No. 1000. We need not repeat them here. As mentioned previously, our jurisdiction is grounded in state statute. At best, EDF would have us impose non-existent state planning requirements for alternatives in transmission line need determination proceedings. At worst, EDF would have us overstep and preemptively decide the adequacy of regional transmission planning in FERC's place. Suffice it to say that our rationale expressed in Section I.A.1 of this Order (addressing why FERC Order No. 1000 is beyond our jurisdiction) is equally applicable to FERC Order Nos. 1920, 1920-A, and 1920-B. Therefore, we find that FERC Order Nos. 1920, 1920-A, and 1920-B are beyond our jurisdiction.

2. Relevancy

We also find FERC Order Nos. 1920, 1920-A, and 1920-B irrelevant to the need determination before us. By way of background, Florida's FERC-jurisdictional transmission providers are required to make compliance filings with FERC pursuant to those orders. FPL, DEF, and TECO jointly moved for an extension of time to implement the orders and complete related compliance filings. FERC granted their joint motion and extended the deadline for those compliance filings to June 12, 2026. FERC also found that the first Long-Term Regional Transmission Planning Cycle must commence no later than June 12, 2028. FPL, DEF, and TECO selected January 1, 2028 to commence the new planning cycle. Therefore, even assuming arguendo that we have jurisdiction to consider the orders, the impacts of FERC Order Nos. 1920, 1920-A, and 1920-B on FPL's regional transmission planning are not ripe for our review, particularly in light of the extended compliance period FERC authorized.

While EDF argues that we must consider and give effect to the FERC-approved tariffs and federal transmission regulations, FERC Order Nos. 1920, 1920-A, and 1920-B do not expressly freeze or prohibit utilities from seeking to address current reliability needs in the interim compliance period nor require project deferral pending future regional long-term studies. As explained by FPL witness McLain, these three orders "supplement[] existing planning processes by requiring transmission providers to incorporate long-term regional considerations going forward" but do not otherwise "invalidate local or near-term projects developed outside the long-term planning cycle," like the AOP. In fact, FERC confirmed as much when it declined to require "transmission providers to conduct a regional transmission planning process that simultaneously plans for shorter-term reliability . . . needs . . . through a combined process."

[5] "Right-sizing" is defined as "the process of modifying a transmission provider's in-kind *replacement* of an *existing* transmission facility to increase that facility's transfer capability." FERC Order 1920, ¶ 1678 (emphasis added).

FERC Order 1920-A, ¶ 214. Instead, FERC "continue[d] to find that local and regional transmission planning processes serve essential and complementary roles." FERC Order 1920-A, ¶ 818.

For the foregoing reasons, we find that FERC Order Nos. 1920, 1920-A, and 1920-B are not relevant to this need determination proceeding.

II. *Need Determination Criteria*

In determining the need for transmission lines, Section 403.537(1)(c), F.S., requires us to take into account: (1) the need for electric system reliability and integrity; (2) the need for abundant, low-cost electrical energy to assure the economic well-being of the residents of this state; (3) the appropriate starting and ending point of the line; and (4) other matters within this Commission's jurisdiction deemed relevant to the determination of need. Having found FERC Order Nos. 1000, 1920, 1920-A, and 1920-B outside our jurisdiction and not relevant to the determination of need in this proceeding, we afford such evidence no weight in our disposition of the remaining issues.

As discussed more fully below, we approve the four transmission lines of the AOP, finding them needed and finding their starting and ending points to be appropriate.

A. Electric System Reliability and Integrity

FPL asserted that additional transmission lines are essential to prevent grid failure as energy consumption in Miami-Dade County rises. With respect to system reliability and integrity, FPL projects that by summer 2033, peak demand in the area will reach approximately 7,200 megawatts, resulting in thermal overloads and low-voltage conditions under several contingency scenarios. The testimony indicates that absent the AOP, the system would violate mandatory NERC reliability standards, creating a risk of load shedding to maintain grid stability. While reliability need is triggered by the summer 2033 peak, the AOP is scheduled for completion in two phases, with the initial 500-kV line placed in service by 2031, which will help mitigate anticipated load issues on critical facilities based on the forecasted load growth.

EDF and OPC raised concerns about FPL's usage of a P80 load forecast instead of a P50 load forecast in its transmission study. A P80 load forecast is more conservative in that it assumes that the actual load has an 80 percent probability of being below the forecasted value. FPL's use of the more conservative load forecast was appropriate in this proceeding due to the geographic constraints associated with Miami-Dade County. The primary interconnections are only those towards Broward County in the north and due to the high density in the area the ability to install generation is limited, in addition to fuel having similar import issues as the "end of the line."

Based on the evidence presented, we are persuaded that the AOP is essential to mitigate the load growth of Miami-Dade County and to continue to maintain NERC reliability standards in effect. Without the AOP, there is a significant risk of overloads and potential voltage issues.

Therefore, we find that each of the four transmission lines of the AOP are needed to maintain electric system reliability and integrity as well as to resolve the identified NERC reliability standards violations.

B. Abundant, Low-Cost Electrical Energy

FPL analyzed two alternatives to the AOP. Each is capable of addressing the identified reliability need, but both had significantly higher costs when compared to the AOP. Both alternatives used four transmission lines, two 500-kV and two 230-kV. Alternative I utilized the Conservation substation instead of Andytown as the starting point in Broward County. The other three lines were the same as with the AOP. Alternative II was similar to the AOP, except one of the 230-kV lines from the planned Oasis substation connected to the Flagami substation instead of the Quarry substation. Specifically, the AOP's cumulative present value revenue requirement (CPVRR) is approximately $715 million, compared to $874 million and $923 million for Alternatives I and II respectively.

Although the intervenors argued that grid enhancing technologies and non-wire alternatives could be less expensive, we are persuaded that the proposed 500-kV and 230-kV lines provide the necessary high-capacity transfer capability required for long-term grid stability. Furthermore, while EDF argued that FPL failed to adequately evaluate advanced technologies and possible larger regional solutions that could reduce costs when considered alongside generation changes, the alternatives proposed by EDF either did not fully address cost, need, or would not be available within the required timeframe. For example, FPL explained that advanced power flow control devices would not resolve the identified transmission reliability need and reconductoring would not sufficiently address the voltage and bulk power delivery limitations.

Of the alternatives presented, we find that the AOP is the most cost-effective with the lowest CPVRR that meets the reliability requirements outlined in Section II.A. Therefore we find that each of the four transmission lines of the AOP are needed for abundant, low-cost electrical energy to assure the economic well-being of the citizens of the State.

C. Transmission Lines Starting and Ending Points

FPL argued that the proposed starting and ending points at the Andytown, Oasis, Quarry, and Levee substations were selected to resolve predicted overloads and to use existing rights-of-way, such as railroads and highways. The testimony and exhibits of FPL witness Yanes demonstrate that the selected starting and ending points are appropriate because they will allow FPL to address identified reliability needs and resolve NERC reliability standards violations in the most cost-effective manner. As discussed in Section II.B, while alternative configurations were considered, those alternatives were not selected due to higher costs, greater routing complexities, and less favorable system performance.

EDF did not challenge the proposed starting and ending points other than to say that they did not incorporate regional planning. Similarly, OPC did not dispute the starting and ending points, but asserted that FPL did not provide sufficient transmission studies to establish the need

for the AOP. Despite the concerns raised by EDF and OPC regarding planning and study depth, the fundamental location of the project's terminals remains largely unchallenged in this proceeding.

Therefore, based on the evidence, we find that FPL's proposed starting and ending points for each transmission line are appropriate.

D. Transmission Lines Approval and Conclusion

First, as discussed in Section II.A, the AOP is needed to ensure grid reliability and integrity in Miami-Dade County. Second, as discussed in Section II.B, the AOP is also the most cost-effective option from available alternative solutions. Lastly, as discussed in Section II.C, the evidence supports that the starting and ending points are appropriate and were selected to resolve the identified reliability and integrity issues.

For all the reasons discussed above, we grant FPL's petition for determination of need for the proposed AOP and approve all four transmission lines comprising it.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for electric system reliability and integrity. It is further

ORDERED that there is a need for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project, when taking into account the need for abundant, low cost electrical energy to assure the economic well-being of the residents of the state. It is further

ORDERED that the proposed starting and ending points for each of the four transmission lines comprising the Andytown-Oasis Transmission Lines Project are appropriate. It is further

ORDERED that Florida Power & Light Company's Petition to Determine Need for Electrical Transmission Lines is GRANTED as set forth herein. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 1st day of June, 2026.

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

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

CMM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within five (5) days of the issuance of this order in accordance with Rule 25-22.075(1), Florida Administrative Code, and in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas, or telephone utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

APPENDIX II-B – DEPARTMENT OF TRANSPORTATION

Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

June 19, 2026

Via E-Mail – Nate.Senn@FloridaDEP.gov

Nate Senn, Environmental Consultant
Florida Department of Environmental Protection
DWRM Siting Coordination Office
2600 Blair Stone Road, MS 3500
Tallahassee, FL 32399-2400

RE: Transmission Line Siting Application - FPL Andytown-Oasis 500/230kV (TA26-21) – Completeness Review

Dear Mr. Senn:

Enclosed is the Florida Department of Transportation's Agency Report dated June 19, 2026 for the Transmission Line Siting Application - FPL Andytown-Oasis 500/230kV (TA26-21).

If you have any questions, please call Ashley Peacock at 850-414-5293, Susan Herendeen at (850) 414-5232 or Monica Zhong, Siting Coordinator, at 850-414-4808.

Sincerely,

/s/ Susan Herendeen
Susan Herendeen
Claims Attorney

/s/ Ashley Peacock
Ashley Peacock
Assistant General Counsel

RS/dw
cc: All Parties of Record
Monica Zhong
Marbelis Lugo
SCO@FloridaDEP.gov

SECTION I. CORRIDOR LOCATION ISSUES

No outstanding issues, though the Department reserves its right to amend this determination as further information becomes available.

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 and Light ("FPL") submitted an application ("Application") for the certification of its plan to construct a new 500/20kV line within Broward and Miami-Dade Counties, which they call the "Andytown-Oasis 500/230kV (TA26-21)".

When built, the proposed line will cross over the state highway system in Miami-Dade County at two locations at SR 90/SW 8 Street (north to south) and SR 997/Krome Ave (east to west), which are outside of the existing FPL transmission lines. And at this time, the FPL application appears to be complete. While a preliminary review shows no apparent conflicts with the Florida Department of Transportation ("FDOT") projects, we would reserve the opportunity to engage in a coordination review with FPL when specific right-of-way maps become available. It would be FDOT's preference that transmission poles be placed as far from FDOT Right of Way as is feasible. Additionally, FPL should coordinate with FDOT if lane closures are required.

FDOT recommends certification of the Application. This recommendation is made contingent upon the following conditions of Section VI being addressed/met and further coordination with FDOT being carried out at each project phase.

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

A. 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, F.A.C., State Highway System Connection Permits, and 14-97, F.A.C., State Highway System Access Control Classification System and Access Management Standards.

[Chapters 14-96, and 14-97, F.A.C.]

B. 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 as defined in Section 316.550, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

C. Use of State of Florida Right of Way or Transportation Facilities

Any use of State of Florida right of way and certain activities on state transportation facilities will be subject to the requirements of FDOT's 2017 Utility Accommodation Manual, Rule Chapter 14-46, Utilities Installation or Adjustment, F.A.C., and Chapter 337, including, but not limited to, Section 337.403, F.S., Interference caused by relocation of utility; expenses.

[Sections 337.403 and 337.404, F.S.; Chapters 14-15, 14-46, and 14-96, F.A.C.]

D. 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, F.A.C., including, but not limited to, the requirement to obtain all applicable permits.

[Chapter 14-86, F.A.C.]

E. Airport Licensing, Registration, and Airspace Protection

Any proposed construction or alteration in the application that exceeds the criteria detailed in 14 C.F.R. Section 77, Subpart B, will be subject to an aeronautical study by the Federal Aviation Administration (FAA). The FAA has provided a Notice Criteria Tool at https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm, to simplify compliance with the federal regulation in determining when an aeronautical study is required. An airspace determination is required for all structures that are determined to exceed by the Notice Criteria Tool. Applications for an aeronautical study are made utilizing the

electronic FAA Form 7460-1 available at the following FAA website: https://oeaaa.faa.gov/oeaaa/external/portal.jsp.

If the FAA aeronautical study determines that the construction or alteration "Exceeds But Is Okay" (EBO) or is "Determined Not To Be A Hazard" (DNH), the construction or alteration is subject to the requirements of Chapter 333, F.S., and Chapter 14-60, F.A.C.. If political subdivisions have adopted airport protection zoning regulations, the construction or alteration requires a permit from the political subdivision pursuant to Chapter 333, F.S. Absent political subdivision airport protection zoning regulations, if the construction or alteration is within a 10-nautical mile radius of the airport reference point of a public-use or military airport, the construction or alteration requires a permit from FDOT pursuant to Chapter 333, F.S. A permit from FDOT may be obtained using FDOT Form 725-040-11, and following the instructions in Rule Chapter 14-60, F.A.C.; FDOT Form 725-040-11 is available at the following FDOT website: https://www.florida-aviation-database.com/dotsite/pdfs/725-040-11.pdf.

Applicants seeking Certification or Post-Certification Amendment(s) under the Florida Power Plant Siting Act (PPSA), must comply with the provisions of Chapter 330, F.S., Chapter 333, F.S., and Rule Chapter 14-60, F.A.C., to operate an airport within the State of Florida.

[Chapter 333, F.S.; Rule 14-60.009, F.A.C.]

F. Traffic Control

Traffic control will be maintained during construction and maintenance in compliance with the standards contained in the Manual of Uniform Traffic Control Devices; FDOT's Standard Plans for Road and Bridge Construction; FDOT's Standard Specifications for Road and Bridge Construction; and the Department's 2017 Utility Accommodation Manual, whichever is more stringent.

[Chapter 316, F.S.; Chapter 14-46, F.A.C.]

G. Other

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

- Heavy construction vehicles are to remain onsite during construction.
- A bulletin board shall be located such that employees have easy access to it and on which carpooling advertisements can be placed.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the Applicant shall ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

APPENDIX II-C – DEPARTMENT OF COMMERCE

FLORIDACOMMERCE AGENCY REPORT
ON
FLORIDA POWER AND LIGHT ANDYTOWN TRANSMISSION LINE SITING
CERTIFICATION APPLICATION NO. TA26-21

I. Review Summary

On May 20, 2026, Florida Power and Light Company (FPL) filed its Certification Application (Application No. TA26-21) for the proposed Andytown-Oasis Transmission Line Project, pursuant to Section 403.52, Florida Statutes (F.S.), (Florida Electric Transmission Line Siting Act). Under the Act, the Florida Department of Environmental Protection (FDEP) coordinates the certification process with input from various state, regional, and local agencies, along with interested citizens. FloridaCommerce's "Agency Report" on the Florida Power and Light Company Andytown-Oasis Transmission Line Project (Project) is pursuant to section 403.507, Florida Statutes (F.S.), (Florida Electrical Power Plant Siting Act).

II. Project Summary

FPL has identified potential system limitations that will require improvements to effectively distribute power into major load centers in Miami-Dade County (MDC). These studies have also identified that by 2033, the load to generation imbalance in the South Region will continue to grow. Currently, power transfer capabilities under several contingency scenarios, such as generation unavailability and loss of the existing 500kV transmission lines, are limited. The Project is intended to address several of these system reliability deficiencies and provide an additional resilient path from Broward County to MDC.

FPL is proposing a single-circuit 500kV transmission line extending from the existing Andytown substation in the Town of Southwest Ranches, Florida, to the planned Oasis substation in unincorporated MDC, Florida; a 500kV and a 230kV transmission line extending from the planned Oasis substation to the existing Quarry substation in unincorporated MDC; and one 230kV transmission line extending from the planned Oasis substation to the existing Levee substation in unincorporated MDC as part of the Andytown-Oasis Project (Project), extending approximately 31 miles. The Proposed Corridor is co-located with an existing transmission line and canal rights of-way for approximately 75% of its length and varies in width from approximately 800 feet (ft) to 3,400 ft. The transmission lines are proposed to use portions of FPL's existing right of way and would require additional right-of-way acquisition to address the anticipated reliability limitations concern beginning in 2033. A portion of the proposed corridor, "West Consensus Corridor (WCC) was previously approved for transmission development.

III. Recommendations: State Comprehensive Plan and Other Matters - Section 403.507(2)(a), F.S.

After reviewing the application, the Department concludes that the proposed construction and operation of the Project does not raise any land use issues of concern. Pursuant to section 380.04(3)(b),

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F.S., "work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, or renewing on established rights-of-way or corridors, or constructing on established or to-be-established rights-of-way or corridors, any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like" is excluded from the definition of "development" provided in Section 163.3164(14), F.S. Therefore, the Project is not subject to local government comprehensive plans, zoning ordinances, and land development regulations.

The proposed Project is consistent with and furthers the following goals of the State Comprehensive Plan (SCP) (Section 187.201, F.S.):

Goal 11 – Energy (section 187.201(11), F.S.): "Florida shall reduce its energy requirements through conservation and efficiency measures in all end-use sectors and shall reduce atmospheric carbon dioxide by promoting an increased use of renewable energy sources and low-carbon-emitting electric power plants."

Policy 6: "Increase the efficient use of energy in design and operation of buildings, public utility systems, and other infrastructure and related equipment."

Note: The Project utilizes energy efficient design for a public utility system (furthers Policy 6).

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

Note: In support of development, the Project enhances the service capacity of the electric power system to accommodate growth in an environmentally acceptable manner (furthers Goal 15).

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

Policy 4: "Create a partnership among state government, local governments, and the private sector which would identify and build needed public facilities and allocate the costs of such facilities among the partners in proportion to the benefits accruing to each of them."

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

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

Policy 1: "Attract new job-producing industries, corporate headquarters, distribution and service centers, regional offices, and research and development facilities to provide quality employment for the residents of Florida."

Note: The Project will help provide Florida with a stable source of electric power and thus enhance the economic stability of the state (furthers Goal 21).

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IV. Section 403.507(3)(a), F.S.

Pursuant to Section 403.507(3)(a), F.S., the Agency Report shall contain "A notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed electrical power plant to be certified." FloridaCommerce has not identified any such nonprocedural requirements.

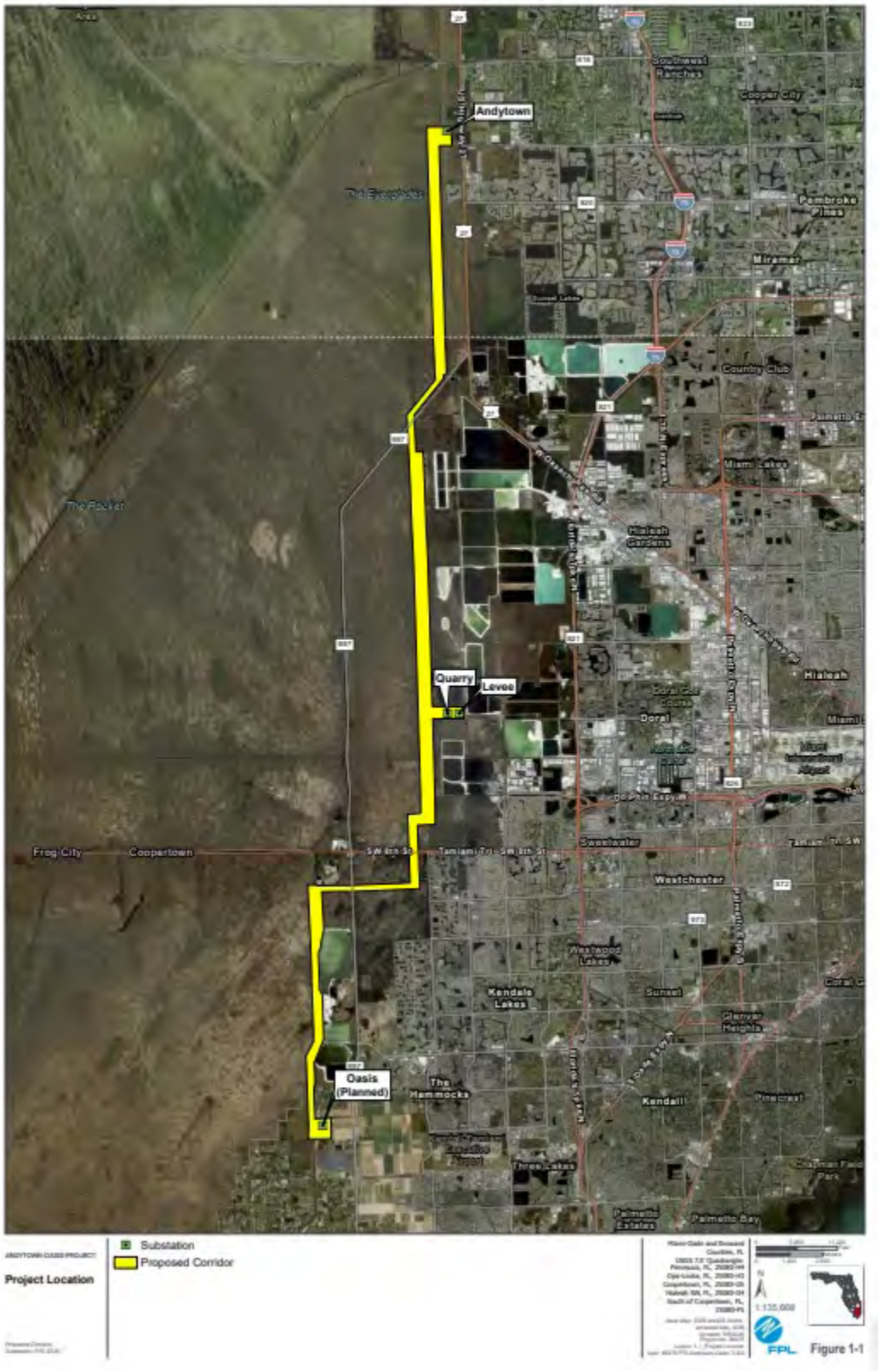
V. Recommendation for Approval or Denial of the Application (Section 403.507(3)(b). F.S.)

Pursuant to Section 403.507(3)(b), F.S., the Agency Report shall contain "A recommendation for approval or denial of the site certification application." FloridaCommerce concludes that the proposed Project furthers goals of the State Comprehensive Plan. Therefore, FloridaCommerce recommends approval of the Transmission Line Siting Application (TA26-21) for the Florida Power and Light Andytown-Oasis Transmission Line Project contingent on the Project meeting all applicable certification requirements.

VI. Proposed Conditions of Certification (Section 403.507(3)(c), F.S.)

Pursuant to Section 403.507(3)(c), F.S., the Agency Report shall contain "Any proposed conditions of certification on matters within the jurisdiction of such agency. For each condition proposed by an agency in its report, the agency shall list the specific statute, rule, or ordinance which authorizes the proposed condition." FloridaCommerce has no proposed conditions of certification.

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APPENDIX II-D – FLORIDA FISH AND WILDLIFE COMMISSION

Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Preston Farrior
Tampa

Joshua Kellam
Palm Beach Gardens

Gary Lester
Oxford

Albert Maury
Coral Gables

Sonya Rood
St. Augustine

Office of the
Executive Director
Roger A. Young
Executive Director

Charles "Rett" Boyd
Assistant Executive Director

George Warthen
Chief Conservation Officer

Jessica Crawford
Chief of Staff

850-487-3796
850-921-5786 FAX

Managing fish and wildlife resources for their long-term well-being and the benefit of people.

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

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

MyFWC.com

August 18, 2026

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

RE: Site Certification Application TA26-21: Florida Power & Light Andytown-Oasis 500/230kV Transmission Line Project, Broward and Miami-Dade Counties, Agency Report

Dear Mr. Senn:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the Site Certification Application for the above referenced project submitted by the Florida Power & Light Company (FPL) and provides the enclosed Agency Report and proposed Conditions of Certification to be included in the FPL Andytown-Oasis Transmission Line State Certification in accordance with 403.526, Florida Statutes.

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

FWC staff appreciates the opportunity to review this Site Certification Application and looks forward to working with FPL throughout the Site Certification process. For specific technical questions regarding the content of this letter, please contact Nicolas Colletier at (561) 764-3774 or by email at Nicolas.Colletier@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,



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

jc/nc
FPL Andytown-Oasis_65197_08182026

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

Cc: Franck LeBlanc, Florida Power & Light Company, franck.l.leblanc@fpl.com
Nick Zweber, Florida Power & Light Company, Nick.Zweber@fpl.com
Karl Bullock, SWCA, Karl.Bullock@SWCA.com
Siting Coordination Office, SCO@dep.state.fl.us

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

Project Description

Florida Power & Light Company (FPL) is proposing the Andytown-Oasis Transmission Line Project (Project), consisting of two new 500-kilovolt (kV) transmission lines and two new 230-kV transmission lines within a single corridor in Broward and Miami-Dade Counties. The Project includes:

- one 500-kV transmission line from the existing Andytown substation in the Town of Southwest Ranches to the planned Oasis substation in unincorporated Miami-Dade County;
- one 500-kV transmission line from the planned Oasis substation to the existing Quarry substation in unincorporated Miami-Dade County;
- one 230-kV transmission line from the planned Oasis substation to the existing Quarry substation; and
- one 230-kV transmission line from the planned Oasis substation to the existing Levee substation.

The approximately 31-mile Proposed Corridor is co-located with existing transmission line and canal rights-of-way for approximately 75 percent of its length. The Proposed Corridor varies in width from approximately 800 feet to 3,400 feet, and the maximum anticipated width of the right-of-way is approximately 410 feet.

Existing unpaved access roads within the existing 500-kV right-of-way between the Andytown and Quarry substations will be used where practicable and may require improvements. South of the Quarry and Levee substations, new unpaved access roads and structure pads may be constructed where adequate access does not currently exist. Transmission structures will include monopole and H-frame self-supported structures, with typical heights ranging from approximately 90 to 199 feet above the ground.

The Proposed Corridor contains approximately 5,974.4 acres. The dominant land-cover categories identified in the application include freshwater marsh (approximately 3,819.7 acres), exotic wetland hardwoods (approximately 727.1 acres), wet prairie (approximately 398.7 acres), dikes and levees (approximately 256.1 acres), canals (approximately 136.4 acres), row crops (approximately 139.4 acres), rock quarries/holding ponds (approximately 141.4 acres), mixed wetland hardwoods (approximately 99.2 acres), electrical power facilities and transmission line areas (approximately 142.1 acres combined), and other urban, transportation, and rangeland uses. Wetlands and surface waters comprise approximately 5,181.1 acres, or approximately 86.7 percent of the Proposed Corridor.

Potentially Affected Resources

Effects on State-Listed Species

According to the Site Certification Application, the species that have the potential to occur within the Proposed Corridor include the following:

- Florida manatee (*Trichechus manatus latirostris*, Federally Threatened [FT])
- Florida burrowing owl (*Athene cunicularia floridana*, State Threatened [ST])
- Little blue heron (*Egretta caerulea*, ST)
- Tricolored heron (*Egretta tricolor*, ST)
- Roseate spoonbill (*Platalea ajaja*, ST)
- Least tern (*Sternula antillarum*, ST)
- Everglades mink (*Neovison vison evergladensis*, ST)

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

Effects on FWC Facilities

In addition to the listed species above, the proposed corridor contains portions of state-owned conservation lands, including FWC's Everglades and Francis S. Taylor Wildlife Management Area. In these areas, the installation of larger transmission line structures and expanded rights-of-way may impact FWC management activities. Once the location of the final route has been identified, FPL will initiate the steps necessary to obtain the required state lands authorizations including coordinating with applicable land managers to determine suitable replacement lands and other net positive benefits as required by Chapter 253, Florida Statutes (F.S.), and the Use of Natural Resource Lands by Linear Facilities Policy, dated January 23, 1996.

Linear facilities must avoid location on natural resource lands unless no other practical or prudent alternative is available and all steps to minimize impacts are implemented. If there is no other alternative than state conservation lands, applicants must minimize adverse impacts to these lands such as locating them in areas where less adverse impacts are expected or areas which have already been impacted and are less sensitive than other areas; avoiding significant wildlife habitats, natural aquatic areas, wetlands, or other valuable natural resources; employing best management practices in construction and operation activities; and generally, not adversely impacting the management of such lands. The applicant will also compensate by including fair market value of the interest acquired in the parcel on which the linear facility and related appurtenances will be located as well as the additional money, land, or services necessary to offset adverse impacts.

The potential use of state lands will be addressed by standard general conditions in the final Conditions of Certification issued by the Florida Department of Environmental Protection. These conditions stipulate that the Licensee will be required to comply with rules and statutes governing the use of lands of the state pursuant to applicable portions of Chapters 253 and 258, 403.531, F.S.; Chapters 18-2, 18-14, 18-21, 62-340, and Rules 62-330.060(1) and 62-4.160(4), Florida Administrative Code.

Proposed Conditions

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

FLORIDA POWER & LIGHT COMPANY ANDYTOWN-OASIS TRANSMISSION LINE CONDITIONS OF CERTIFICATION

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

A. **General Listed Species Surveys**

1. The Licensee shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) to obtain and follow the current survey protocols for all listed species that may occur within the Florida Power & Light Company (FPL) Andytown-

Oasis Transmission Line area to be impacted, as well as accessible appropriate buffers within the rights-of-way as defined by the listed species' survey protocols, prior to conducting detailed surveys. Guidance related to species-specific survey protocols can be found in the appropriate species conservation measures and permitting guidelines at https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/, or in the Florida Wildlife Conservation Guide at https://myfwc.com/conservation/value/fwcg/.

2. Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those surveys shall be provided to the FWC in a report, and coordination shall occur with the FWC on appropriate impact avoidance, minimization, or mitigation methodologies. Reports can be sent to ConservationPlanningServices@MyFWC.com.

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

B. **Specific Listed Species Surveys**

1. Before land clearing and construction activities within the Project Area, the Licensee shall conduct an assessment for terrestrial listed species and shall note all habitat, occurrence, or evidence of listed species. Wildlife surveys shall be conducted during the reproductive or active season for each species that falls before the projected clearing activity schedule unless otherwise approved by the FWC. For species that are difficult to detect, the Licensee may make the assumption that the species is present and plan appropriate avoidance or mitigation measures after consultation with the FWC. The Licensee will submit avoidance or mitigation measures to the FWC for post-certification review and approval at least 60 days prior to commencing clearing or construction activities within the surveyed area. The surveys required by these Conditions of Certification may be conducted prior to issuance of the final order of certification, in which case this Condition would be considered satisfied.
2. These surveys shall be conducted in accordance with U.S. Fish and Wildlife Service (USFWS) or FWC guidelines and methodologies and by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for each potentially occurring listed species.
3. These surveys shall identify locations of breeding sites, nests, and burrows for listed wildlife species. Nests and burrows shall be recorded with global positioning system (GPS) coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, FWC staff prefers that any applicable protection radii surrounding groups of nest sites and burrows be included on a site-specific basis, rather than around individual nests and burrows, and be physically marked so that clearing and construction shall avoid impacting them.
4. These surveys shall include an estimate of the acreage and percent cover of each existing vegetation community that is contained within the project area to be impacted prior to land clearing and construction activities using a geographic information system (GIS). Examples of such wildlife-based habitat classification schemes include Florida's State Wildlife Action Plan[1] (FWC 2019) or the Natural Communities Guide[2] (Florida Natural Areas Inventory 2010).

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

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

Areas Inventory, Tallahassee, Florida.

C. Listed Species Locations

1. Where any suitable habitat or evidence is found of the presence of listed species, including but not limited to those specified in D, E, F, G, and H below, within the FPL Andytown-Oasis Transmission Line area to be impacted, the Licensee shall report those locations to, and confer with, the FWC to determine whether additional pre-clearing surveys are warranted, and to identify potential mitigation or avoidance recommendations. If additional pre-clearing surveys are required by the FWC as appropriate and as specified in these Conditions of Certification, they shall occur in the reproductive season prior to the anticipated date for the start of construction within the FPL Andytown-Oasis Transmission Line area to be impacted. The Licensee shall not construct in areas where evidence of listed species was identified during the initial survey until the listed species issues have been resolved.
2. If listed wildlife species are found, their presence shall be reported to the Florda Department of Environmental Protection Siting Coordination Office, the FWC, and, for manatees, the USFWS.
3. If avoidance of state-listed wildlife species is not feasible, the Licensee shall consult with the FWC to determine the steps appropriate for the species potentially impacted to avoid, minimize, mitigate, or otherwise appropriately address potential impacts. These steps shall be memorialized in a Species Management Plan and submitted to the FWC.

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

D. Florida Manatee

1. All personnel associated with portions of the project expected to occur in manatee accessible waters shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The Licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
2. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
3. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
4. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
5. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission's Alert Hotline at (888) 404-3922. Collision and/or injury should also be reported to the USFWS in Jacksonville at (904) 731-3336 for north Florida or Vero Beach at (772) 562-3909 for south Florida, and to FWC at ImperiledSpecies@myFWC.com.
6. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the

project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution Boaters: Watch for Manatees must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

7. Due to the project's location in a narrow waterway, at least one (1) observer shall be present onsite and dedicated to watch for manatees during all in-water operations. Observers shall have prior on-the-job experience observing for manatees during previous in-water work and meet the criteria outlined in the Observer Guidelines for Protected Species Monitoring Programs in Florida State Waters manual: https://myfwc.com/media/a14gnftv/observerguidelines.pdf. In-water work shall not be performed after dusk or before dawn, when the possibility of spotting manatees is negligible.

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

E. Florida Burrowing Owl

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

shall be posted on wooden stakes at minimum of 10 feet from the burrow.

5. The Licensee shall ensure all personnel associated with the project are advised of the presence of Florida burrowing owls and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Florida burrowing owls or their eggs, or to collapse or block their burrows, or to attempt to engage in such conduct. All personnel shall be directed not to enter posted areas around potentially occupied burrows.
6. If a Florida burrowing owl burrow is identified on-site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the nests and what steps were taken to avoid these areas. If these areas cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.
7. If previously undetected burrows are found either in pre-activity surveys or later during project activities and required buffers cannot be maintained, the applicant shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

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

F. Wading Birds

1. The Licensee shall conduct surveys for state-threatened wading birds and their nests in accordance with the FWC-approved Conservation Measures and Permitting Guidelines: https://myfwc.com/media/18634/threatened-wading-birds-guidelines.pdf. Surveys shall be conducted for wading birds in areas potential for nesting prior to the commencement of any clearing, grading, or filling activities and during their breeding season, which extends from March through August.
2. If wading bird nesting is identified within or adjacent to the planned right-of-way or other areas associated with the project, a 330-foot (100-meter) buffer distance from the nest shall be maintained.
3. If wading bird nesting is identified on the site, the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the wading bird nesting areas and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.
4. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, the Licensee shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

G. Least Tern

1. If least terns or other imperiled beach nesting birds are observed on the subject property during project activities, the permittee shall alert the Florida Fish and Wildlife Conservation Commission (FWC) Regional Shorebird Contact within 48 hours: https://myfwc.com/conservation/you-conserve/wildlife/shorebirds/contacts/. In addition, a qualified Bird Monitor shall be used to identify breeding behavior and the location of active nests. The permittee shall ensure that the Bird Monitor meets the minimum qualifications established by the FWC as outlined below. If you are unsure if a bird monitor meets minimum qualifications, contact your Regional Shorebird Contact for more information:

a. Ability to identify all species of beach-nesting birds that nest in the project area by sight and sound.
b. Ability to identify breeding/territorial behaviors and find nests of shorebirds that occur in the project area.
c. Ability to identify habitats preferred by shorebirds nesting in the project area.
d. Have a clear working knowledge of, and adhere to, the Breeding Bird Protocol for Florida's Seabirds and Shorebirds.
e. Complete the full-length webinars and annual refresher training, Route-Surveyor Training and Rooftop Monitoring Training, available on the Florida Shorebird Database (FSD) website at: https://app.myfwc.com/crossdoi/shorebirds/resources.aspx.
f. Familiar with FWC beach driving guidelines: https://myfwc.com/conservation/you-conserve/wildlife/beach-driving/#:~:text=Avoid%20driving%20on%20the%20upper,nests%20or%20shorebird%20breeding%20areas.
g. Previously participated in beach-nesting bird surveys in Florida and is a registered contributor to the FSD.
h. Experience posting beach-nesting bird sites, consistent with Florida Shorebird Alliance Guidelines (https://flshorebirdalliance.org/media/v3ebapky/2021-guidelines-for-posting-shorebird-and-seabird-sites-in-florida.pdf).

2. If least terns or other imperiled beach nesting birds are present within the project boundary, surveys for detecting breeding behavior and the presence of flightless chicks shall be completed daily by a qualified Bird Monitor prior to project activities taking place when construction activities occur during the breeding season. Breeding Season dates can be found in the Species Conservation Measures and Permitting Guidelines at: https://myfwc.com/media/0t0dt3ro/ibnb-guidelines.pdf. Movement of equipment or other activities prior to bird monitoring and protection measures can cause take of state-Threatened beach nesting birds, their eggs, or young (harm or harassment as defined in 68A-27.001, F.A.C. and Species Conservation Measures and Permitting Guidelines).
3. If active nests are observed onsite, all project activities conducted during the breeding season shall maintain a buffer of 300 feet (91 meters) around active nests. The buffer zone shall be clearly visible to all personnel associated with the project. The perimeter of the buffer zone shall be marked with posts, twine, and signs approved by the FWC stating "Do Not Enter, Important Nesting Area" or similar language. Posts shall not exceed 4 feet in height once installed. Symbolic fencing, consisting of twine, string, or rope, shall be placed between all posts at least 2.5 feet above the ground. The posting shall be maintained in good repair until breeding is completed (when all chicks have fledged) or terminated. Signs and fencing shall not be removed, repositioned, or otherwise modified by anyone other than the Bird Monitor. Sign examples and templates are available at https://flshorebirdalliance.org/resources/signs/.
    a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.
    b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.
4. If least tern nesting is observed, all personnel associated with the project shall be advised of the presence of least terns and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect least terns or their eggs, or to attempt to

engage in such conduct. The Permittee shall place and maintain a bulletin board in the project staging area with the location map of the construction site showing the bird breeding areas and a warning, clearly visible, stating that "NESTING BIRDS ARE PROTECTED BY LAW INCLUDING THE FLORIDA ENDANGERED AND THREATENED SPECIES ACT AND THE STATE and FEDERAL MIGRATORY BIRD ACTS".

5. No pedestrian traffic, operation of a vehicle, site preparation, staging, clearing, or other project activities shall occur within the 300-foot (91-meter) nest buffer zone.
    a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.
    b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.
6. Injury or mortality of a least tern, including crushing eggs or chicks, shall be immediately reported to the FWC Wildlife Alert Hotline at (888) 404-3922 and the Regional Shorebird Contact.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

H. **Everglades Mink**

1. If an Everglades mink is observed onsite after construction begins, work activities shall cease, and the mink be allowed to leave on its own accord.
2. Any sitings of Everglades mink shall be reported to the FWC online at https://app.myfwc.com/hsc/weasel/Default.aspx, preferably with a photograph and GPS coordinates.
3. All personnel associated with the project shall be advised of the presence of Everglades Mink and that it is a violation of state law to feed, harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Everglades mink, their young, and nests, or to attempt to engage in such conduct.
4. Injury or mortality of an Everglades mink shall be immediately reported to the Florida Fish and Wildlife Conservation Commission's Wildlife Alert Hotline at (888) 404-3922.

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

APPENDIX II-E – SOUTH FLORIDA WATER MANAGEMENT DISTRICT

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

September 9, 2026 Sent via email

Nate Senn
Florida Department of Environmental Protection Siting Coordination Office
2600 Blairstone Road, MS 5500
Tallahassee, FL 32399-2400

Subject: **FPL Andytown-Oasis Transmission Line Project, TA26-21, Final Agency Report**

Dear Mr. Senn:

Attached is an updated version of the South Florida Water Management District's (SFWMD) approved Agency Report for the FPL Andytown-Oasis Transmission Line Project and conditions of certification. The SFWMD, in coordination with FPL, made minor changes to Conditions A.13 and C.3.k.

Please feel free to contact me at (561) 682-2705, or via email at ssunder@sfwmd.gov, should you need assistance regarding this report.

Sincerely,

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

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

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

FINAL AGENCY REPORT

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ON

FLORIDA POWER & LIGHT COMPANY

Andytown-Oasis Transmission Line Project

Florida Electric Transmission Line Siting Act

Application No. TA26-21

September 2, 2026

sfwmd.gov

Purpose

Florida Power & Light Company (FPL) is seeking certification of an electric transmission line and proposed corridor known as the Andytown-Oasis Project (Project) pursuant to the Florida Electric Transmission Line Siting Act (TLSA). The TLSA application was filed with the Florida Department of Environmental Protection (FDEP) pursuant to Sections 403.52 through 403.539, Florida Statutes (F.S.), and Chapter 62-17, Part II, Florida Administrative Code (F.A.C.). The TLSA requires the South Florida Water Management District (SFWMD) to prepare an agency report regarding the Project's impact on water resources and other matters within SFWMD's jurisdiction.[1]

Project Description

The Project consists of two new 500-kilovolt (kV) transmission lines and two new 230kV transmission lines as part of a single project, in a single corridor that is planned to be in service by December 2033. The Project's proposed corridor will extend approximately 31 miles through unincorporated Broward and Miami-Dade counties, maximizing co-location with existing linear features to the extent practicable. The Project originates at FPL's existing Andytown substation located in the Town of Southwest Ranches, with a portion of the Project terminating at FPL's planned Oasis substation located in unincorporated Miami-Dade County (MDC), a portion terminating at FPL's existing Levee substation in unincorporated MDC, and a portion terminating at FPL's existing Quarry substation in unincorporated MDC. Approximately 75% of the proposed corridor is co-located with existing transmission line and canal rights-of-way. The Project also co-locates with the Dade-Broward Levee for approximately 2.7 miles and runs south adjacent to the L-31N canal for approximately 6.6 miles to connect to the Oasis substation. The Proposed Corridor varies in width from approximately 800 feet to 3,400 feet. However, the maximum anticipated width of the right-of-way will be approximately 410 feet. Eleven access-only corridor laterals are proposed for access to the Project's corridor.

The need determination for the transmission lines was based on FPL's forecast that by 2033, the summer load peak in the South Region, an area that includes MDC, will be approximately 7,200 megawatts. Transmission assessment studies conducted by FPL in 2024 identified potential system limitations that will require reliability improvements to effectively distribute power into the major load centers in MDC. The studies also identified

[1] Subsection 403.526(2)(a), Florida Statutes.

that by 2033, the load to generation imbalance in the South Region will have continued to grow, and the system would benefit from an increase in transfer capability into the area. Currently, power transfer capabilities under several contingency scenarios, such as generation unavailability and loss of the existing 500kV transmission lines, are limited. The Project will address several of these system reliability deficiencies and provide an additional resilient path from Broward County to MDC. FPL evaluated multiple transmission alternatives for meeting this identified need, which resulted in the selection of the Project as the most cost-effective and efficient means to: (a) improve reliability for FPL customers in MDC; (b) increase power transfer capabilities of the transmission network by providing an additional resilient 500kV circuit between Broward County and MDC; (c) relieve potential overloads and low voltage conditions under contingency events; and (d) reduce line loading on existing transmission circuits.

The transmission lines would use portions of FPL's existing right-of-way and would require additional right-of-way acquisition to address the anticipated reliability limitations concern beginning in 2033. The Florda Public Service Commission also affirmed that the Andytown, Levee, Quarry, and planned Oasis substations are the appropriate starting and ending points of the Project. The Andytown substation has multiple transmission lines importing power from other areas of the FPL system, making it the closest strong source of power outside MDC. In addition, the Quarry substation is connected to generation outside MDC, making it a strong source of power in the northern part of MDC. Furthermore, Levee, Quarry and (planned) Oasis are major transmission substations that are connected to the major load centers in MDC. The Project is the most cost-effective system alternative to meet the identified transmission reliability need, taking into account the demand for electricity, enhancing electric system reliability and integrity, and addressing the need for abundant, low-cost electrical energy to assure the economic well-being of the citizens of this state. Furthermore, the Project meets area load requirements by serving existing customers and potential future industrial, commercial and residential load, as well as current and planned generation expansion in MDC, while maximizing system reliability and minimizing cost to customers.

The Project will be constructed using monopole and H-frame self-supported structures. Where engineering considerations require, the poles may require guy wires. The aerial overhead transmission lines will have three phases and optical ground wires/overhead ground wires, which can also be used for communications. Structures will either be spun concrete or steel, with typical variable heights ranging from 90 to 199 feet above ground surface. Monopoles will be approximately 3 to 6 feet in diameter, and foundations will be either direct embedded or augured, cast-in-place concrete varying in width from 4 to 9 feet for steel structures. Structure spans will typically vary from 450 to 1,320 feet, depending on physical features and site conditions along the right-of-way. Transmission

line conductor vertical clearances will vary along the length of the transmission line. In all instances the transmission line will comply with the applicable requirements in the National Electrical Safety Code (Institute of Electrical and Electronics Engineers, Incorporated, 2023 Edition) and the safety standards adopted by the FPSC pursuant to Section 366.04(6), F.S. Clearance will also be provided for operational requirements of regulatory agencies, where necessary, such as over county and Florida Department of Transportation roads and SFWMD canals and levees.

Statutory Basis

Pursuant to the TSLA, water management districts are identified as an "affected agency" that must participate in the review process. Water management districts are required to prepare a report as to matters within their jurisdiction, including but not limited to, the impact of the proposed electrical transmission lines on water resources, regional water supply planning, and district-owned lands and works.

SFWMD is an affected agency having jurisdiction and proprietary land interests. Because the certification constitutes the sole license of the state and no other state, regional, and local permits or review process are required (including SFWMD Consumptive Use Permits (CUP), Environmental Resource Permits (ERP), and Right-of-Way (ROW) Occupancy Permit processes), the site certification process is the only opportunity that SFWMD will have to review and propose conditions for the proposed project prior to certification that will be in effect for the life of the project. SFWMD is also one of several formal parties to the current Division of Administrative Hearings (DOAH) proceeding.

Matters within SFWMD Jurisdiction

In accordance with TSLA, an agency report must address the proposed project's compliance with non-procedural requirements within SFWMD jurisdiction, recommends approval or denial of the proposed project, and proposes conditions of certification on matters within the jurisdiction of SFWMD.[2]

SFWMD is a regional governmental agency that oversees the water resources in the southern half of Florida, including all or part of 16 counties from Orlando to the Florida Keys serving a population of more than 9 million residents. The SFWMD mission is to safeguard and restore South Florida's water resources and ecosystems, protect our communities from flooding, and meet the region's water needs while connecting with the

[2] Section 403.526, Florida Statutes.

public and stakeholders. SFWMD has broad responsibilities regarding water resources under Florida's Water Resources Act, Chapter 373, F.S., as described below.

Protecting and Conserving Water Supplies

Part II of Chapter 373, F.S., provides water management districts with the exclusive authority for regulating the consumptive use of water. Chapter 373, F.S., enables and directs SFWMD to regulate the use of water within its jurisdictional boundaries. The purpose of the water use regulatory program is to ensure water uses permitted by SFWMD are reasonable-beneficial, will not interfere with any presently existing legal uses of water, and are consistent with the public interest. Consumptive use of water is broadly defined as any use of water that reduces the supply from which it is withdrawn or diverted, as prescribed in Part II of Chapter 373, F.S.

SFWMD has adopted rules for regulating the consumptive use of water, which are set forth in Chapter 40E-2 , F.A.C. The *Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District* (CUP Applicant's Handbook) (SFWMD 2025) is incorporated by reference into Chapter 40E-2, F.A.C. The objective of the CUP Applicant's Handbook is to further specify the conditions for issuance used by SFWMD for review and agency action on CUP applications. Rule 40E-2.011, F.A.C., states that "[i]t is the policy of the District to control all water uses within its boundaries, pursuant to the provisions of Chapter 373, Florida Statutes, and Chapter 62-40 and Title 40E, F.A.C." A CUP, if issued by SFWMD, authorizes the withdrawal of water from surface and groundwater supplies for reasonable and beneficial uses. A CUP does not convey to the permittee any property rights nor any privileges other than those specified in the permit.

SFWMD uses several criteria contained in the CUP Applicant's Handbook for water resource protection. Three mechanisms to protect water resources and water supplies for natural systems from consumptive uses, which are particularly relevant in this matter, include: (1) Minimum Flows and Levels (MFLs); (2) Water Reservations; and (3) Restricted Allocation Areas.

SFWMD has adopted rules for dealing with water shortages effectively and in an equitable manner. Rules related to water shortages are set forth in Chapter 40E-21, F.A.C., and contains the District Water Shortage Plan. SFWMD's Water Shortage Plan limits water use during times of short supply and applies to all water users, including those exempt from permitting under Rule 40E-2.051, F.A.C. Pursuant to the Water Shortage Plan, restrictions apply to potable water provided by water utilities; however, it does not apply to uses whose source of water is limited solely to treated effluent or seawater.

Surface Water Management and Wetland Resource Regulation

Part IV of Chapter 373, F.S., regulates the management and storage of water and the impacts to wetlands and other surface waters through the issuance of ERPs. There is an Operating Agreement between DEP and SFWMD concerning the division of responsibilities for ERPs. In accordance with the Operating Agreement, DEP is responsible for conducting the ERP review and final agency action for power plants, electric distribution and transmission lines, and other facilities related to production, transmission, and distribution of electricity. DEP seeks comments and suggestions from SFWMD as part of their review of ERP applications.

Flood Protection and Works of the SFWMD

SFWMD is responsible for the routine and emergency operations and maintenance of Works of the District, including the Central and Southern Florida Flood Control (C&SF) Project for which SFWMD is the non-federal sponsor. Initially authorized by Congress in the Flood Control Act of 1948 and built by the U.S. Army Corps of Engineers (USACE) in the 1950s and 1960s, the C&SF Project is one of the world's largest water management systems. The C&SF Project includes 2,200 miles of canals, 2,100 miles of levees, 84 pump stations, and 778 water control structures. This primary system of canals and natural waterways connects to community drainage districts and hundreds of smaller neighborhood systems to effectively manage floodwater during heavy rain. Pursuant to section 373.1501, F.S., as the local sponsor for the C&SF Project, SFWMD is required to exercise its authority to allocate quantities of water for water supply in relation to the C&SF Project and is responsible for allocating water and assigning priorities among the other water users served by the project pursuant to state law.

SFWMD works, which include but are not limited to canals, levees, structures, water bodies, and other associated facilities, were constructed for the purpose of providing drainage and flood protection as part of the C&SF Project. These works were constructed on lands within SFWMD ROWs. SFWMD holds a proprietary interest with respect to these works and their associated lands and is responsible for its land holdings and its obligations to operate and maintain the C&SF Project as the local sponsor of the federal project. Due to the critical importance of works and lands of SFWMD in providing flood protection and other benefits, it is essential that SFWMD assess a proposed project to ensure SFWMD retains complete control over the use of such works and lands.

SFWMD Real Property Interests

SFWMD has proprietary interests in real property for drainage, flood protection, water supply, conservation, ecosystem restoration, mitigation banking, and management of recreational areas to effectuate its role as the local sponsor for the C&SF Project and its obligations under Chapter 373, F.S. SFWMD regulates the use of its rights-of-way (ROW) as described in the "Criteria Manual for Use of Works of the District" (Chapter 40E-6, F.A.C., Works or Lands of the District). SFWMD ROW, Works of the District, and any

property interest evidenced by being recorded in the public records are collectively referred to as “SFWMD real property interests” in this agency report. SFWMD proposes conditions of certification as a landowner to protect its proprietary interests in real property, including requiring easement interests to be obtained, which shall be contingent on SFWMD Governing Board’s approval, prior to construction of any of the certified facilities along, within, or across SFWMD real property interest.

Ecosystem Restoration and Water Quality Improvement

CERP was authorized under Title VI, Section 601 of the 2000 Water Resources Development Act (WRDA). CERP provides a framework and guide to restore, protect, and preserve the water resources of central and southern Florida, including the Everglades. It centers on an update of the C&SF Project. The goal of CERP is to capture fresh water that now flows unused to the ocean and the gulf and redirect it to areas that need it most. Most of the water made available by CERP will be reserved by SFWMD for the natural system to achieve the respective restoration goals; however, the remaining water will benefit water users by enhancing water supplies for south Florida.

The Everglades Restoration Investment Act establishes a full and equal partnership between the state and federal governments for the implementation of CERP.[3]

Authorized CERP projects within the proximity of the Project are the Central Everglades Planning Project, specifically the CEPP South Phase (CEPP South); and the Broward County Water Preserve Area (BCWPA). The purposes of these CERP projects are to restore, protect, and preserve the greater Everglades ecosystem.

In addition to the above authorized CERP projects, there are active CERP studies underway for the purpose of getting the projects authorized by Congress. The following CERP study and planning activities that are in the vicinity of, or intersecting, the corridor footprint is the Southern Everglades Restoration Study (Southern Everglades).

The Southern Everglades study includes portions of two CERP Yellow Book Components and the Southeastern Everglades National Park (ENP) area that focus on seepage management in western Miami-Dade County. Seepage management will improve the quantity, quality, timing, and distribution of freshwater in ENP and Florida Bay. One of the components this study focuses on is the Dade-Broward Levee Seepage Management Areas. This component will improve the levee and associated water conveyance system to reduce seepage losses to the east and improve the quality of the Pennsuco Wetlands

[3] Section 373.470, Florida Statutes.

and southeastern portion of WCA-3B. This component is in the vicinity of the proposed corridor.

The Southern Everglades project will provide substantial amounts of freshwater to improve the quantity, timing, and distribution of freshwater in the Greater Everglades and Everglades National Park wetlands, and Florida Bay. Please be advised that currently the Southern Everglades Project team has received comments from the Project Delivery Team on the final array of alternatives and alternative evaluation comparison and has made a recommendation regarding the preliminary Tentatively Selected Plan (TSP). The draft Project Implementation Report and NEPA document is expected to be released in February 2027.

SFWMD, as the local sponsor for CERP projects, must ensure CERP projects can be implemented in accordance with a project's Project Implementation Report (PIR), Project Partnership Agreement (PPA) for a project, the Master Agreement between the United States Army Corps of Engineers and SFWMD (Master Agreement) (2009), the Chief's Report for a project, and Congress's authorization for the project via the applicable WRDA. SFWMD proposes conditions of certification to ensure its responsibility is met.

In addition to SFWMD's role in CERP, SFWMD has shared jurisdiction as the local sponsor in other ecosystem restoration projects, some of which are designed to complement CERP projects.

Staff Recommendation

The SFWMD reviewed the application for the Project as to the impact on water resources and other matters within its jurisdiction. Based on the information contained in the original application and the additional submittals and assuming compliance with the SFWMD proposed certification conditions, SFWMD recommends certification of the Project, subject to the applicable conditions of certification, included as Exhibit A, required by Chapter 373 of the Florida Statute, and its corresponding rules.

SFWMD requests that the DEP Siting Coordination Office (SCO) incorporate the following proposed conditions of certification on matters within the jurisdiction of SFWMD into the SCO Project Analysis for the Project. If FPL submits any supplemental information required by certain proposed certification conditions prior to the Certification hearing on this Project (or issuance of a Final Certification Order by the Secretary of DEP or the Siting Board), SFWMD requests that it be able to review the submittal for compliance with the appropriate SFWMD rules. If revisions are necessary, SFWMD staff will provide DEP SCO with a revised set of proposed conditions of certification that reflect the results of SFWMD review of the additional information.

Exhibit A
SFWMD Conditions of Certification
FPL Andytown-Oasis Transmission Line Project
Transmission Line Siting Application TA26-21

EXHIBIT A

I. SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD)

A. General Conditions

1. For purposes of these conditions of certification, the following definitions shall apply:

a. “Inconsistency” shall mean any significant incompatibility, encroachment, or obstruction that hinders, compromises, or detrimentally affects SFWMD Planned and Existing projects, including but not limited to scheduling, costs, goals, purposes, benefits, functions, operation, maintenance, repair, replacement, rehabilitation, performance, or life expectancy.

b. “Planned and Existing Projects” shall mean any project or facility of the SFWMD that is either: (1) the projects provided in Attachments 1 and 2, as may be amended; and (2) the projects and/or project components of the Comprehensive Everglades Restoration Plan (CERP), as listed in the CERP Yellowbook (1999).

c. “Planned Communication Facilities” are those facilities that are either in the construction phase or in the final construction design phase with approved funding for design.

d. "Pollutant" shall mean any hazardous or toxic substance, material, or waste of any kind or any contaminant, pollutant as defined by Rule 62-150 F.A.C., and 42 USC 9601, in addition to petroleum, petroleum product, or petroleum by-product.

e. "Release" shall mean the release, spill, or discharge of such Pollutants.

f. “SFWMD ROW Criteria Manual” shall mean the SFWMD Right-of-Way Criteria Manual for Use of Works or Lands of the District dated August 12, 2013 together with the rules set forth in Chapter 40E-6, F.A.C.

g. “SFWMD Right(s)-of-Way” when used in SFWMD Conditions is intended to mean those lands acquired by SFWMD in fee, easement, or other type of grant, for the purpose of operations and maintenance of SFWMD’s canal and levee system, spoil areas, and access and other easements.

h. “SFWMD Real Property Interests” is defined as SFWMD Right(s)-of-Way, Works of the District, and any property interest evidenced by being recorded in the public records.

2. If this Certification is transferred from the Licensee to another party, the Licensee from whom the Certification is transferred shall remain liable for corrective actions that may be required as a result of any violations that occurred prior to the transfer.

[Sections 373.044, 373.085, 373.223, 373.342, and 373.413, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-3.101(1), and 40E-6.351, F.A.C.]

3. This project must be constructed, operated, and maintained in compliance with and meet all non-procedural requirements and criteria set forth in Chapter 373, F.S., and Chapters 40E-2 (Consumptive Use), 40E-6 (Works or Lands of the District), 40E-8 (Minimum Flows and Levels "MFLs"), 40E-10 (Water Reservations), and 40E-21 (Water Shortage), F.A.C.

[Rule 62-17.191, F.A.C.]

4. Prior to constructing any certified facilities along, within or across SFWMD Real Property Interests, Licensee shall obtain an easement interest, which shall be contingent on SFWMD Governing Board's approval.

[Sections 373.085and 373.086, F.S.]

5. It is the responsibility of the Licensee to avoid or minimize and mitigate any impacts to the water resources, SFWMD routine and/or emergency operations or maintenance, or Planned and Existing Projects within its rights-of-way and property interests during the construction, operation, and maintenance of the project in accordance with these conditions of certification.

[Chapter 373, F.S.; Rules 40E-2.09l, 40E-2.38l, and 40E-6, F.A.C.]

6. The Licensee shall be responsible for the construction, operation, and maintenance of all facilities installed for the proposed project in accordance with the terms of these conditions of certification and any other applicable agreements between the Licensee and the SFWMD.

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

7. Information submitted to SFWMD subsequent to Certification, in compliance with these Conditions of Certification, shall be for the purpose of SFWMD determining the Licensee's compliance with the non-procedural criteria contained in Chapter 373, F.S., Chapters 40E-2, 40E-6, 40E-8, 40E-10, and 40E-21, F.A.C., as applicable prior to the commencement of the subject construction, operation, and/or maintenance activity covered by these Conditions of Certification.

[Rule 62-17.191, F.A.C.]

8. SFWMD may confer with DEP to request that DEP take any and all lawful actions that are necessary to enforce any condition of this Certification based on the authorizing statutes and rules of SFWMD.

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

9. It is understood that the Licensee and SFWMD shall strive to resolve disputes by mutual agreement. However, SFWMD retains its right to seek any and all available relief under Florida law for the protection of the water resources, health, safety, and welfare of persons and property within its jurisdictional boundaries.

[Sections 373.044, 373.085, 373.113, 373.129, 373.413 and 373.429, F.S.; Rules 40E-1, 40E-6.331, and 40E-6.341, F.A.C.]

10. With concurrence from DEP, SFWMD and the Licensee may jointly agree to vary the informational requirement necessary to conduct the post certification review.

[Sections 373.085 and 373.229, F.S.; and Rules 40E-2.101(1), F.A.C.]

11. Licensee shall maintain the status (exempt from public disclosure) in a confidential manner of any documents received from SFWMD, including communications systems and building plans, blueprints, schematic drawings, and diagrams, in preliminary draft and final formats, which depict the internal layout and structural elements of a building or water structure, or other SFWMD facilities, owned and operated by SFWMD, which are exempt from the Public Records law, unless required to disclose such documents pursuant to Section 119.071(3)(b)3., F.S., as also agreed to in the Exempt Records Memorandum of Understanding Between FPL and SFWMD, which was executed in April 2024, and is attached hereto as Attachment 3.

12. Indemnification / Insurance - Licensee shall also be responsible for the following:

a. For good and valuable consideration received, and to the fullest extent permitted by law, Licensee agrees to defend, indemnify, and hold harmless SFWMD, its Board members, Directors, employees, and agents (collectively, the "Indemnified Parties") from and against any and all claims, suits, loss, including, but not limited to, bodily injury, death, and property damage and all other damage, including reasonable attorneys' fees and costs, sustained by the SFWMD Entities to the extent caused by or arising from Licensee's and its agents' (which includes Licensee's officers, employees, contractors, subcontractors, agents, representatives, and invitees) planning, engineering, design, construction, alteration, operation, maintenance, removal, abandonment of facilities on, activities upon and access over SFWMD Real Property Interests or activities undertaken under this Certification (including post certification reviews, amendments or modifications, collectively the "Certification") unless Licensee can establish that the damages were attributable solely to the negligent or willful actions of one or more Indemnified Parties or third parties other than Licensee and its agents. SFWMD shall have the right to approve, in SFWMD's reasonable discretion, Licensee's legal counsel in connection with this indemnity.

b. Licensee shall procure and maintain during the occupancy of SFWMD Premises, through self-insurance or insurance, at least $1,000,000 per occurrence/$2,000,000 general aggregate in limits of liability for General Liability Insurance. Licensee shall procure and maintain, through self-insurance or insurance, at least $1,000,000 per occurrence in limits of liability for Automobile Liability Insurance. In addition, Licensee must carry Workers' Compensation and Employer's Liability insurance if required by Florida Statutes, Chapter 440. Depending on the activity, other specialty insurance may be required. If operating drones/unmanned aircraft systems (UAS), Licensee or their Drone contractor must provide a current drone operator's license/certificate for all operators and have applicable UAS drone liability insurance of at least $1,000,000 per occurrence in limits of liability. Licensee shall provide to SFWMD a certificate of insurance signed by the insurance carrier's authorized representative, indicating the producer, insured, carrier's name and A.M. Best rating, policy numbers and effective and expiration dates of each type of coverage required. The certificate of insurance must name the SFWMD as the certificate holder and must name the SFWMD as an additional insured for the General Liability, Automobile Liability, and UAS Drone Liability coverages. Licensee, contractors, and their insurance carriers shall provide a Waiver of Subrogation endorsement in

favor of SFWMD for all insurance coverages. The coverage required shall extend to all employees and subcontractors of the Licensee. If the Licensee is a self-insured entity, the Licensee may submit a letter citing a state-approved self-insurance program in lieu of satisfying these insurance requirements subject to SFWMD approval.

c. Any insurance provided by Licensee and its agents naming SFWMD and its agents as an additional insured, including self-insurance, shall respond first and defend and indemnify SFWMD and its agents with respect to any and all claims or suits arising out of Licensee's or its agents access over or adjacent to SFWMD Right(s)-of-Way, Works of the District or SFWMD Real Property Interests recorded in the public records, interference with SFWMD communication systems, or activities undertaken under this Certification, including design, construction, operation, and maintenance of facilities. If and only if such insurance does not apply or is otherwise not available with respect to a particular matter, the indemnity provisions in the first paragraph of this section will apply.

d. It is expressly agreed that this Section shall survive the termination or expiration of this Certification.

[Sections 373.016, 373.085(1)(b), and 373.1391, F.S and Rules 40E-6.051(3), 40E-6.381(6), 40E-6.221(2)(i), F.A.C.]

13. Consistency with Planned and Existing Projects

a. During the planning and design of the certified transmission lines, and prior to the final design of the transmission lines right-of-way to be located on SFWMD real property interests, Licensee shall coordinate with SFWMD to obtain SFWMD's plans, including detailed design plans and specifications, for any Planned and Existing Projects. Licensee shall coordinate all project activities with SFWMD in such a manner as to avoid inconsistencies with Planned and Existing Projects, as defined in section I.A.1.C.

b. No later than twelve (12) days after receipt of Licensee's post-certification submittal of the proposed transmission line right-of-way location as required by Section A., Condition XXI, SFWMD will submit to Licensee any revised SFWMD plans for Planned and Existing Project.

c. Licensee will undertake its preliminary through final design of the certified transmission facilities to be located on SFWMD Real Property Interests to accommodate and avoid inconsistencies with Planned and Existing Projects. Licensee's designs must account for flowage elevations, as necessary, in order to be consistent with Planned and Existing Projects. Outcomes of SFWMD planning projects include, and are not limited to, change in groundwater elevation, surface water elevation, and site existing conditions. The Licensee as part of their design process will coordinate and incorporate in their design the best-to-date information regarding water elevation data from SFWMD planning projects for site future conditions.

d. At the time of design of the certified transmission facilities, Licensee shall submit to SFWMD a preliminary design demonstrating compliance with paragraph 12(c) above, so that SFWMD can review this information. SFWMD must review Licensee's

preliminary design within ninety (90) days following SFWMD receipt of Licensee's preliminary design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with final design consistent with the submitted preliminary design. If SFWMD's review indicates an Inconsistency (as defined in Section I.A.1.a above) exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the United States Army Corps of Engineers (USACE). Any costs associated with the review, evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

e. At least ninety (90) days prior to construction, Licensee shall submit to SFWMD a final design demonstrating compliance with its preliminary design and any agreeable solutions for design modifications identified pursuant to paragraph 12(d), so that SFWMD can review this information for consistency with Planned and Existing Projects. SFWMD must review Licensee's final design within ninety (90) days following SFWMD receipt of Licensee's final design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with construction consistent with the submitted final design. If SFWMD's review indicates an inconsistency exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the USACE. Any costs associated with the review, evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

f. If two (2) years elapse after Licensee submittal of its final design demonstrating compliance with paragraph 12(c) above without commencement of construction of Licensee's project, Licensee shall request a list of new or updated planned project information. If SFWMD provides a list of new or updated planned project information within thirty (30) days of Licensee's request, Licensee shall incorporate this new or updated information to achieve compliance with paragraph 12(c) above. In the event that new or updated information is provided by SFWMD to Licensee, the coordination process as described in paragraph 12(d) above shall be followed.

14. Reimbursements and Costs - In addition to any requirements specified elsewhere in these conditions, the Licensee shall also be responsible for the following:

a. Modifications to Licensee Project Facilities - Where the certified

transmission line(s) will cross or use lands where SFWMD holds a real property interest, Licensee shall design any future modifications to its transmission line(s), including its structures and access roads, to avoid Inconsistency with Planned and Existing Projects utilizing the process described in Condition I.A.12. above. Licensee shall undertake at its own expense any necessary alterations to Licensee's project as a result of such Inconsistencies as defined in condition I.A.12.g.

b. Payment Timeliness and Other Remedies - Licensee shall make reimbursements within sixty (60) days following receipt of invoices submitted by SFWMD. Each invoice must be accompanied by an itemization of the time and expenses incurred in accordance with state auditing procedures. In the event a dispute arises as to the appropriateness of the request for reimbursement of one or more cost items, the dispute may be resolved pursuant to the dispute resolution process specified in Section A, Condition XI. Dispute Resolution. However, this provision is not intended to be an exclusive remedy and does not preclude the exercise of any other rights and remedies available under law or equity. Reimbursement of a disputed cost shall be held in abeyance until the dispute is resolved.

[Rules 40E-6.381(3), (4), F.A.C.]

15. Licensee Access to SFWMD Areas of Real Property Interest

a. For informational purposes and to the extent practicable, and subject to any easements or other agreements between Licensee and SFWMD, Licensee shall meet with SFWMD representatives no less than six (6) months prior to construction to identify all of Licensee's construction activities SFWMD Real Property Interests. Licensee shall also meet with SFWMD representatives no less than one (1) month prior to commencement of construction to coordinate with SFWMD the Licensee's construction schedule and non-major activities on SFWMD Real Property Interests. Licensee is encouraged to discuss coordination with SFWMD any minor activities that arise unexpectedly.

[Rule 62-17 F.A.C.]

b. Licensee shall be responsible for any mitigation or permitting arising from impacts to any state or federally listed threatened or endangered species where SFWMD holds a real property interest occurring from the construction, operation, or maintenance of the proposed transmission line facilities, in accordance with the terms and conditions of any local, state, or federal approvals, and all applicable regulatory laws, including, but not limited to the conditions in this Certification.

[Sections 373.085 and 373.086, F.S; Rules 40E-6.221(2), 40E-6.091(1) and 62-17 F.A.C. and Right of Way Criteria Manual for Use of Works or Lands of the District]

c. Licensee, its agents, employees, contractors and subcontractors shall be prohibited from removing any items of historical, architectural, archaeological, or cultural significance on lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.; 40E-6.311(3)

and 62-17F.A.C.]

d. Any release of Pollutants SFWMD Real Property Interests, whether caused by the Licensee or any other third party, shall be reported to the SFWMD within twenty-four (24) hours upon the knowledge thereof by the Licensee. The Licensee shall be solely responsible for the entire cost of cleanup of any release of Pollutants resulting from the activities of the Licensee, its contractors, subcontractors, agents, and/or assigns discovered in or on canals or lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. SFWMD does not waive sovereign immunity in any respect.

[Rules Chapter 40E-6.091(1) and 40E-6.381(7), F.A.C.]

f. No vehicular maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, be used, stored or discarded within lands where SFWMD holds a real property interest nor shall these lands be used for storage or parking of equipment, associated machinery, or construction trailers unless specifically authorized by these Conditions of Certification or agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), and 62-17 F.A.C.]

g. Licensee shall not stockpile excavated material in the canal or within lands where SFWMD has a real property interest, except as specifically authorized by SFWMD. Licensee shall be responsible for the removal of all construction materials and debris from SFWMD canal and SFWMD Right(s)-of-Way; and, for the repair, replacement, and restoration of any sections of SFWMD Right(s)-of-Way damaged or disturbed resulting from the authorized activity. Repair, replacement and restoration shall be to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance (i.e., for backfill material, density/compaction, stabilization and maintainability). Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge. Furthermore, such restoration, when required, shall include grading/re-shaping, seeding, re-sodding with bahia, Argentine, or other species recognized by SFWMD as a drought tolerant species. Licensee is also responsible for removal of all excess project-related material from SFWMD Right(s)-of-Way, unless otherwise authorized in these conditions of certification or agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.081(8), and 62-17 F.A.C.]

h. Licensee shall work collaboratively with SFWMD to address any proprietary interests or issues arising with respect to the placement of transmission facilities on SFWMD Real Property Interests within the transmission line corridor having any encumbrance, such as those having a federal interest as described in the June 1999 SFWMD and U.S. Department of Interior (DOI) Grant Agreement for Everglades Watershed Restoration in accordance with the DOI and Related Agencies Appropriations Act, 1999, Public Law 105-277, Stat. 2681 (Grant Agreement), as specified in the paragraph below.

[Sections 373.085 and 373.086, F.S.]

i. Use of SFWMD Parcels Subject to Encumbrances: FPL shall bear the SFWMD's administrative costs (e.g., surveying, appraisals, and title searches) of release of encumbrances within the proposed transmission line rights-of-way, or the cost of replacement lands, if necessary, in an area acceptable to SFWMD and DOI.

[Sections 373.085 and 373.086, F.S.]

j. Licensee shall comply with the following concerning removal of exotic vegetation as identified on the Florida Invasive Species Council Plant List (2026).

i. Licensee shall coordinate with SFWMD prior to conducting any exotic vegetation removal work to ensure such activities do not interfere with SFWMD's land management activities.

ii. Licensee shall remove all exotic vegetation throughout the limits of the transmission line right-of-way from lands where SFWMD holds a real property interest and keep these lands free of said exotic vegetation throughout the life of the project, where practicable.

iii Licensee is put on notice that successful removal of the exotic vegetation may require the application of a suitable herbicide on cut stumps, etc. by following manufacturer's label instructions.

iv. Licensee shall take all reasonable precautions to not damage or destroy existing native (indigenous) vegetation located within the SFWMD Right(s)-of-Way throughout the project limits.

v. Licensee shall maintain the project area on a regular cycle basis and keep Licensee's rights of way free of excessive weeds and exotic vegetation.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1) and 62-17F.A.C.; SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

16. *SFWMD Approval Limitations* - No right of review, inspection, or approval by SFWMD under this Certification shall: (1) be deemed a waiver of any of SFWMD rights under the Certification or at law or in equity; (2) be deemed to be an assumption of such responsibility by SFWMD for any defect, error, omission; or (3) relieve Licensee of its responsibility for the performance of its obligations under the Certification and the accuracy, competency, adequacy, fitness, suitability, or coordination of its post-certification responsibilities and deliverables under this Certification. Approval by any governmental or other regulatory agency or other governing body, including DEP and USACE (as it relates to CERP projects and the C&SF system), shall not relieve Licensee of responsibility for the strict performance of its obligations under this Certification. Licensee expressly accepts the risk that defects in its performance, if any, may not be discovered until after completion of the transmission line project. Licensee's post-certification submittal may be submitted in segments and/or on a line-by-line basis. SFWMD's failure to timely object to a particular post-certification submittal for any particular segment or line does not waive SFWMD's right to object to the same information for another post-certification submittal.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381, F.A.C.]

17. These conditions of certification shall not operate to revoke any rights, terms or conditions of any permit, license, easement, or other property interest, over SFWMD-owned lands, for the uses identified in those instruments.

B. Central and Southern Florida Project Communication Systems

1. Communication Systems

a. Licensee's project, as described in the Site Certification Application and in post-certification submittals, shall not result in harmful interference or other adverse impacts to the South Florida Water Management District Communication System and Facilities (WMDCSF). WMDCSF refers to the SFWMD Information Technology (IT) Systems and Supervisory Control and Data Acquisition (SCADA) systems necessary for the operations and maintenance of the SFWMD and C&SF Flood Control Project. The IT Systems are the collection of microwave sites, communications towers, antenna sub-systems, microwave radios, SCADA base stations, mobile radio base stations, multiplex electronics, data internet protocol (IP) electronics, direct current (DC) power systems, standby power systems, shelters, and all other related and supporting systems and sub-systems. The SCADA systems are the collection of base radios, remote terminal unit (RTU) radios, antenna sub-systems, antenna support pole, RTUs, data loggers, wireline communications, enclosures, sensors, instrumentation, and all other related and supporting systems and sub-systems. The SCADA systems include the central software applications that monitor, control, collect, and store data.

b. Prior to initiation of detailed design, Licensee shall request an updated list of WMDCSF identifying existing and Planned Communication Facilities within 5,280 feet of the certified transmission line corridor.

c. Licensee shall take the WMDCSF into consideration during its design to avoid harmful interference, as defined by the FCC, or adverse impacts to WMDCSF. Adverse impacts to WMDCSF shall be defined as any manifestation of performance degradation, misinterpretation, or loss of information beyond the range of normal variation in signal strength that would not otherwise happen in the absence of unwanted energy or physical obstructions.

d. The Consulting Engineer shall take the following WMDCSF technical specifications into consideration in the proposed transmission line design. Any proposed alternatives to these specifications shall be documented in the Preliminary Evaluation Report.

i. For maintenance of microwave communications performance and reliability purposes, the design for the electrical transmission lines shall be such that:

1) Electrical transmission line towers are not located within the 0.3F1 at K=2/3 and 1.0F1 at K=4/3 of a SFWMD microwave path (GTE Lenkurt Inc., "Engineering Considerations for Microwave Systems", Section 7, "Clearance Criteria").

2) Electrical transmission line conductors are not located within the first Fresnel zone of a SFWMD microwave path when the conductors are located within 2 kilometers of a microwave site (Seizawa, Y., Takeshita, K. Takeshita, S., "Influence of

Microwave Scattering by Power Transmission Lines on Digital Radio Communications", IEEE Transactions on Electromagnetic Compatibility, Volume 31, No.4, pp 346-352, November 1989).

3) Electrical transmission line conductors that will cross a microwave path should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDSCF.

4) Electrical Transmission line conductors that will run adjacent or parallel to a microwave path along any point along the path for any length should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDCSF

ii. For maintenance of land mobile radio voice communications base station and area coverage performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, attributable to the electrical transmission lines, is not sufficient to cause harmful interference or other harmful impacts to WMDCSF.

iii. For maintenance of SCADA telemetry communications performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, is not increased to an amount that reduces the fade margin for SCADA base station and RTU fade margin to less than 30 dB for the primary communications path and 20 dB for the secondary communications path (SFWMD Design Standard). For SCADA systems that have fade margins less than the SFWMD Design Standard any reduction in fade margin shall be eliminated or mitigated.

e. Licensee, in consultation with SFWMD, shall identify and retain an independent Consulting Engineer(s) with demonstrated knowledge of and/or experience with RF and SCADA communications systems such as the WMDCSF for the purpose of conducting the evaluations, including modeling and measurements, required by these SFWMD Communications Conditions (collectively referred to as the "Evaluation Program"). Licensee shall be responsible for payment of fees charged by the Consulting Engineer(s).

f. The Consulting Engineer, in consultation with Licensee and SFWMD, shall develop a scope of work and schedule to accomplish the Evaluation Program. Licensee shall submit the proposed scope of work and schedule for the Evaluation Program, together with any revisions proposed by Licensee, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI. At a minimum, the scope shall include:

i. Identification of the location and characteristics of all existing and planned WMDCSF within 5,280 feet of the certified transmission line corridors that have the potential to experience harmful interference or other adverse impacts from the certified transmission facilities.

ii. Identification of the appropriate evaluation methodology to assess whether harmful interference or any other adverse impact to WMDCSF will occur due to Licensee's facilities.

iii. The Preliminary Evaluation shall include:

1) Based on Licensee's preliminary design of its transmission line facilities, a modeling and analysis effort to determine the potential for transmission line harmful interference or adverse impacts to operation of the WMDCSF.

2) Field measurements, and review of SFWMD maintenance and performance records for the WMDCSF, to establish environmental baseline operability of the WMDCSF where the modeling and analysis in Section I.B.1.f.iii.(1) above, show a potential for harmful interference or adverse impacts to operation of the WMDCSF, and ambient or preexisting corona discharge, power line noise (arcing/sparking across transmission line hardware), electromagnetic and radio-interference conditions in the vicinity of the WMDCSF. The Baseline Testing shall be conducted during the wet season, dry season, or during other times as agreed upon by SFWMD and Licensee for a period sufficient to capture significant weather events and establish signal strength profiles.

iv. A report that will communicate the findings of the Preliminary Evaluation and identify specific potential interference issues that should be addressed in Licensee's final design of the transmission line facilities to avoid harmful interference or adverse impacts to WMDCSF.

v. Review of Final Transmission Line Design. The Consulting Engineer shall advise the Licensee and SFWMD of any potential harmful interference or adverse impact issues identified in the Preliminary Evaluation report that do not appear to have been addressed in the final transmission line design.

vi. Construction Acceptance Test Program shall include:

1) If construction is commenced more than two (2) years following field measurements under Section I.B.1.f.iii.2. above, verification of baseline conditions and WMDCSF operability during the wet season immediately prior to initiation of construction.

2) Measurement of post-construction conditions and WMDCSF operability immediately following transmission line energization and load condition during the next wet season, dry season or during other times as agreed upon by SFWMD and Licensee.

vii. Provision of methodology for collection of all test data.

viii. Provision of a report from the Consulting Engineer to Licensee analyzing the pre- and post-transmission line construction testing data and communicate the findings of the Construction Acceptance Test Program and identify any specific harmful interference or adverse impacts to the WMDCSF that Licensee must address through avoidance (i.e., redesign) or mitigation or determine that no harmful interference or adverse impacts are created by Licensee's project.

g. Sixty (60) days prior to any planned testing or invasive measurements of WMDCSF, Licensee shall submit a calendar schedule to allow for SFWMD

coordination of access, water management operation change control, SFWMD observation of testing, and staff support.

h. Licensee shall submit its preliminary design of transmission facilities necessary for the evaluation in Section C. I.B.1.f.iii above, to the Consulting Engineer, with an informational copy to SFWMD.

i. Licensee shall submit the Preliminary Evaluation Report as a post-certification submittal for review pursuant to Section A., Condition XXI.

j. If the results of the Evaluation Program indicate that harmful interference or adverse impacts are likely to occur or are occurring, Licensee shall avoid or mitigate for such harmful interference or adverse impacts. Licensee shall either revise the design of the transmission facilities, or work with SFWMD to develop a mitigation plan for enhancement of the WMDCSF or other remedial redesign of affected WMDCSF. Should the mitigation plan involve service-affecting operations, Licensee shall develop a Cutover Plan that details the timeframes WMDCSF service will be affected and coordinate with SFWMD on scheduling activities. The Cutover Plan shall be included in the mitigation plan submitted as a post-certification submittal for review pursuant to Section A., Condition XXI. All mitigation costs attributable to Licensee-created harmful interference or adverse impacts shall be the responsibility of Licensee. Such mitigation will be implemented on a mutually agreeable schedule upon determination that the transmission facilities will produce or are producing harmful interference or adverse impacts to WMDCSF. Design and mitigation solutions to offset adverse impacts to existing and planned WMDCSF shall be submitted to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and may include, but are not limited to:

i. Redesign of Licensee's transmission facilities, such as upgrades to the phase-conductor design to lower the corona-produced radio frequency interference generated by the transmission lines, relocation of poles, and changing height of phase conductors.

ii. Enhancements to SFWMD's system, such as larger antennas; raising, lowering, adjusting or relocating SFWMD's antennas, antenna-mounting structures, poles, or transmitters; a dedicated fiber optic circuit or communications link to be deployed during and/or after Licensee's construction activities; temporary facilities and systems to maintain operations during construction; relocating or hardening of SCADA monitoring stations and/or associated RF Systems; working with SFWMD to enhance the communication system signal strength or coverage areas near the transmission facilities.

iii. An implementation schedule.

k. Licensee shall submit its final transmission line design to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and to the Consulting Engineer at least ninety (90) days prior to commencement of construction, identifying design features that have been incorporated to address all potential harmful interference issues or adverse impacts identified in the Consulting Engineer's report under Section I.B.1.f.iv. above.

l. Licensee shall submit the report of the Construction Acceptance Test Program, together with any Licensee comments, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI.

m. Before, during, and after construction, and after energizing the power transmission lines, and for long term operation after the power transmission lines are placed into service Licensee shall immediately investigate all complaints of harmful interference or other adverse impacts disrupting communications through any portion of WMDCSF in proximity to Licensee's certified transmission facilities. If such investigation indicates the harmful interference or other adverse impacts are caused by Licensee's transmission lines, Licensee shall implement appropriate mitigation.

[33 C.F.R. 208.10 and C.F.R. 385.37; Sections 373.085(1)(b) and 373.086(1); Rule 62-17, F.A.C.]

n. Licensee shall provide the SFWMD direct contact information for submitting interference complaints which will result in prompt response and action to investigate any reported issue, and remedy if necessary. Licensee shall keep the contact information current and shall work with or develop a process with the SFWMD to convey the contact information.

C. Operations & Maintenance / Right-of-Way

1. General Conditions

a. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines on SFWMD Right(s)-of-Way, Licensee shall provide SFWMD with the final right-of-way location within the certified corridor.

[Sections 373.085(1) and 373.413(2), F.S.; Chapter 40E-6, F.A.C.]

b. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines over, across, or using any SFWMD canal or levee right-of-way to facilitate the construction or maintenance of the transmission line, Licensee shall submit complete scaled or fully dimensioned plans to SFWMD showing the proposed facilities for SFWMD review for compliance with the non-procedural requirements of the SFWMD ROW Criteria Manual. The plans shall depict all of the Licensee's proposed improvements within the SFWMD Right(s)-of-Way, in both plan and profile views, and shall show, at a minimum, information sufficient to demonstrate compliance with the SFWMD ROW Criteria Manual.

[Sections 373.085, 373.086, and 373.413(2), F.S.; Rule 40E-6.091(1) and 40E-6.201(1)(i), F.A.C.]

c. Prior to use of SFWMD Right(s)-of-Way for construction access, the Licensee shall submit to SFWMD a detailed plan identifying the following: proposed route; type, weight, length, and number of vehicles to be used; daily trips for each vehicle; proposed material and/or vehicle/equipment storage within the SFWMD Right(s)-of-Way; and dates of proposed access of the right-of-way. If travel over a SFWMD bridge or facility is required, the Licensee shall submit engineering analysis required by SFWMD to determine if the bridge or facility can support the vehicles/equipment proposed to travel over the bridge or facility. Prior to

the use of any portion of SFWMD Right(s)-of-Way , the Licensee shall post a financial assurance, which shall be a minimum of $5,000 per one-half mile, or a greater amount as determined by SFWMD, depending on the scope of work, the route, vehicular trips traveled, use of or travel over SFWMD bridges and/or facilities, types of vehicles, and duration.

[Section 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.201(1)(i), and 40E-6.361(1), F.A.C.]

d. The Licensee shall maintain the area of SFWMD Right(s)-of-Way occupied by Licensee's facilities at all times in a condition as good or better than the condition existing prior to Licensee's use, including cycle mowing a minimum of 5 times per year and trimming around all above-ground improvements, unless otherwise agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. If deemed necessary to accommodate unimpeded continuous access by SFWMD vehicles and equipment, the Licensee shall construct vehicle turn-around/passing areas to meet SFWMD requirements or coordinate with SFWMD when construction activities that may impede access are scheduled to occur.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

f. Vertical clearances for any aerial crossings over SFWMD canals and rights-of-way shall meet SFWMD non-procedural criteria and requirements in effect at the time of Licensee's submittal of plans in subsection (b) above, as set forth in Chapter 40E-6, F.A.C.

[Sections 373.085(1) and 373.086(1), F.S.; Rule 40E-6.091, F.A.C.]

g. Subsequent to Certification and acquisition of an easement interests, which shall be contingent on SFWMD Governing Board's approval, within the SFWMD Right(s)-of-Way by the Licensee, any requests for use of SFWMD Right(s)-of-Way deemed acceptable by SFWMD through such easement interest shall not require Governing Board approval of a waiver to the SFWMD ROW Criteria Manual.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

h. The Licensee is responsible for identifying potential conflicts with existing facilities owned by third parties permitted by SFWMD and for coordinating relocation of previously permitted facilities, as required, including obtaining the necessary right-of-way occupancy permit modifications for those previously permitted facilities. Similarly, if during the course of future permit application reviews SFWMD notices a proposed facility that potentially interferes with the transmission lines, SFWMD will require the applicant to coordinate with Licensee to resolve potential conflicts.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

i. The Licensee shall only have the right to utilize SFWMD right-of-way for those activities, uses, and purposes specifically authorized in this Certification for the purpose of construction, operation, and maintenance of the certified transmission facilities unless otherwise agreed to by SFWMD and Licensee in writing. All other activities, uses, and purposes on SFWMD Right(s)-of-Way by Licensee not specifically authorized in this Certification are prohibited. Furthermore, the Licensee shall not have the right to authorize any other person or

entity to utilize SFWMD Right(s)-of-Way for any activity, use, or purpose without the prior written consent of SFWMD.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

j. SFWMD reserves the right of priority access in order to perform its regional water management missions and the Licensee shall not interfere with that access, particularly during emergencies. The Licensee shall ensure that SFWMD access within its right-of-way is available and sufficient for SFWMD vehicles and equipment at all times. If, in the Licensee's opinion, it will be necessary for the SFWMD access to be blocked, impeded, or altered at any time, the Licensee shall submit a written request to SFWMD setting forth the proposed activities that will result in obstruction of the right-of-way and the dates that the right-of-way will be rendered inaccessible. Written agreement from SFWMD shall be obtained by the Licensee prior to the proposed obstruction of the right-of-way.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, and Rule 40E-6.381, F.A.C.]

k. The Licensee does not have any authority to incur liens for labor or materials on SFWMD rights-of-way. All persons contracting with the Licensee, all material, men, contractors, mechanics, and laborers are hereby charged with notice they must look to the Licensee, and to the Licensee only, to secure the payment of any bill for work done or any materials furnished during the term of this Certification. Pursuant to Sections 713.01(26), F. S., SFWMD right-of-way shall not be subject to liens for improvements and such liability is expressly prohibited. This paragraph shall be included in all contracts with the Licensee for materials or services involving SFWMD right-of-way. In the event that the Licensee does not, within thirty (30) days following Licensee's notice of the imposition of any such lien, cause the same to be released of record by payment or posting of a bond or other means acceptable to SFWMD, SFWMD shall have, in addition to all other remedies provided herein and by law, the right, but not the obligation, to cause the same to be released by such means as it shall deem proper, including payment of the claim giving rise to such lien. All such sums paid by SFWMD, including, but not limited to reasonable attorney's fees and expenses incurred by it in connection therewith, together with interest at the maximum rate allowed by law, shall be payable to SFWMD by the Licensee on demand.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

l. SFWMD, its Governing Board members, employees, contractors, and subcontractors, are not responsible or liable for any claims by the Licensee, or any partner, parent, affiliate, or subsidiary, for damages (including special and consequential), loss, expense, or costs with respect to the Licensee's project or other property or improvements arising directly, indirectly, or proximately from water level fluctuations, water flows, or operations of water control structures.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

m. The Licensee shall only use the access points and gates authorized by SFWMD. Upon payment of applicable key deposit fees and submission of complete key permit applications, SFWMD agrees to issue, as a ministerial act, to Licensee the necessary key permits allowing access to SFWMD roads to support the construction, operation, and maintenance needs of the Licensee. The Licensee shall take all necessary measures practicable to preclude the general

public from accessing those portions of the right-of-way under construction such as posting of designated construction zones.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

n. Licensee shall not utilize SFWMD right-of-way for the storage of any contaminant, hazardous substance, fuel, or other petroleum products unless agreed to by SFWMD in writing. The Licensee shall ensure that no vehicle or equipment maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, or be used, stored, or discarded with the SFWMD right-of-way unless agreed to by SFWMD in writing. Vehicles or equipment that become inoperable within the SFWMD right-of-way shall be removed from the right-of-way as quickly as possible.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

o. Licensee shall be solely responsible for the costs, preparation, and implementation of any repair, remediation, mitigation, and/or related plans required to address damages and/or any other adverse impacts to SFWMD facilities or systems caused by the Licensee during the design, construction, operation, and/or maintenance of the certified facilities.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

2. Standard Limiting Conditions

a. All structures on SFWMD works or lands constructed by Licensee shall remain the property of Licensee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. The Licensee is advised that other federal, state, and local safety standards may govern the occupancy and use of SFWMD lands or works. SFWMD assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(1), F.A.C.]

b. Licensee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features that meet applicable engineering practice and accepted industry standards into the design, construction, operation, and continued maintenance of the authorized facilities/use. This duty shall include, but not be limited to, the Licensee's understanding of SFWMD regulation, and potential fluctuation, of water levels in canals and facilities of the C&SF system which are operated in compliance with the USACE Master Water Control Manual for the C&SF Project and the Operations and Maintenance (O&M) Manual for the C&SF Project, as well as the Licensee's understanding that upgrades and modifications to the authorized facilities/use may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. The Licensee acknowledges that SFWMD's review of this project, including, but not limited to, any post-certification reviews and field inspections performed by SFWMD, does not in any way consider or ensure that the authorized use/facilities are planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. The Licensee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any SFWMD staff or representative during the post-certification review process, including, but not limited to, any field inspections, shall not in any way be relied upon by Licensee as SFWMD assumption of any duty

to incorporate safety features, as set forth above, and shall also not be relied upon by the Licensee in order to meet Licensee's duty to incorporate safety features, as set forth above.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(2), F.A.C.]

c. The Licensee shall not engage in any activity regarding the authorized use that interferes with the construction, alteration, maintenance, or operation of the works of the SFWMD, including:

i. discharge of debris or aquatic weeds into the works of the SFWMD;

ii. causing erosion or shoaling within the works of the SFWMD;

iii. planting trees or shrubs or erecting structures that limit or hinder access by SFWMD equipment and vehicles, except as may be authorized by this Certification.

iv. leaving construction or other debris in/on SFWMD right-of-ways or waterways;

v. damaging SFWMD berms and levees; removal of SFWMD-owned spoil material without written approval of SFWMD; removal of or damage to SFWMD locks, gates, and fencing; opening of SFWMD rights-of-way to unauthorized vehicular access; or running or allowing livestock on SFWMD rights-of-way.

d. Licensee shall be responsible for any costs incurred by the SFWMD resulting from any such interference, as set forth in i. through v. above. Should the authorized activities or placement of the authorized facilities within SFWMD right-of-way or maintenance of same contribute to sloughing, erosion, or wash-outs of SFWMD right-of-way, berm, or side slope of the canal, it is the Licensee's sole responsibility and expense to, upon notification from SFWMD, immediately take appropriate steps to restore the right-of-way to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance. Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge (i.e., for backfill material, density/ compaction, stabilization, and maintainability).

[Sections 373.085 and 373.086, F.S.; Rules 62-17and Chapter 40E-6, F.A.C.]

e. SFWMD shall not be responsible for any personal injury or property damage that may directly or indirectly result from the use of water from SFWMD's canal or any activities that may include use or contact with water from the SFWMD canal, since SFWMD periodically sprays its canals for aquatic weed control purposes and uses substances that may be harmful to human health or plant life.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(9), F.A.C.]

f. SFWMD has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the SFWMD in accordance with criteria established by SFWMD or USACE for the works of the SFWMD.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(13) and 62-17F.A.C.]

g. Licensee shall be responsible for the repair or replacement of any existing facilities located within SFWMD right-of-way that are damaged as a result of Licensee's installation or maintenance of the authorized facilities.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(18), F.A.C.]

h. It is the responsibility of the Licensee to make prospective bidders on construction contracts for the certified facilities aware of the pertinent terms and conditions of this Certification.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(20), F.A.C.]

[Sections 373.044, 373.113, 373.085(1), 373.086, 373.103, 373.129, and 373.603, F.S.; Rule 40E-6.381, F.A.C.]

3. Special Conditions

a. A copy of the Certification application, Certification order, and SFWMD post-certification submittals shall be available for review by SFWMD upon request.

b. At no time shall Licensee place permanent or semi-permanent above-ground encroachments or facilities within the 40-foot-wide strip of land lying parallel to any SFWMD canal as measured from the top of the existing canal bank landward unless agreed to by SFWMD in writing.

c. At no time shall Licensee place facilities crossing over SFWMD structures or project culverts unless agreed to by SFWMD in writing.

d. At no time shall Licensee place permanent or semi-permanent above-ground structures within SFWMD's one hundred (100) foot-long equipment staging areas defined as being immediately upstream and downstream of all bridges and pile-supported utility crossings of SFWMD canals unless agreed to by SFWMD in writing. Temporary placement of equipment or materials is allowable as long as the equipment or materials can be removed by Licensee within 48 hours of notice given by SFWMD that a tropical storm watch has been declared for MDC or Broward County, or at times when post-storm debris removal activities must be undertaken by SFWMD.

e. Within thirty (30) days of completion of the work, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a final inspection for compliance with right-of-way conditions of certification.

f. Licensee shall comply with the following requirements during use of SFWMD right-of-way for construction, maintenance, and operation activities:

i. Prior to commencement of construction or utilization of SFWMD right-of-way, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a pre-construction meeting. The Licensee shall prepare and present the following at the pre-construction meeting:

1) Contact information for FPL representative(s) and the contractor(s)/subcontractor(s), including telephone numbers for 24-hour contact and email addresses.

2) A written inventory of the type of vehicles, construction equipment, other machinery, and materials that will be located within SFWMD right-of-way.

3) Written procedures for the removal of all construction materials, machinery, equipment, and vehicles from the canal, required SFWMD staging areas, and the overbank lying within 40 feet from top of bank within 24 hours of notice from SFWMD.

4) Contact information for the contractor(s)/subcontractor(s) or parties responsible for implementation of the written procedures required in f.i.(3) of this subsection.

ii. Entry into the SFWMD rights-of-way shall be limited to the Licensee and the Licensee's contractor(s)/subcontractor(s) only. The Licensee and/or its contractor(s)/subcontractor(s) shall obtain a SFWMD gate key(s) to the SFWMD right-of-way through the SFWMD Key Permit Application process.

iii. The Licensee shall be responsible for locking SFWMD access gates upon entering and leaving SFWMD right-of-way. The Licensee shall take all necessary measures to preclude the general public from accessing the right-of-way with motorized vehicles.

iv. The Licensee shall be responsible for posting a watchman at any SFWMD vehicular access gates unlocked by Licensee during any working hours that the gate remains unlocked. At no time shall a SFWMD gate unlocked by Licensee be left unlocked and unattended by Licensee.

v. The Licensee shall be responsible for providing and utilizing acceptable dust control measures during the duration of the proposed work.

vi. The Licensee shall submit bi-weekly status reports to the SFWMD field representative with both narrative and photographs, as needed, to document the condition of the SFWMD right-of-way, work progress, and compliance with conditions of certification.

vii. The Licensee shall immediately notify the SFWMD field representative if any SFWMD gate, structure, facility, or other SFWMD improvement is damaged by the Licensee's contractor(s)/subcontractor(s). The Licensee shall be solely responsible for the construction, repair, replacement, or modification of such improvements at its sole expense. Such remedial action shall be performed in compliance with SFWMD standards and specifications.

viii. The Licensee shall grade, repair, sod, fill, or make correction to the SFWMD right-of-way, including SFWMD access roads, when it is determined by SFWMD that such work is required to restore the right-of-way to its condition prior to the commencement of work. The Licensee shall perform such work at its sole expense and in compliance with SFWMD standards and specifications.

g. The Licensee shall comply with the following concerning storm event notifications and requirements during construction activities:

i. If storm, hurricane, or emergency circumstances are developing, SFWMD will attempt to provide a 48-hour notice. The Licensee will be contacted by telephone, e-mail, or a visit to the construction site wherein the Licensee will be informed of the

emergency situation. The Licensee is put on notice that the 48-hour notice is a warning that SFWMD may or may not be able to provide the Licensee.

ii. If storm, hurricane, or emergency circumstances have developed, SFWMD will contact the Licensee by telephone, e-mail, or visit the site to place the Licensee on 24-hour alert. At this time, the Licensee and the Licensee's contractor(s)/subcontractor(s) shall begin securing the project site in accordance with Special Condition f.i.(3) of this subsection.

iii. The Licensee is advised that SFWMD's hurricane, storm event, and/or emergency alert may differ from the National Hurricane Center or the local news and weather. SFWMD takes into consideration the numerous factors concerning construction within the canal rights-of-way. As such, upon SFWMD notification to the Licensee of a pending emergency, storm event, or hurricane, the Licensee will have 24 hours or less to comply with SFWMD orders.

h. In the event of floods or other natural or civil disaster or emergencies affecting SFWMD or SFWMD rights-of-way, the Licensee shall cooperate with SFWMD to facilitate mitigation of the impact of such emergencies. The Licensee shall immediately notify SFWMD of any emergency situation observed on SFWMD rights-of way.

i. Licensee shall be responsible for obtaining any and all other necessary federal, state, local, special district, private, and underlying owner authorizations in connection with its activities conducted under this Certification. In the event the Licensee does not obtain such authorizations from the underlying owner, the Licensee shall acquire or otherwise satisfy any interest or claims made by such underlying owners with respect to this Certification.

j. If required by the Florida Department of Transportation (FDOT) to prepare a Maintenance of Traffic (MOT) Plan that involves SFWMD property, the Licensee shall provide SFWMD with a copy of the MOT Plan upon submittal to FDOT. The Licensee shall provide SFWMD with a copy of the Final MOT Plan reviewed by the FDOT.

k. Licensee acknowledges that Licensee's proposed activities contemplated under this Certification may be subject to USACE 33 U.S. Code Section 408 approval requirements. Licensee further acknowledges, and agrees, that in the event a relocation is deemed necessary for the Planned and Existing Projects identified as of the date of this certification, or a portion thereof, by USACE, it shall be the responsibility of the Licensee to implement any and all necessary modifications to Licensee's facilities including, but not limited to, relocations thereof required by the USACE at Licensee's sole cost and expense.

[Federal Water Resources Development Acts of 1992, 1996 and 2000; 33 U.S.C. 408; 33 C.F.R. 385 and 208; Sections 373.085, 373.086, 373.1501 and 373.103(2), F.S.; Chapter 40E-6 and Rule 62-17, F.A.C.]

D. Land Management / Ecosystem Restoration

1. The Licensee shall, to the extent practicable, use adjacent existing public roads for access to the SFWMD Real Property Interests for construction, operation, and/or maintenance purposes before using non-public roads or building new roads.

[Sections 373.085, 373.086, and 373.1391, F.S.]

2. All new access points created by Licensee for access to its transmission facilities located on SFWMD Real Property Interests shall be designed to include locked gates, or other appropriate methods or techniques to prevent illegal access to SFWMD Real Property Interests, including, but not limited to, lands within the Pennsuco Wetlands. Licensee shall maintain these access points by repairing illegal breaches within thirty (30) days of being notified of or discovering such breaches.

[Sections 373.085, 373.086, and 373.1391, F.S; Rules 40E-6.311, 40E-6.091 and SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

3. Licensee shall provide SFWMD with final construction drawings of all Licensee's facilities that encroach or cross SFWMD Real Property Interests, works, or projects.

[Sections 373.085(1)(b) and 373.1391, F.S]

4. At least thirty (30) days prior to construction of the transmission line segments located within SFWMD Real Property Interests, Licensee shall submit a construction schedule and a coordination plan to SFWMD for review and approval. The coordination plan will be for the purpose of coordinating Licensee and SFWMD construction activities in areas where both entities will have ongoing simultaneous construction activities.

[Sections 373.085and 373.086, F.S.]

5. Conditions set forth in Sections C.1.c. through e. and C.1.h. through p. related to access and staging within SFWMD Right(s)-of-Way shall also be applicable to access and staging within SFWMD Real Property Interests.

[Sections 373.085and 373.086, F.S.]

6. Should Licensee require use of SFWMD Real Property Interests to construct temporary crane pads or staging areas, Licensee shall submit plans depicting the construction of such temporary facilities to SFWMD for review and approval at least ninety (90) day prior to construction of such temporary facilities.

[Sections 373.085, 373.086, 373.1391, 373.1501(4)(d), 373.1502(2)(a), and 373.4592, F.S.]

E. Water Use and Water Supply

1. General

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

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

b. *Interference with Existing Legal Use*s. The Licensee shall mitigate interference with existing legal uses that were caused in whole or in part by the Licensee's withdrawals, consistent with an approved mitigation plan. As necessary to offset the interference, mitigation may include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means. Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1-in-10 year drought event that results in the:

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

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

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

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

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

ii. Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

iii. Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

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

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

i. Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/saltwater interface; wetlands;

ii. Reduction in water levels that harm the hydroperiod of wetlands;

iii. Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond;

iv. Harmful movement of contaminants in violation of state water quality standards; or

v. Harm to the natural system including damage to habitat for rare or endangered species.

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

e. The project shall conform with all SFWMD resource protection criteria for any and all water reservations, restricted allocation areas, and Minimum Flow and Level water bodies along or adjacent to the transmission line corridor.

[Section 373.223, F.S., Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-8.221, 40E-8.421, 40E-10.021, 40E-10.031, and 40E-10.061, F.A.C.]

2. Site Specific Design Authorizations/Requirements

a. Water Use

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

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

b. Prior to the commencement of construction of those portions of the project that involve dewatering activities, unless the proposed dewatering activity meets the

General Permits by Rule criteria of Rule 40E-2.061(2), F.A.C. and Section 2.3.2.B. of the *Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District* Applicant's Handbook) , the Licensee shall submit a detailed plan for the proposed dewatering activities to SFWMD for an assessment of consistency with the non-procedural requirements of Chapters 40E-2, and 40E-3 , F.A.C., in effect at the time of submittal and impact monitoring if necessary . The following information, referenced to North American Vertical Datum of 1988 (NAVD88) where appropriate, shall be submitted:

i. Provide reasonable assurances that the project will not cause harm to the resource, existing legal uses, offsite land uses, and wetland environments or cause harmful saline water intrusion or movement of pollutants, as described in Chapter 3 of this Applicant's Handbook. If the potential for harm exists, the applicant shall redesign the dewatering activities, including recharge trenches or storage areas to offset the potential drawdown impacts of the proposed activity;

ii. Demonstrate that the requested allocations represent reasonable dewatering needs. These needs are generally demonstrated by providing information on the water budget for the operation, including all sources and losses of water utilized in the dewatering process. The water budget should demonstrate where and in what quantities water is generated to accomplish the dewatering, including any associated losses, and where and in what quantity water is stored, recharged, disposed, or reused. If processing of materials is associated with the dewatering, a separate water budget describing these activities is required. The water budget may be in the form of a spreadsheet or a flow diagram that indicates all water sources and losses;

iii. Identify the areal extent and depth of the proposed excavation, the depth of dewatering, and the areal extent of the drawdown of the Water Table aquifer associated with the proposed dewatering;

iv. Provide reasonable assurances that all dewatering water will be retained on the project site, unless the applicant demonstrates that it is not technically feasible to retain the dewatering water onsite. If any offsite discharge is requested due to demonstrated technical infeasibility of onsite retention, the applicant must provide the following information with the permit application:

1) Documentation of authorization that allows the applicant to discharge directly into the receiving water body and/or adjacent lands (e.g., NPDES or ERP permit), and a demonstration that the receiving water body or adjacent lands are capable of accepting the dewatering discharge;

2) An operational plan which demonstrates that the discharge to the receiving water body will meet all applicable State Water Quality standards prior to discharge;

3) An operational plan which demonstrates that the discharge to protected wetlands will not contain turbidity levels in violation of State Water Quality standards (must be less than 29 NTU above background levels) prior to discharge;

4) A monitoring plan which includes, at a minimum, proposed sampling locations and daily turbidity measurements of the discharge and background conditions in the receiving body and/or wetland; and

5) A contingency plan which includes procedures for ceasing dewatering operations and correcting the situation until monitoring demonstrates water quality standards are met;

v. Demonstrate that reserved water will not be withdrawn pursuant to paragraph 40E-10.041, F.A.C., by retaining all water onsite;

vi. Provide reasonable assurances that fresh dewatering water will not be discharged to saline tidal waters, unless the applicant demonstrates that it is not technically feasible to prevent discharge to saline water and requests specific authority from the SFWMD for discharge. Saline dewatering water, as defined in this Applicant's Handbook, may be discharged to tidewater;

vii. Provide an operational plan which describes how stormwater will be handled during dewatering operations;

viii. For Standard Individual Permits, the applicant shall specify all proposed dewatering activities for the project in terms of depth, duration, and areal extent of dewatering and proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm. The applicant may proceed with all dewatering activities once the permit has been approved.

F. Corridor-Specific Conditions

1. Andytown-Oasis Proposed Corridor

a. Central and Southern Florida Project

i. Levee Procedures / Requirements

1) Pre-Construction Surveys / Inspections

(a) Within thirty (30) days of written request from the Licensee, SFWMD shall provide the Licensee with a copy of the most recent levee inspection reports, if available, for the levees or other embankments within SFWMD right-of-way that the Licensee is proposing to access for construction and/or maintenance activities. For the purpose of these conditions of certification, the term "levee" shall apply to both Federal levees within the National Levee Database or other embankments within SFWMD Real Property Interests.

(b) In areas where the transmission line access will be located on SFWMD levee(s), the Licensee shall conduct surveys, including a level survey at the toe and crest of the levee and cross-section surveys every 500 feet (including both toes of the levee) and at locations agreed between SFWMD and Licensee as potential problem areas. Potential problem areas will be identified by visual inspection or where there are significant changes proposed to the levee. Upon completion of the surveys, Licensee shall submit certified, copies of the surveys to SFWMD. The surveys will be used to establish a baseline of the pre-

construction topographic features of the levee(s) including, but not limited to, top-of-levee width and elevation and side slopes in NAVD88.

(c) In addition to surveys, the Licensee shall also perform a visual inspection of the levee(s), documented by videotape or photographs, to assess the structural integrity of the levee(s). Where video or photographic documentation is used, station markers and GPS coordinates should be installed or used so that exact locations can be determined for reference.

(d) If Licensee's surveys, visual inspection, or other assessment methods indicate that further investigation is needed to accurately assess the integrity of the levee(s), Licensee shall conduct additional investigations in consultation with SFWMD. Further investigations may include, but shall not be limited to, soil borings, piezometer installations/monitoring, laboratory tests, modeling, etc. The Licensee shall provide its written findings, conclusions, and recommendations, certified by a Florida-registered Professional Engineer, to SFWMD. Licensee shall conduct additional investigations or assessments, as necessary, to satisfy SFWMD non-procedural requirements, prior to any construction activities on SFWMD levees. Any activities that disturb the existing levee, including but not limited to, soil borings and piezometers may require approval from the USACE prior to commencement of the activity. Those activities shall be coordinated through the SFWMD and any costs associated with the review shall be paid for by the Licensee.

2) Post-Construction

(a) Licensee shall provide as-built drawings and corresponding SFWMD engineer certification forms showing all levee improvements within the, L-30, and L-31N, L-33, C-4, C-304, and Dade-Broward canal rights-of-way within ninety (90) days of completion of each phase of construction. The as-built drawings and certifications shall be signed and sealed by a Florida-registered Professional Engineer and shall be referenced to NAVD88. Licensee and SFWMD may use the drawings as a reference for maintenance or improvements of ingress and egress areas to the levees that are utilized by the Licensee for ongoing operation of the adjacent electrical transmission line facilities, or until modified/utilized by other parties.

(b) If Licensee's improvements within SFWMD canal rights-of-way are modified / utilized by parties other than the Licensee, the Licensee shall not be responsible for any impacts to the levee(s) caused by such third-party use. The third-party user and/or SFWMD shall be responsible for approval of any changes to the as-built drawings to reflect said third party use of the Licensee's improvements.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Section 601(h)(3)(C); 33 C.F.R. 208 and 385; Sections 373.085(1)(b) and 373.1501, F.S.; Rules 40E-6.091(1) and 62-17, F.A.C.]

ii. Unless authorized by an easement interest, which shall be contingent on SFWMD Governing Board's approval, in SFWMD Real Property Interests, electrical transmission line support structures and overhead lines shall not be placed in the SFWMD Real Property Interests along the transmission corridor. Installation of aerial crossings over canal rights of way or other activities that would otherwise be permitted by the SFWMD

ROW Criteria Manual are expressly exempt and may be placed in the SFWMD Right(s)-of-Way provided they comply with Section C.1.(f) of this Certification.

[*Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]*

iii. To the greatest extent possible and when doing so is necessary to protect SFWMD Real Property Interests and Planned and Existing Projects, Licensee shall design its transmission line facilities located within SFWMD Real Property Interests to comply with the SFWMD ROW Criteria Manual, expect where otherwise agreed to between the Licensee and SFWMD. Where applicable, transmission line support structures (poles) shall be placed a minimum of forty (40) feet from the toe of the water conservation area side of the levee.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]

iv. The Licensee shall comply with the following conditions concerning use of service bridges:

(1) The Licensee's proposed use is secondary to SFWMD and USACE proposed use and shall not interfere with SFWMD proposed use.

(2) The Licensee shall inspect the bridges prior to and after construction activities in accordance with FDOT standards.

(3) Prior to construction, the Licensee shall provide load rating calculations for specific high frequency and special vehicles that will need to use the bridges.

(4) Maximum load criteria shall not be exceeded.

(5) Prior to construction, the Licensee shall provide SFWMD with videos and/or photographs documenting the condition of the bridges.

(6) The Licensee shall be responsible for paying the cost of any necessary bridge improvements required to accommodate Licensee's activities.

(7) The Licensee shall be responsible for repairing or paying the cost of repairing any damage to the bridge as a result of Licensee's activities. Upon notice of any damage caused by the Licensee's construction activities the licensee shall document and make notice to SFWMD of the damage and shall begin restoration of the bridge and its immediate surroundings to its original condition prior to construction, including, but not limited to, concrete/asphalt repairs, canal bank repairs, gravel, and sod.

(8) The Licensee shall provide SFWMD with uninterrupted access acceptable to SFWMD for the duration of any necessary repair work.

(9) The Licensee shall obtain consent from the underlying fee owners for use of lands adjacent to any bridges, if needed, and related access road and shall submit a copy of said documentation to SFWMD prior to use.

(10) Prior to Licensee's use of SFWMD service bridges, Licensee shall submit to SFWMD a Bypass Pumping Plan. The Plan shall address, to SFWMD's satisfaction, bypass pumping, in the event any water control structures are damaged as a result of Licensee's use thereof, such that the conveyance capability of water control structures is impacted. The Bypass Pumping Plan must contemplate on-site facilities in order to effectuate immediate implementation in the event of damage to any water control structures.

[FPL Stipulation –6/20/13; Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17 F.A.C.]

[Federal Water Resources Development Acts of 1992, 1996 and 2000; Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2), (4), (5), (6), (7) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10), and 62-17, F.A.C.]

b. Land Management / Ecosystem Restoration/

i. SFWMD C-4 Emergency Detention Basin.

(1) Licensee's use and occupancy of the SFWMD C-4 Emergency Detention Basin works, including levees and access roads, shall comply with Section C.VI.F.2.b. above.

(2) Licensee's use is secondary to that of SFWMD and shall not interfere with SFWMD use.

(3) Any proposed levee improvements shall be designed and constructed so as not to cause a significant reduction in the C-4 Emergency Detention Basin existing water storage capacity.

ii. Transmission line facilities in the Pennsuco Regional Mitigation Area shall comply with Section C.VI.D. above.

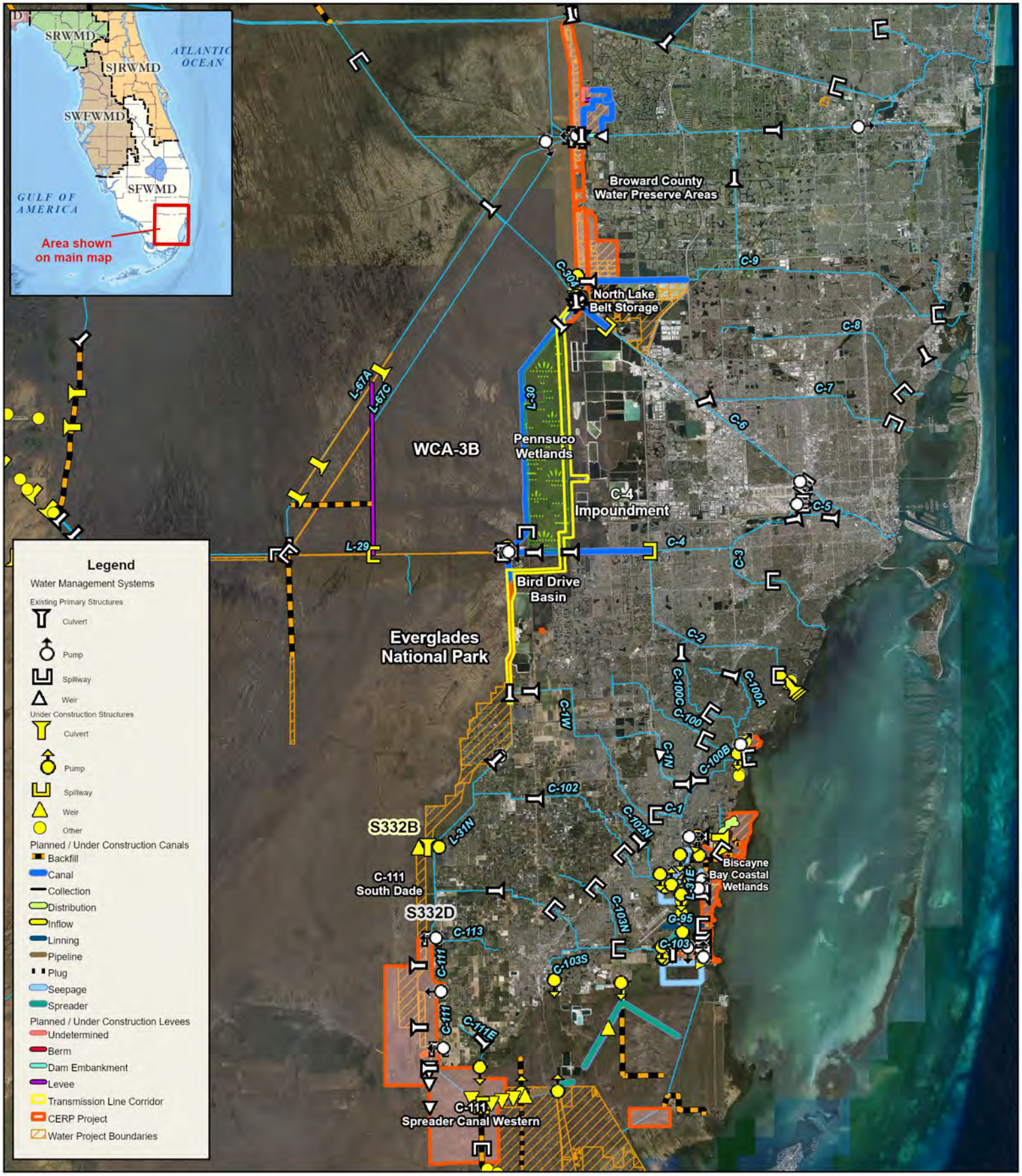
c. The following conditions apply to the AOP Corridor:

i. Licensee may place the certified facilities along, within or across the L-31N and L-30 right-of-way through the granting of an easement, which shall be contingent on SFWMD Governing Board's approval, subject to the SFWMD's review of the final alignment for compliance with applicable conditions of certification. All Licensee transmission facilities placed on the west side of L-31N shall comply with all conditions in Section C.VI.F.2.b. above.

ii. Licensee shall coordinate with Permittee of SFWMD Standard Permit No. 12872 to ensure compatibility of design and operation of Licensee transmission facilities with Permittee's authorized use of SFWMD Right(s)-of-Way, or work with permittee and the SFWMD to modify the above-referenced permit. SFWMD proposed conditions

and Licensee anticipated compliance therewith in no way constitutes a waiver or variance of the above referenced permit.

iii. Licensee shall design the transmission facilities to be compatible with the SFWMD South Miami microwave tower (B-90) and in compliance with Communication Systems condition in Section C.VI.B. above; if compatibility requires modification of the SFWMD tower or tower facilities, such modification shall be at Licensee's expense.



South Florida Water Management District
3301 Gun Club Rd., West Palm Beach, Florida 33406
(561) 686-8800; www.sfwmd.gov

sfwmd.gov

FPL Andytown-Oasis Transmission Line Corridor

0 2 4 6 8 10 12 14 Miles

0 2 4 6 8 10 12 14 16 18 20 Kilometers

BASE CREDITS:
State plane projection, Florida east zone, NAD 83-HARN, US feet.

IMPORTANT DISCLAIMER:
This map is a conceptual or planning tool only.The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Map Date: September 2026

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User Name: zhardy

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Layout Name: _FPL_Andytown_Oasis_Transmission_Line_Overall



South Florida Water Management District
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sfwmd.gov

FPL Andytown-Oasis Transmission Line Corridor

0 2 4 6 Miles

0 2 4 6 8 Kilometers

BASE CREDITS
State plane projection, Florida east zone, NAD 83-HARN, US feet

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Map Date: September 2026

GEOSPATIAL SERVICES

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Layout Name: _FPL_Andytown_Oasis_Transmission_Line_LargeScale

Project	Type*	Phase (Planning, Design, Construction or Operation)
Central & Southern Florida (C&SF) Project	Non-CERP, Federal	Existing/Operation
Southern Everglades	CERP (BB, U)	Planning—draft PIR expected Feb. 2027
Broward County Water Preserve Areas, including C-C-9 Impoundment and 3A/3B Seepage Management	CERP (O, Q, R)	Design, Authorized in 2014
C-111 Spreader Canal Western Project	CERP (WW)	Existing/ Operation
CEPP New Water Seepage Barrier	CERP	Existing/Operation
Biscayne Bay and Southeastern Everglades Restoration	CERP (BBB, FFF, HHH, WW, XX, OPE)	Planning- draft PIR in 2027/28
Future CERP Projects	CERP Components HHH, S, U, BB, XX, BBB, YY, ZZ, QQ	Planning is pending
C-111 South Dade	Non CERP, Federal	Existing/ Operation
8.5 Mile Square Mile Area /Modified Water Deliveries to Everglades National Park	Non CERP, Federal	Existing/ Operation
Lake Belt Mitigation for MDLPA, Including Pennsuco Wetlands preservation, Dade-Broward Levee improvements and operations, and L31N Seepage Barrier	State SFWMD is mitigation provider on SFWMD lands and member of Lake Belt Committee	Existing/ Operation
C- 4 Detention Basin	State	Existing/ Operation

The list of projects in this exhibit will be updated by SFWMD and relevant information about each project will be provided to FPL in accordance with the conditions of certification.

* The information in parentheses refers to the Comprehensive Everglades Restoration Plan (CERP) component as described in the *Final Feasibility Report and Preliminary Impact Statement* (April 1999), also known as the “Yellowbook”.

MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND FLORIDA POWER AND LIGHT COMPANY REGARDING TREATMENT OF EXEMPT RECORDS

This Memorandum of Understanding ("MOU") is made and entered into between the South Florida Water Management District (District) and Florida Power & Light Company (FPL), collectively the "Parties."

This MOU sets forth the understanding of the Parties with respect to the treatment of certain records provided by the District to FPL that are exempt from public disclosure. The District and FPL routinely conduct power delivery related business activities in support of the District's design, construction, and long term operations and maintenance of facilities that safeguard and restore South Florida's water resources and ecosystems, protect communities from flooding, and meet the region's water needs. These regular business activities often require the exchange of information and records, some of which are exempt from public disclosure and inspection per Section 119.071, Florida Statutes (the "Exempt Records"). The purpose of this MOU is to memorialize the Parties' understanding regarding the treatment of the Exempt Records. This MOU does not constitute a legally binding agreement between the Parties or create any liability between the parties for failure to abide by the terms of this MOU.

1. Description of the Understanding

a. Applicable Statutory Exemptions: Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to physical security or fire safety, building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout and structural elements of a building, structure or project owned or operated by the District are exempt from the public disclosure pursuant to Section 119.071, Florida Statutes.

b. FPL Responsibilities:

i. FPL administers a robust set of policies and procedures to protect confidential records. These policies and procedures will provide the necessary safeguards to protect the content of the Exempt Records from unauthorized use or alteration and to maintain the exempt status of those records. FPL will maintain the Exempt Records as confidential pursuant to these policies and procedures and will not release the Exempt Records except as provided below.

(1.) FPL may release the Exempt Records to FPL consultants, contractors, and agents engaged by FPL for power delivery related business activities in support of the District's projects. In such instances, FPL will include in its engagements with such consultants, contractors, and

agents a requirement to maintain the documents as confidential which may not be publicly disclosed except as otherwise required under the law.

(2.) In the event that FPL is requested or required by legal or regulatory authority to disclose any of the Exempt Records, FPL will notify the District of such request or requirement prior to disclosure, if permitted by law, so that the District may seek an appropriate protective order. In the event that a protective order or other remedy is not obtained, FPL will furnish only that portion of the Exempt Records that reasonably determines, in consultation with its counsel, is consistent with the scope of the subpoena or demand, and will exercise reasonable efforts to obtain assurance that confidential treatment will be accorded such Exempt Records. The District will provide reasonable cooperation to FPL and its legal counsel with respect to performance pursuant to this section.

c. District Responsibilities:

i. The District will clearly mark the cover page of each document as exempt .

ii. The District will retain copies of every document provided to FPL. In the event of a request for public records pursuant to Chapter 119, Florida Statutes, related to the Exempt Records, the District will serve as custodian of such records and will directly address any such requests.

2. Liability

This MOU is solely designed to establish an understanding on procedures for addressing the treatment of the Exempt Records. This MOU does not create any legally binding obligation between the Parties and does not create any liability for inadvertent release of the Exempt Records, except as otherwise established under the law.

3. Amendment

This MOU may not be amended, modified, or supplemented except by written agreement of all Parties**.**

4. Termination

This MOU may be terminated by either Party at any time by written notice to the other Party.

5. Counterparts

The Parties acknowledge and agree that this MOU may be executed in multiple counterparts, each such counterpart, when executed and delivered, shall constitute an integral part of one and the same MOU.

Candida Heater

Candida Heater
Division Director
Administrative Services
South Florida Water Management District

10 April 2024
Date

Derek Brown
Senior Attorney
Office of Counsel
South Florida Water Management District

4/5/2024
Date

Dave Weda
Director of Engineering
Florida Power and Light Company

4/3/2024
Date

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

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

Florida Department of Environmental Protection
Siting Coordination Office
2600 Blair Stone Road
Tallahassee, FL 32399

August 18, 2026

Re: DHR No.: 2026-3113-C
Project: Transmission Line Siting Application - FPL Andytown-Oasis 500/230kV (TA26-21)

To Whom It May Concern:

Our office reviewed the referenced application in accordance with Section 403.5252, Florida Statutes and Chapter 267.061, Florida Statutes, for possible effects on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) or otherwise of historical, architectural or archaeological value.

We note that the application includes a provision to complete a cultural resource assessment survey in consultation with our office prior to construction. Provided this provision is included in the license for the project, the undertaking will include adequate effort to identify historic properties, assess potential adverse effects, and ensure appropriate treatment or mitigation for any significant historic properties identified during the survey. As such, this agency recommends approval of the certification application for the FPL Andytown-Oasis Transmission Line. Furthermore, we recommend the following standard condition language below to address further review and involvement by our office:

A. Prior to new construction in areas not previously surveyed, the Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the Certified facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and subsequently during maintenance. If avoidance of any discovered sites is not feasible, impact shall be mitigated through archaeological salvage operations or other methods acceptable to DHR, as appropriate.

B. If historical or archaeological artifacts or features are discovered at any time within the Certified facility, the Licensee shall notify the appropriate DEP District office(s) and the

DHR, R.A. Gray Building, 500 South Bronough Street, Room 423, Tallahassee, Florida 32399-0250, telephone number (850) 245-6333, and the Licensee shall consult with DHR to determine appropriate action.

If you have any questions, please contact Cassandra Frederick, Historic Sites Specialist, by email at *Cassandra.Frederick@dos.fl.gov*.

Sincerely,



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

APPENDIX II-G – MIAMI-DADE COUNTY

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER AND LIGHT ANDYTOWN-OASIS 500/230kV TRANSMISSION LINE SITING APPLICATION NO. TA26-21

Case No. 26-2609TL

Miami-Dade County Agency Report and Proposed Conditions for FPLs Proposed Andytown-Oasis Transmission Line Site Certification Application August 18, 2026 (revised 09/01/26)

In accordance with the Transmission Line Siting Act, Section 403.526(2)(a)(5), Florida Statutes, Miami-Dade County (MDC) submits the following agency report and conditions for the Florida Power & Light Company (FPL) proposed Andytown-Oasis Transmission Line Site Certification Application. Florida law states that each local government shall prepare a report as to the impact of each proposed transmission line or corridor on matters within its jurisdiction, including the consistency of the proposed transmission line or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed transmission line or corridor, including local comprehensive plans, zoning regulations, land development regulations, and any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means.

In addition, this report includes information to address Florida Administrative Code Rule 62-17.590 (Rule language summarized below):

62-17.590 Agency Reports, Project Analysis.
(1) The agency reports shall contain:
(a) A report as to the impacts of the project related to matters within the agency's jurisdiction as required by Section 403.526(2), F.S.;
(b) Expected compliance with agency standards and an identification of any nonprocedural requirements not specifically listed in the application from which a variance or exemption is needed in order for the board to certify the corridor, including a statement of the agency's position on each variance exception, exemption, or other relief within the agency's jurisdiction needed by the project;
(c) A summary of potential impacts the proposed project may have on any proposed use of, connection to, or crossing over of properties or works of the agency, inclusive of the agency's position on the request (i.e., support or opposition of the request) and any standards which the agency proposes the applicant should satisfy in order for the applicant to use, connect, or cross over the agency's properties or works.
(d) Conclusions and recommendations regarding certification including reasons for recommendations and legal basis of denial, if the agency recommends denial of certification;
(e) Proposed Conditions of Certification, if the agency intends to recommend certification, on matters within the agency's jurisdiction, listing the specific statute, rule, or ordinance, as applicable, that authorizes the proposed condition and including:

1. Any impact monitoring or postcertification review that needs to be conducted including reasons and legal basis; and,
2. Applicable conditions that may be necessary in the event the Siting Board or Secretary determines that the project should be certified.
(2) The Project Analysis prepared by the Department shall contain a statement of whether the proposed transmission line meets the electric and magnetic field standards adopted in Chapter 62-814, F.A.C.

In accordance with state law, Miami-Dade County submits the following report on jurisdictional matters related to the proposed transmission lines.

PROJECT SUMMARY

FPL is seeking certification of the proposed Andytown-Oasis Transmission Line Project (Project) under the Florida Electric Transmission Line Siting Act (TLSA) pursuant to Sections 403.52 through 403.539, Florida Statutes (F.S.), and Chapter 62-17, Part II, Florida Administrative Code (F.A.C.). As presented in FPL's Application for Certification dated May 2026, FPL is proposing to construct two new 500-kilovolt (kV) transmission lines and two new 230kV transmission lines as part of a single project, the Andytown-Oasis Project (Project), in a single corridor that is planned to be in service by December 2033. The Proposed Corridor will extend approximately 31 miles through unincorporated Broward and Miami-Dade counties, maximizing co-location with existing linear features to the extent practicable. The Project originates at FPL's existing Andytown substation located in the Town of Southwest Ranches, with a portion of the Project terminating at FPL's planned Oasis substation located in unincorporated Miami-Dade County (MDC), a portion terminating at FPL's existing Levee substation in unincorporated MDC, and a portion terminating at FPL's existing Quarry substation in unincorporated MDC.

CONCLUSIONS AND RECOMMENDATIONS REGARDING COMPLIANCE and CERTIFICATION

The portion of the proposed corridor located within Miami-Dade is entirely within unincorporated areas of the County and includes both public and private lands. The proposed corridor alignment encompasses portions of Everglades National Park (ENP), regionally significant canals, and important regional as well as local wetland restoration projects.

Where FPL's proposed new transmission lines would be co-located with existing transmission lines in established FPL rights-of-way, these transmission lines would be allowed in all land use categories. Otherwise, the Miami-Dade County Comprehensive Development Master Plan (CDMP), Land Use Element, states that transmission facilities shall be situated in an area designated as Institutions, Utilities and Communications; Industrial and Office; Business and Office; or Parks and Recreation on the adopted Land Use Plan map. Where FPL's proposed corridors intersect land use categories other than those listed above, compatibility will be based upon reviews of CDMP Objective LU-4, Policy LU-4G, the specific language of each land use category, and other goals, objectives, and policies in the CDMP. In addition, in all locations, impacts of the proposed transmission line corridors have been reviewed for compliance with County regulations including Chapters 18A, 18B, 24, 33 and Chapter 33B of the Miami-Dade County Code.

Miami-Dade County finds some sections of the Proposed Corridor to be inconsistent with the County Code and CDMP and recommends denial of certification for those portions of the Andytown-Oasis Corridor within Everglades National Park and Environmental Protection Subarea B as proposed by FPL; detailed impact analysis and citations explaining this conclusion is provided in Section 1 of this report. The proposed corridor also crosses through other significant ecosystem restoration areas including Water Conservation Area A ("Environmental Protection Subarea A" in CDMP) and Bird Drive Basin ("Open Land Subarea 3" in CDMP). Miami-Dade County stresses the importance of design solutions within these areas that maintain current and projected levels of sheetflow and limit wetland impacts. Incorporation of the recommended Conditions of Certification presented in this report are necessary to make the project consistent with the CDMP and Chapter 24 of the Code. Miami-Dade County cannot recommend approval of certification for the Proposed Corridor unless the project is modified to comply with the following:

a) No transmission line infrastructure is placed within the boundaries of the area designated as Environmentally Protected Parks (Everglades National Park, and
b) No transmission line infrastructure is placed within the area designated as Environmental Protection Subarea B in the CDMP, except where co-located with existing transmission line right-of-way or where no reasonable alternative exists, and
c) The project is modified to comply with all requirements of Miami-Dade County Code and the CDMP. This includes compliance with all requirements of Chapter 33B, including Section 33B-28 for any work in the East Everglades Area of Critical Environmental Concern, and
d) For construction of all segments, FPL commits to all conditions of certification proffered within this report, to minimize the impacts of the proposed Corridor and meet substantive Code requirements.

FPL has indicated in their "Response to First Determination of Completeness for FPL Andytown-Oasis Transmission Line Certification Application" dated July 10, 2026 that they are seeking a variance to the requirements of Chapter 33B through this application, however, they have failed to provide adequate demonstrations that ensure compliance with the requirements for the granting of a variance under Section 33B-31 of the Code which requires compliance with the provisions of Section 33B-28 (general standards for conditional use). The County further asserts that the application also fails to demonstrate compliance with the criteria for the granting of a variance under s. 403.201, Florida Statutes, since the proposed corridor affords the opportunity for construction of the transmission lines east of the L-31N, outside of the area governed by Chapter 33B (East Everglades Area of Critical Environmental Concern) of the County Code. For this reason, Miami-Dade County recommends that the requested variance to the requirements of Chapter 33B of the Miami-Dade County Code be denied.

Miami-Dade County notes that the application identifies improvements to existing roadways and construction of new roadways that will be needed to provide access to the Corridor and that project construction and operation is not practicable without adequate access roads. Despite their criticality to the project, these improvements have not been submitted for certification as part of the application. The County's CDMP notes that "Because of the critical relationships between transportation facilities and the land uses served and impacted by those facilities, land use and transportation planning decisions must be made in direct concert with one another" (CDMP, page I-68) and further notes that "uncoordinated single-purpose decision making can be fiscally damaging to government and can undermine other comprehensive plan objectives" (CDMP, page I-84). Roadway improvements and new roadways are actions that must be consistent with the

CDMP and the CDMP text limits roadway improvements outside of the Urban Development Boundary.

CONDITIONS SECTION 1:
ANDYTOWN-OASIS CORRIDOR SEGMENT DESCRIPTIONS AND IMPACTS

Potential impacts associated with the Proposed Corridor generally include impacts to rural residential communities, environmentally protected lands, and lands within County wellfield protection areas. Additional impacts will affect wetlands, including hydrology and freshwater flows that benefit the Everglades National Park and associated estuaries, habitat supporting threatened and endangered plant and animal species. Impacts relevant to specific segments of the Proposed Corridor are described in more detail in relevant subsections of this report below.

FPL's proposed Andytown-Oasis Corridor has been divided into segments to organize the description of impacts and conditions based upon County Code provisions which apply to defined geographic locations and distinct CDMP text, policies, and CDMP land use map categories with different allowed uses. The Figure 1 below depicts relevant CDMP land uses and transmission line segments described in narrative form throughout this section of the report. The subsections below include conditions designed to address potential impacts relevant to the Andytown-Oasis Corridor.

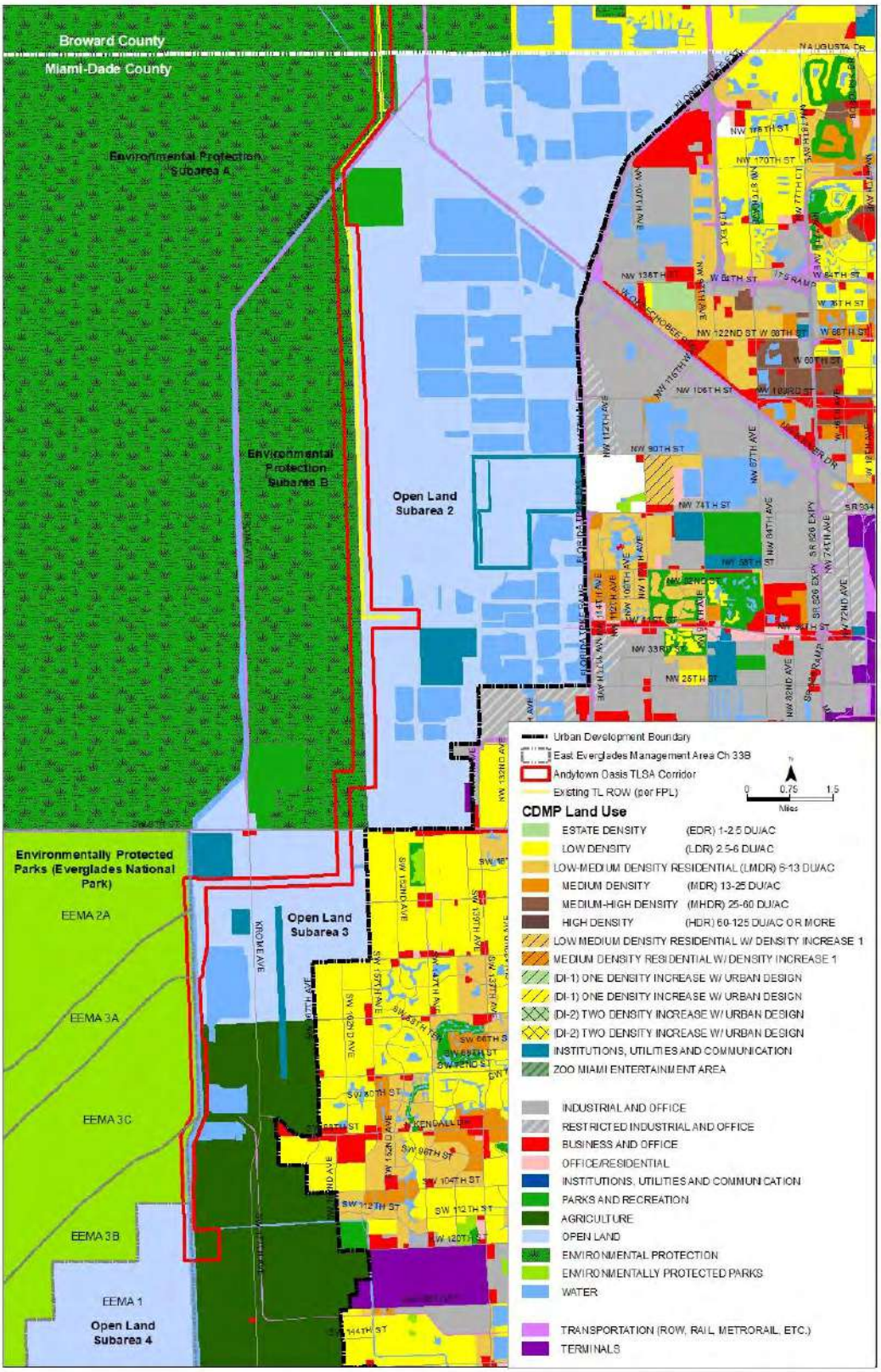


Figure 1: CDMP Land Use Plan Map Designations along the Proposed Corridor

Environmental Protection Subareas A and B and Open Land Subarea 2 Segment. The northern portion of the Andytown-Oasis Corridor originates at the Broward County line, intersects Krome Avenue (SW 177 Avenue), and terminates at SW 8 Street. As depicted on Figure 1, CDMP land use categories intersected by this segment include Environmental Protection Subarea A (State Water Conservation Area), Environmental Protection Subarea B (Miami-Dade-Broward Levee Basin), and Open Land Subarea 2. There is existing transmission line right-of-way, generally around 200' to 285' wide, that traverses the full length of the proposed corridor located within Environmental Protection Subarea A and the northern approximately 0.8 miles of Environmental Protection Subarea B where it then crosses east to Open Land Subarea 2 and terminates at the Levee substation. This existing Midway-Levee transmission line corridor was certified in 1989. The Site Certification Application (SCA) submitted by FPL notes the potential for a "line-swap" with the existing Levee-Midway 500kV transmission line in the segment between the Andytown and Quarry substations.

As previously noted, where proposed new transmission lines would be co-located with existing transmission lines in established FPL rights-of-way, these transmission lines would be allowed in all land use categories. Otherwise, the Miami-Dade County Comprehensive Development Master Plan (CDMP), Land Use Element, states that transmission facilities shall be situated in an area designated as Institutions, Utilities and Communications; Industrial and Office; Business and Office; or Parks and Recreation on the adopted Land Use Plan map. Where FPL's proposed corridors intersect land use categories other than those listed above, compatibility will be based upon reviews of CDMP Objective LU-4, Policy LU-4G, the specific language of each land use category, and other goals, objectives, and policies in the CDMP.

While all areas within this segment are identified as Wetlands of Regional Significance on Figure 14 of the CDMP Land Use Element, Environmental Protection Subareas A and B are specifically identified and afforded heightened protection in the associated policies. The CDMP notes that the areas designated as 'Environmental Protection' on the CDMP Land Use Plan Map represent the County's most environmentally significant, most susceptible to environmental degradation and where such degradation would adversely affect the supply of potable fresh water or environmental systems of County, regional, State or national importance.

Environmental Protection Subarea A (Water Conservation Area 3). As previously noted, FPL has existing transmission lines, generally consisting of 220' to 285' right-of-way, located along the full length of the portion of the corridor within Environmental Protection Subarea A. The application would provide for an additional approximately 410' of transmission line right-of-way through this area. This area is comprised of Water Conservation 3 which is managed by the South Florida Water Management District and has been the subject of numerous ecosystem restoration efforts including Decompartmentalization and Mod Waters, both designed to enhance freshwater deliveries to Everglades National Park which, in turn, support water deliveries to Biscayne Bay and Florida Bay. The CDMP text for Environmental Protection Subarea A (page I-79) states that "Land uses and activities in Water Conservation Area 3 are governed by the SFWMD. Miami-Dade County supports the implementation of land use and management policies and programs established by the SFWMD."

Environmental Protection Subarea B. Environmental Protection Subarea B represents an area where there has been significant ecosystem restoration to mitigate for the loss of wetland value and functions as a result of mining activities in the Miami-Dade Lake Belt, as outlined in Section 373.41492, Florida Statutes. The CDMP text relative to Environmental Protection Subarea B

notes that the subarea is predominantly wetland and all land use and site alteration proposals will be closely evaluated on a case-by-case basis by federal, State, regional and County agencies for conformity with all prevailing environmental regulations and compatibility with objectives of the Comprehensive Everglades Restoration Plan. The text further states that land uses that may be considered for approval include necessary, compatible public facilities and specifically references water management facilities as an example. The majority of Environmental Protection Subarea B is within the Northwest Wellfield Protection area. The CDMP text states that "Within the Northwest Wellfield Protection area, uses will be closely regulated to ensure the protection of water quality".

As previously noted, the portions of the corridor located within Environmental Protection Subarea B are identified as Wetlands of Regional Significance on Figure 14 of the CDMP Land Use Element. CDMP Policy CON-7A states that "the degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element shall be limited to activities that 1) are necessary to prevent or eliminate a threat to public health, safety or welfare; or 2) are water dependent and no other reasonable alternative exists; or, 3) clearly in the public interest and no other reasonable alternative exists; or 4) are carried out in accordance with an approved basin management plan; or 5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed."

In FPL's 'Response to First Determination of Completeness for FPL Andytown-Oasis Transmission Line Certification Application' dated July 10, 2026, FPL asserts consistency with CDMP Policy CON-7A based on Criteria #1, #3, and #5 but fails to provide adequate demonstrations. On Criterion #1, the Final Order Approving Determination of Need for Electrical Transmission Lines, Docket No. 20260020-EI, Order No. PSC-2026-0179-FOF-EI did not identify a threat to public health, safety or welfare that is being eliminated by the proposed corridor making application of CON-7A Criterion #1 inapplicable. With respect to Criterion #3, the Public Service Commission did issue Order No. PSC-2026-0179-FOF-EI within its statutory authority to act in the broader public interest and can, therefore, serve as documentation that the proposed corridor is clearly in the public interest. However, Criterion #3 further requires demonstration that no other reasonable alternative exists. The opportunity to co-locate the transmission line right-of-way with existing facilities located east of the Dade-Broward Levee presents a reasonable alternative to wetland impacts in Environmental Protection Subarea B. With respect to Criterion #5, Environmental Protection Subarea B is characterized by high-quality wetlands that have been the subject of significant ecosystem restoration efforts. Criterion #5 is, therefore, not applicable.

The 1999 Final Integrated Feasibility Report and Programmatic Environmental Impact Statement for the Comprehensive Everglades Restoration Plan identified improvements to the Dade Broward Levee that runs along the east side of the Environmental Protection Subarea B (Pennsuco Wetlands). The purpose of the CERP Project (Component BB5) is to reduce seepage to the east from the Pennsuco Wetlands and southern Water Conservation Area (WCA) 3B, enhance hydroperiods in the Pennsuco Wetlands, and to improve recharge to the Northwest Wellfield. CDMP Policy CON-7J states that "In evaluating applications that will result in alterations or adverse impacts to wetlands Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied."

The certification of new transmission line corridors within Environmental Protection Subarea B would not be compatible with the subareas' environment, objectives of the Comprehensive Everglades Restoration Plan (CERP), and may adversely affect long-term ecosystem viability, form and/or function. Environmental Protection Subarea B is a wetland area and all land use and site alteration proposals will be closely evaluated for conformity with all prevailing environmental regulations, including Chapter 24 restrictions related to protection of the Northwest Wellfield Protection Area, and objectives of CERP.

Miami-Dade County asserts that the placement of transmission lines in Environmental Protection Subarea B, where not otherwise co-located with existing transmission line right-of-way, is not compatible with the subareas' environment, objectives of the Comprehensive Everglades Restoration Plan (CERP), and may adversely affect long-term ecosystem viability, form and/or function. Further, FPL has not demonstrated consistency with Policy CON-7A of the CDMP related to Wetlands of Regional Significance. In order to address the aforementioned issues, the below condition should be included in any final certification for this application:

- No transmission line infrastructure shall be placed within the area designated as Environmental Protection Subarea B in the Miami-Dade County Comprehensive Development Master Plan, except where co-located with existing transmission line right-of-way or where no reasonable alternative exists.

If the placement of transmission lines in this portion of the corridor is certified despite Miami-Dade County's objection, conditions specific to Environmental Protection Subarea B to minimize the impacts are outlined in Section 2 of this report.

Open Land Subarea 2. There is existing transmission line right-of-way, generally around 200' wide, that traverses 6.5 miles from north to south of the area identified as Open Land Subarea 2 on the CDMP Land Use Plan Map where it then turns east and terminates at the Levee substation. However, proposed expansion/modification of these facilities must be consistent with the CDMP. The CDMP text relative to Open Land Subarea 2 provides that necessary and compatible utility facilities may be considered for approval in this area, in keeping with the Northwest Wellfield Protection Plan (Board of County Commissioners Resolution R-1541-85) and Chapters 24 and 33 of the Miami-Dade County Code, and wetland protection requirements. Uses that could compromise groundwater quality shall not occur in this area. Multiple public wells are located in this Subarea and could be impacted by any spills or leaching of contaminants into the ground. Conditions to ensure protection of the Northwest Wellfield are included in Section II of this report. Section 24-48.4 of the Miami-Dade County Code requires projects to avoid and minimize project-related impacts and maximize preservation of natural resources. Design solutions must be implemented within these areas to limit wetland impacts.

Open Land Subarea 3 (Tamiami-Bird Canal Basin) Segment. The CDMP text relative to the Open Land Subarea 3 land use category provides that uses that could be considered for approval in this area include compatible utility facilities. Uses that could compromise groundwater quality shall not occur in this area. Any land alteration and development in the Bird Drive or North Trail basins shall conform to the wetland basin plans adopted for those basins pursuant to policies of the CDMP.

This area was identified for a Comprehensive Everglades Restoration Program (CERP) project through the April 1999 "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement". As originally envisioned, it was to include an above-ground 11,500 acre-foot capacity recharge area designed to recharge groundwater and reduce seepage from Everglades National Park buffer areas. Subsequent analysis questioned the feasibility of the CERP project as originally planned but identified the potential for an alternate project in the area that would align with the original project goals. CDMP Policy CON-7J states that "In evaluating applications that will result in alterations or adverse impacts to wetlands Miami-Dade County shall consider the applications' consistency with Comprehensive Everglades Restoration Program (CERP) objectives. Applications that are found to be inconsistent with CERP objectives, projects or features shall be denied."

The portions of the proposed corridor within Open Land Subarea 3 are identified as Wetlands of Regional Significance on Figure 14 of the CDMP Land Use Element. CDMP Policy CON-7A states that "the degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element shall be limited to activities that 1) are necessary to prevent or eliminate a threat to public health, safety or welfare; or 2) are water dependent and no other reasonable alternative exists; or, 3) clearly in the public interest and no other reasonable alternative exists; or 4) are carried out in accordance with an approved basin management plan; or 5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed." Further, Section 24-48.4 of the Miami-Dade County Code requires projects to avoid and minimize project-related impacts and maximize preservation of natural resources. Where no reasonable alternative exists to locate outside of Open Land Subarea 3, design solutions must be implemented within these areas that maintain current and projected levels of sheetflow and limit wetland impacts.

Environmentally Protected Parks (Everglades National Park). The proposed Andytown-Oasis Corridor would intersect Everglades National Park for approximately 5.6 miles of its length overlapping the SFWMD L-31N canal and levee. As proposed, the transmission lines could be constructed within the current boundaries of the National Park if this corridor were to be approved, and access roadways could extend from the transmission lines eastward across additional wetlands owned by the South Florida Water Management District (SFWMD) located between the boundary of the Park and the L-31N canal which is also owned by the SFWMD. Although this segment largely follows the West Consensus Corridor certified under PA 03-45A3, Conditions of Certification imposed on that certification, specifically those listed in Section XVI (Siting Board) provided adequate assurance that such transmission line infrastructure would be located in the area east of the L-31N, outside of Everglades National Park.

The following paragraphs provide basis for the determination that transmission line uses are not consistent or compatible with the Everglades National Park. The Everglades National Park is a land area designated as an Environmentally Protected Park on the Miami-Dade County Land Use Plan map and in the adopted text of the CDMP Land Use Element. The CDMP states, "Land uses and activities which may occur in the National Parks and Big Cypress National Preserve, are outlined in management plans for those areas prepared and adopted by the National Park Service" (CDMP Land Use Element, p. I-52 and I-52.2). This text goes on to state, "Miami-Dade County supports the implementation of the National Park Service's management policies" and "Because of their wetlands value, areas within the boundaries of Everglades National Park that

are not owned by the National Parks Service are subject to careful evaluation on a case-by-case basis…". Land use restrictions for private properties that fall within the Everglades National Park boundary are outlined by the Land Protection Plan (LPP) published by the United States Department of the Interior, National Park Service, in April 1991. The LPP specifies the following:

> *Section III. Land Ownership and Uses, B. Compatible and Incompatible Uses of Private Land: Major additions to existing developments or agricultural activities, as well as the construction of utility lines and roads, also would not be compatible… Basically, any activity that would alter the ecological values and integrity of the wildlife habitat, or the restored hydrology, would not be compatible.*

The federal 1991 East Everglades Land Protection Plan also explicitly states that the proposed transmission line land use is incompatible with the restoration purposes that justified federal acquisition of the East Everglades area. Additionally, the CDMP states that the County-adopted East Everglades Resource Management Program (Chapter 33-B, Code of Miami-Dade County) shall continue to govern private land use and site alteration for privately-owned areas within the Everglades National Park. (CDMP Land Use Element, p. I-52.2 The CDMP Policy LU-3C also provides direction as to how development in the East Everglades shall be managed.

> *Policy LU-3C. Development in the Big Cypress Area of Critical State Concern, and in the East Everglades as defined in Section 33B-13, Code of Miami-Dade County, Florida (1981) shall be limited to uses, designs, and management practices which are consistent with adopted State regulations and policies, the Comprehensive Everglades Restoration Plan, and related federal, State or County policies, plans or regulations as may be formulated, consistent with the goals, objectives and policies of this comprehensive plan. Miami-Dade County shall improve its enforcement of East Everglades development regulations and shall improve such regulations if necessary to enable effective enforcement."*

The ecological resources of the East Everglades Addition to Everglades National Park are of extraordinary quality and this includes very high quality wetlands in either of the proposed corridors that would be impacted as a result of the project. Construction and operation of transmission infrastructure as proposed within and adjacent to Everglades National Park will significantly impact the Park's ecological, hydrologic, and aesthetic resources. There would be significant direct impacts including but not limited to hydrology, wetlands values, aesthetics, threatened and endangered species and their habitats, as well as associated impacts from noise and disruption of the viewshed for a considerable distance from the transmission corridor.

Everglades wetlands are of national significance and include large expanses of contiguous wetlands that experience uninterrupted sheet flow of surface water, they contain foraging and nesting areas critical to several listed species, and they provide breathtaking vistas of undisturbed Everglades wetlands. All of the wetlands proposed to be eliminated within Everglades National Park are also located within the Miami-Dade County-designated East Everglades Area of Critical Environmental Concern which is governed by Chapter 33B of the County Code, as are additional wetlands adjacent to the National Park that would also be impacted if transmission lines were constructed in this area. This designation by Miami-Dade County was made due to the significant environmental and natural resource values provided which were found by the Miami-Dade County Board of County Commissioners to be inextricably related to the health, safety and welfare of the present and future inhabitants of, and visitors to, Miami-Dade County.

Information provided in the application indicates that impacts associated with construction of the Andytown-Oasis Corridor will include direct filling to as much as 134 acres of wetlands. Analysis of the project related impacts, as presented in this report, indicates a clear opportunity for further reductions in project related impacts. Therefore, the project as proposed does not adequately avoid and minimize impacts in the East Everglades area, including impacts to wetlands and important habitat for rare, threatened, and endangered species as required pursuant to County Code. Section 24-48.4 of the Miami-Dade County Code requires projects to avoid and minimize project related impacts and maximize preservation of natural resources.

The project as proposed has the potential to adversely impact sheet flow in significant wetland areas and may constrain Comprehensive Everglades Restoration or other regional restoration projects. Consistency with CERP is required pursuant to the CDMP and Chapter 24 of the Code of Miami-Dade County, Florida. In addition, FPL's application has not demonstrated consistency with Policy CON-7C of the CDMP which requires support for restoration and maintenance of surface water flow through wetland systems of the Shark River Slough, Everglades National Park, and the saline wetlands of southeastern Miami-Dade County.

The Andytown-Oasis Corridor would result in significant negative avian impacts, including state and federally listed threatened and endangered bird species. Scientific literature indicates that the presence of electric power lines, whether for transmission or distribution, raises the risk of collision and electrocution for a wide variety of avian species, including state and federally listed threatened and endangered species. The scientific literature reports that the risk is particularly elevated where power lines cross wetlands and/or avian travel corridors. Much of the proposed Andytown-Oasis Corridor, as currently described in the SCA and supplementary documentation, may elevate the risk of avian collision to an unacceptable level because the transmission lines are proposed to be located in wetlands, near bird rookeries, in habitats utilized by state and federally listed threatened and endangered avian species, and they cross avian travel corridors.

Much of the proposed Andytown-Oasis Corridor is located in wetlands that are utilized for nesting and/or foraging by a variety of water-dependent birds, including but not limited to wading birds and waterfowl. A number of the water-dependent birds, such as the Everglades snail kite, are listed at either the state or federal levels as Endangered or Threatened. Populations of the Everglades snail kite, in particular, have fallen to critically low levels, with juvenile survival being the key to population recovery. The transmission infrastructure, as proposed, would involve the filling of wetlands and installation of infrastructure that will permanently degrade a significant amount of this habitat (the habitat under the wires) and permanently destroy additional habitat (the habitat that is lost to filling of wetlands), thereby disrupting the local hydrology and impacting local feeding conditions for water-dependent birds. The portion of the proposed Corridor that is within the East Everglades Area of Critical Concern passes through or near well-documented nesting habitat for the Everglades snail kite. Transmission line activities that would adversely affect habitat that is critical to federal or State designated, endangered or threatened species, are prohibited unless FPL sufficiently demonstrates there is a public necessity and there are no possible alternative sites where the activity(ies) can occur. (CDMP Policy CON-9A). The County CDMP states that all nesting, roosting and feeding habitats used by federal or State designated endangered or threatened species, shall be protected and buffered from surrounding development or activities (CON-9B). The CDMP also specifies that rookeries and nesting sites used by these designated species shall not be moved or destroyed (CON-9C).

As noted above, transmission infrastructure in the proposed corridor would, as conceptually designed, disrupt scenic views across Miami-Dade County's local, state, and federallyprotected

conservation lands. Public enjoyment of conservation lands includes aesthetic characteristics of those lands. The proposed corridor passes through, adjacent to, or near lands designated as conservation lands, including but not limited to Miami-Dade County's Environmentally Endangered Lands and Everglades National Park. The viewshed is likely to be dominated by the transmission infrastructure for a significant distance from the actual transmission corridor because of the number of lines proposed and the size of the transmission infrastructure proposed to support these lines. This is of particular concern in the East Everglades area of Everglades National Park, where no transmission lines currently exist.

The portions of the corridor located within Everglades National Park are also identified as Wetlands of Regional Significance on Figure 14 of the CDMP Land Use Element. CDMP Policy CON-7A states that "the degradation or destruction of Wetlands of Regional Significance that may be contained within the areas depicted on Figure 14 in the Land Use Element shall be limited to activities that 1) are necessary to prevent or eliminate a threat to public health, safety or welfare; or 2) are water dependent and no other reasonable alternative exists; or, 3) clearly in the public interest and no other reasonable alternative exists; or 4) are carried out in accordance with an approved basin management plan; or 5) are in areas that have been highly disturbed or degraded and where restoration of a wetland with an equal or greater value in accordance with federal, State and local regulations is feasible. Habitats critical to endangered or threatened species shall not be degraded or destroyed."

In FPL's 'Response to First Determination of Completeness for FPL Andytown-Oasis Transmission Line Certification Application' dated July 10, 2026, FPL asserts consistency with CDMP Policy CON-7A based on Criteria #1, #3, and #5 but fails to provide adequate demonstrations. On Criterion #1, the Final Order Approving Determination of Need for Electrical Transmission Lines, Docket No. 20260020-EI, Order No. PSC-2026-0179-FOF-EI did not identify a threat to public health, safety or welfare that is being eliminated by the proposed corridor making application of CON-7A Criterion #1 inapplicable. With respect to Criterion #3, the Public Service Commission did issue Order No. PSC-2026-0179-FOF-EI within its statutory authority to act in the broader public interest and can, therefore, serve as documentation that the proposed corridor is clearly in the public interest. However, Criterion #3 further requires demonstration that no other reasonable alternative exists. The opportunity to locate the transmission line right-of-way east of the L-31N, outside of Everglades National Park, presents a reasonable alternative to wetland impacts in Everglades National Park. With respect to Criterion #5, Everglades National Park is characterized by high-quality wetlands of national importance. Criterion #5 is, therefore, not applicable.

Open Land Subarea 4 (East Everglades Residential Area). The text of the CDMP (page I-77) provides for authorization of compatible and necessary utility facilities in Open Land Subarea 4. Conditions are provided in Section II of this report to ensure compatibility with residential uses in this area. Open Land Subarea 4 corresponds to the area identified as Management Area 1 in the East Everglades Area of Critical Environmental Concern which is discussed in more detail in the following paragraphs.

County Code Section 33B, East Everglades Area of Critical Environmental Concern. This section of the report describes how the provisions of Section 33B and Chapter 24 of the County Code reflect and support protections for the Everglades National Park in the adopted CDMP. Figure 1 of this report depicts the various management areas of the East Everglades Area of

Critical Environmental Concern which relate to specific requirements contained in Section 33B. Management Areas 2A, 3A, 3B and 3C correlate with the boundary of Everglades National Park. Management Area 1 corresponds to the area designated as Open Land Subarea 4 on the CDMP Land Use Plan Map. As currently proposed, the transmission line corridor segments proposed to be located within the East Everglades Area of Critical Environmental Concern do not comply with the required Environmental Performance Standards contained within Section 33B-26 of the Code of Miami-Dade County, Florida. Impacts prohibited by the Code are summarized below:

- Road construction is prohibited in Management Areas 2A and 2B within the East Everglades Area of Critical Environmental Concern. *(County Code Chapter 33B, CDMP Policy LU-3C)*.
- Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual. *(County Code Chapter 33B(c)(2))*
- Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas. *(County Code Section 33B-26(d))*
- Excavation associated with transmission line construction and expansion is prohibited within the East Everglades Area of Critical Environmental Concern. (*County Code Section 33B-26(b)).*
- In Management Areas 1 and 3B, fill is limited to one-half (1/2) acre. In Management Areas 2A, 2B, 3A and 3C fill shall not exceed one-half acre.

Chapter 24 of the Code of Miami-Dade County requires projects to maximize preservation of existing natural resources including protection of important wetland ecological resources and endangered species habitat, and also includes consideration of aesthetic impacts and impacts to rare, threatened and endangered species when determining whether proposed work can be authorized. In addition, Section 33B-28 of the Code of Miami-Dade County specifically requires avoidance and minimization of adverse effects, including visual impacts, within the East Everglades Area of Critical Environmental Concern. Impacts within the County's designated East Everglades Area of Critical Environmental Concern and Everglades National Park as proposed are not consistent with Chapters 24 and 33 of the Code of Miami-Dade County. In addition, degradation and destruction of wetlands designated as Wetlands of Regional Significance in the Land Use element and endangered species habitat would result which is inconsistent with CDMP Objective LU-3, Policies LU-3A and LU-3C, Objective CON-7, Policy CON-7A, Objective CON-9, Policies CON-9A, CON-9B, CON-9C.

FPL has indicated in their First Completeness Response that they are seeking a variance to the requirements of Chapter 33B through this application, however, they have failed to provide adequate demonstrations that ensure compliance with the requirements for the granting of a variance under Section 33B-31 of the Code which requires compliance with the provisions of Section 33B-28 (general standards for conditional use). The County further asserts that the application also fails to demonstrate compliance with the criteria for the granting of a variance under s. 403.201, Florida Statutes, since the proposed corridor affords the opportunity for construction of the transmission lines east of the L-31N, outside of the area governed by Chapter 33B (East Everglades Area of Critical Environmental Concern) of the County Code. **For this reason, Miami-Dade County recommends that the requested variance to the requirements of Chapter 33B of the Miami-Dade County Code be denied.**

Further, Section 24-48.4 of the Miami-Dade County Code requires that the transmission project be designed to maximize the preservation of existing natural resources by the following methods, listed below in the order of priority:

(1) avoiding the impact altogether by not taking a certain action or parts of an action;
(2) minimizing impacts by limiting the degree or magnitude of the action or its implementation;
(3) rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
(4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
(5) compensating for the impact by replacing or providing substitute resources or environments.

FPL's proposed transmission corridor does not comply with Section 24-48.4 of the Code of Miami-Dade County because the proposed alignments involving wetland impacts within the current boundaries of Everglades National Park (ENP) are avoidable and because the project would not maximize the preservation of existing natural resources which are of high quality and of local, state and national significance and because the proposed work does not meet the environmental and other requirements of Chapter 33B, which is required under Chapter 24. The project is also inconsistent with the aforementioned Miami-Dade County listed species habitat protection requirements because one or more alternatives exist to avoid these listed species impacts and because listed species habitats would be degraded in some areas and destroyed in others.

The portion of the project proposed in the East Everglades Area of Critical Environmental Concern Management Areas 2A, 3A, 3B, and 3C shall be relocated outside the East Everglades, east of the L-31N, and any placement of transmission lines in the East Everglades Area of Critical Environmental Concern shall meet all requirements of County Code Chapter 24 and 33B, including but not limited to Section 33B-28, and provided the portions of the corridor are built with roadless construction techniques and without fill pads for the transmission lines. Furthermore, project design in this area would be required to avoid all permanent impacts to rare, threatened and endangered species by techniques such as undergrounding, and FPL shall be responsible for the cost associated with undergrounding transmission lines.

Based on the above, Miami-Dade County finds the portions of the proposed transmission corridors located within the current boundaries of Environmentally Protected Parks (Everglades National Park) to be inconsistent with the County Code and CDMP. Placement of the transmission line infrastructure within the portion of the proposed corridor located east of the L-31 in the area of Everglades National Park would be less impacting and, with the recommended conditions, more consistent or fully consistent with applicable County Code and CDMP requirements and would entirely avoid Everglades National Park and Management Areas 2A, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern. If the placement of transmission lines in this portion of the corridor is certified despite Miami-Dade County's objection, conditions are provided in Section 2 of this report to minimize impacts.

CONDITIONS SECTION 2:
CONDITIONS APPLICABLE TO MULTIPLE SEGMENTS WITHIN THE PROPOSED CORRIDORS

1. ***General Conditions***
   - **a.** The construction, operation and maintenance of all transmission lines shall be in full compliance with all applicable non-procedural requirements of the Miami-Dade County Code including Chapters 24, 33 and 33B as well as the Miami-Dade County Public Works Manual and Chapters 62-312 and 62-330, F.A.C.
   - **b.** The term "construction", as used in this document and regarding required submittals for Conditions of Certification, is any activity related to development or preparations for development (s. 380.04(1) and (2)) and also includes any activity such as work by any utility and other persons engaged in the distribution or transmission of electricity for the purpose of inspecting, repairing, renewing, or constructing any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.

2. ***Conditions Regarding Procedures for Post-Certification Submittals***
   - **a. Purpose of Submittals.** Conditions of Certification (COC) which provide for the post-certification submittal of site specific technical data and other information by the Licensee (FPL) to DEP or other agencies, including the County, are for the purpose of determining the Licensee's compliance with the COC. COC which require the Licensee to conduct monitoring of the environmental effects arising from the construction, operation and maintenance of a Certified Facility are for assurances of continued compliance with these COC, without further agency action.
   - **b. Filings.** All post-certification submittals of information by Licensee are to be filed with the DEP Siting Coordination Office, the DEP District Office(s), and any other agency, including Miami-Dade County, that is entitled to receive a submittal pursuant to these COC. All filings shall be submitted in electronic .pdf format only, unless otherwise requested by Miami-Dade County, if the data pertains to a COC drafted by the County. Each submittal shall clearly identify the Certified Facility name, PA#, and the condition number/s (e.g., Section X, Condition XX.y.(z)) requiring the submittal, as identified in these COC. As required by Section 403.5113(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.
   - **c. Completeness.** DEP shall review each post-certification submittal for completeness in accordance with timeframes specified by the Power Plant Siting Act. This review may include consultation with the other agency/ies receiving the post-certification submittal with regulatory jurisdiction over the matter addressed in the submittal. If any portion of a post-certification submittal is found to be incomplete, the Licensee shall be so notified.
   - **d. Interagency Meetings.** DEP may conduct an interagency meeting with other agencies that received a post-certification submittal. The purpose of such an interagency meeting shall be for the agencies with regulatory jurisdiction over the matters addressed in the post-certification submittal to discuss whether compliance with these COC has been provided. At DEP's request or agency's request, a field inspection shall be conducted with the Licensee and the agency representative in conjunction with the interagency meeting.

e. Determination of Compliance. DEP shall give written notification within 90 days to the Licensee and the other agency/ies to which the post-certification information was submitted of DEPs determination whether there is demonstration of compliance with these COC. If it is determined that compliance with these COC has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested.

f. Revisions to Design Previously Reviewed for Compliance. If revisions to site-specific designs occur after submittal, the Licensee shall submit revised plans prior to construction for review in accordance with the post-certification process specified in this Condition.

g. Variation to Submittal Requirements. DEP, in consultation with the appropriate agencies that have regulatory authority over a matter to be addressed in a post-certification submittal, and Licensee may jointly agree to vary any of the post-certification submittal requirements, provided the information submitted is sufficient to provide reasonable assurances of compliance with these COC. *[Section 403.511, F.S.; Rule 62-17.191, F.A.C.]*

h. Post Certification Submittal Requirements Summary. Within 90 days after certification and within 90 days after any subsequent modification or certification the Licensee shall provide the DEP and the County a complete summary of those post-certification submittals that are identified in these COC where due-dates for the information required of the Licensee are identified. A summary shall be provided as a separate document for each Certified Transmission Line Corridor or segment thereof. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the County, in a sortable spreadsheet, via CD and hard copy. For subsequent modifications and certifications, a Post-Certification Submittal Requirements Summary shall be required for only those resulting in new or altered post-certification requirements. FPL shall work with DEP and Miami-Dade County to complete the Post Certification Summary Table, shown below, for all post-certification submittals herein.

Post Certification Summary Table			
Condition Number	Requirement and timeframe for FPL submittal and agency approval	Due date	Name of agency or agency subunit to whom the submittal is required to be provided

3. ***Access Control for Transmission Corridors***

Installation or improvement of transmission line maintenance roadways can impact Miami-Dade County owned or managed parcels by creating opportunities for unauthorized access. Such unauthorized access can result in adverse impacts to these properties including dumping of solid wastes and impacts from off road and all terrain vehicles. (Miami-Dade County Code Sections 24-7, 24-43, 24-48, 24-49 and 24-50, CDMP Objective LU-3, Policies LU-3A, LU-3B Objective CON-7, Policy CON-7B, and Objective CON-9 Policies CON-9A, CON-9B and CON-9C)

a. Prior to any construction in the transmission corridor, FPL shall develop and implement an access control plan for the transmission corridor that accomplishes the following objectives:

1) FPL shall secure access to the transmission line right of way to prevent uncontrolled access to wellfield protection areas. Uncontrolled access shall be prohibited at all times.
2) FPL shall secure access to the transmission line right of way to prevent uncontrolled access to public parks and natural areas within and/or adjacent to the transmission right of way.
3) FPL shall prohibit access by the general public to constructed or improved roadways located within the certified transmission corridors during construction and during operations and maintenance after construction.
4) FPL shall allow MDC, SFWMD, and State of Florida agency staff reasonable access to all portions of the transmission line corridors and associated access roads for governmental purposes.

b. The access control plan shall include the following elements:

1) **Inventory and Condition of Infrastructure.** Within 90 days of transmission corridor certification, FPL shall begin preparation of a report to document condition of existing access control infrastructure in the transmission corridor. The report shall be completed within a year of commencement and shall include the following information:
   a) Results of FPL inspections for those portions of the corridor that contain existing infrastructure to identify where vandalism to FPL access control measures has occurred and where unauthorized access is occurring.
   b) Recommendations for repair/replacement of existing access control infrastructure and installation of new access control infrastructure where such would restrict unauthorized access. Recommendations shall include consideration of new access control measures needed for new infrastructure to be located within the corridor, including but not limited to the requirement that FPL shall install locked gates within existing and proposed fencing at any new access location.
   c) A plan to minimize unauthorized public access to MDC owned or managed lands that may otherwise occur due to new access provided along the certified transmission corridor. Since MDC staff can provide current information on where impacts to MDC land is occurring due to unauthorized access, FPL shall involve MDC staff in the development of this plan.

   FPL shall provide the inventory report to Miami-Dade County's EEL Program and the SFWMD's Bureau of Land Resources for review and input within 30 days after completing the inspection. These agencies shall provide comments within 30 days, and FPL shall incorporate information provided by these agencies and finalize the report within 30 days of receipt of such information.
2) **Authorized Access by MDC Staff**. Upon request of MDC, FPL shall establish access for MDC staff through locked gates (double locks, master keys, etc.) and develop conditions for use of the FPL transmission road and any temporary or permanent roads located within or associated with the transmission corridor. FPL shall allow MDC, SFWMD, and State of Florida agency staff reasonable access to all portions of the transmission line corridors and associated access roads for governmental purposes.
3) **Timelines for Access Control Operations/Maintenance.**
   a) Within 90 days after finalizing the inspection report, FPL shall repair or replace existing access control infrastructure and shall keep locked all existing gates that provide access to the proposed transmission corridor.
   b) With one year of development of the final access control plan, FPL shall develop and implement a schedule for installing new and/or enhanced access control infrastructure, including but not limited to gates, locks, barricades, boulders, and

other barriers, at points where there is documentation that addition of access control infrastructure would restrict unauthorized access.

c) FPL shall install new access control measures associated with new infrastructure to be located within the corridor before construction begins for such transmission infrastructure.

4) **Inspection and Repair of Existing and Future Access Control Infrastructure**. FPL shall establish and implement an inspection and repair program to ensure the integrity of access infrastructure for the transmission corridor as follows:
   a) Inspection frequency shall be set according to the level of problems revealed in the inspection report. Areas with existing unauthorized access problems shall be inspected no less often than annually and infrastructure repaired as necessary until and unless repeated inspections indicate that the problem is diminishing.
   b) FPL shall establish a process for government agencies to report problems observed when utilizing or passing near any portion of the transmission corridors. FPL shall take appropriate steps to address the reported problem within a week of notification.
5) **Plan Updates**. The provisions of the access plan shall be reviewed and revised as necessary upon request by FPL or the agencies to accommodate changing conditions, including but not limited to land ownership patterns, changing infrastructure, restoration projects, and patterns and/or types of unauthorized use. Modifications to the plan shall require approval by DEP in consultation with the agencies.

4. ***Conditions applicable in Environmental Protection Subarea A (State Water Conservation Area): (CDMP Land Use Element, p. I-64- I-65).***

a) Transmission line uses within Environmental Protection Subarea A must be compatible with CERP objectives, and shall not adversely affect long-term ecosystem viability, form or function. Additionally, there shall not be impacts to South Florida Water Management District's programs or policies associated with Water Conservation Area 3. *(CDMP Policy CON-7J)*

b) For alignments within Environmental Protection Subarea A: The applicant must demonstrate through design features that the construction and long-term establishment of transmission line poles, transmission lines, filled areas, and service roads will not adversely affect South Florida Water Management District projects and plans for this area. To demonstrate compliance with this condition, the applicant must submit a letter of approval from the South Florida Water Management District at least six months prior to any construction in this area and submit plans to the County for RER approval. *(County Code Section 24-48.4)*

c) FPL shall utilize adjacent existing public roads for access to the ROW for construction, operation, and/or maintenance purposes, wherever possible. *(CDMP Objective LU-3, Policy LU-3B)*

5. ***Conditions applicable in Environmental Protection Subarea B (Miami-Dade-Broward Levee Basin): (CDMP Land Use Element, p. I-79).***

a) No transmission line infrastructure shall be placed within the area designated as Environmental Protection Subarea B in the Miami-Dade County Comprehensive Development Master Plan, except where co-located with existing transmission line right-of-way or where no reasonable alternative exists to locate east of the Dade-Broward Levee. *(CDMP Environmental Protection Subarea B text (page I-79), CDMP page I-64, CDMP Objective CON-7, Policy CON-7A, County Code Section 24-48.4)*

b) For alignments within Environmental Protection Subarea B: FPL must submit a letter of approval from the South Florida Water Management District and submit plans to the County for RER approval at least six months prior to any construction in this area. *(CDMP Land Use Element p. I-79)*

c) FPL shall utilize adjacent existing public roads for access to the ROW for construction, operation, and/or maintenance purposes, wherever possible. *(CDMP Objective LU-3, Policy LU-3B, County Code Section 24-48.4)*

d) Design solutions must be implemented within these areas that maintain current and projected levels of sheetflow and limit wetland impacts. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of fill pads for transmission line structures, elimination of access roads where not necessary, collocation with existing features, and modification of construction techniques to eliminate avoidable impacts and reduce unavoidable impacts. *(County Code Section 24-48.4)*

6. ***Conditions to maintain sheet-flow in Environmental Protection Subarea B*** *(Miami-Dade County Code Chapter 24 Sections 24-7 and 24-48, CDMP Objective LU-3, Policies LU-3A and LU-3B and LU-3C, Objective CM-1, Policy CM-1B, and Objective CON-7, Policies CON-7C and CON-7J)*

a. Sheet flow impacts, as a result of the proposed transmission line project, would be inconsistent with the applicable goals, objectives, policies and text of the CDMP and relevant provisions of Chapter 24 of the Code in Environmental Protection Subarea B. In addition, FPL shall not constrain the restoration and maintenance of these natural surface water flows pursuant to the CDMP in any areas where the transmission corridors would cross these natural features. Any construction work including preconstruction earthwork in crossed by the FPL transmission line corridor shall maintain an equivalent level of sheet-flow to that which currently exists. FPL shall identify access and maintenance road design and construction techniques such as elevated roadways to bridge the wetland features, stabilized at-grade roads or geoswales that would not extend above existing wetland grades in these slough areas, or other design alternatives that will maintain an equivalent level of sheet-flow to that which currently exists in these sloughs. These design and construction techniques shall also be sufficient to accommodate the increased flowage anticipated from planned restoration projects, including, but not limited to CERP.

b. The engineering design shall be based on the requirement that sheet flow shall not be impacted to within the limits of jurisdictional wetlands in Environmental Protection Subarea B by construction or operation of the transmission roadway or associated infrastructure. Of all potential designs considered by FPL, the most practicable one (given engineering constraints and costs) that would minimize wetland impacts and prevent sheet flow impacts shall be selected for final design, submittal and approval. DEP and Miami-Dade County shall verify that the proposed final design will not impact sheet flow in this area and shall also verify that the final design is also in full compliance with all other requirements of this condition of certification and other applicable conditions of certification prior to commencement of any work within the transmission corridor including but not limited to clearing, earthwork or site preparation. (County Code Section 24-48, CDMP Land Use Element Policy LU-3A, LU-3B)

At least ninety (90) days prior to beginning construction of the transmission lines or any associated roadways including but not limited to preconstruction earthwork or clearing, FPL shall provide to Miami-Dade County RER for review and approval, design details and information demonstrating preservation of sheet-flow in wetland slough areas consistent

with the applicable substantive requirements of Miami-Dade County, the CDMP and the Miami-Dade County Code. FPL shall not commence work within the transmission line corridors until Miami-Dade County RER and FDEP have determined that the design as well as construction techniques meet all requirements of this condition. (Miami-Dade County CDMP and Code Chapter 24)

7. Open Land Subarea 3 (Tamiami-Bird Canal Basin) Segment.

a) A portion of the corridor traverses the Bird Drive Basin, a special Cut and Fill basin requiring additional flood protection. Any fill placed will need to comply with the water management and fill criteria of the Cut and Fill basin per Section 24-48.21. The Miami-Dade County Water Control Section must review construction plans as part of the required Cut and Fill review process. *(CDMP Objective CON-5, Policy CON-5F)*

b) Design solutions must be implemented within these areas that maintain current and projected levels of sheetflow and limit wetland impacts. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of fill pads for transmission line structures, elimination of access roads where not necessary, collocation with existing features, and modification of construction techniques to eliminate avoidable impacts and reduce unavoidable impacts. *(County Code Section 24-48.4)*

8. *Conditions applicable in Environmentally Protected Parks (Everglades National Park): (CDMP Land Use Element, p. I-60).*

e) No transmission line infrastructure shall be placed within the area designated as Environmentally Protected Parks in the Miami-Dade County Comprehensive Development Master Plan. *(CDMP Environmentally Protected Parks text (page I-60), CDMP page I-64, CDMP Objective CON-7, Policy CON-7A, County Code Section 24-48.4)*

f) For alignments within Environmentally Protected Parks: FPL must submit a letter of approval from the South Florida Water Management District and submit plans to the County for RER approval at least six months prior to any construction in this area. *(CDMP Land Use Element p. I-60)*

g) FPL shall utilize adjacent existing public roads for access to the ROW for construction, operation, and/or maintenance purposes, wherever possible. *(CDMP Objective LU-3, Policy LU-3B, County Code Section 24-48.4)*

h) Design solutions must be implemented within these areas that maintain current and projected levels of sheetflow and limit wetland impacts. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of fill pads for transmission line structures, elimination of access roads where not necessary, collocation with existing features, and modification of construction techniques to eliminate avoidable impacts and reduce unavoidable impacts. *(County Code Section 24-48.4)*

9. ***Conditions to maintain sheet-flow in Environmentally Protected Parks*** *(Miami-Dade County Code Chapter 33 and Chapter 24 Sections 24-7 and 24-48, CDMP Objective LU-3, Policies LU-3A and LU-3B and LU-3C, Objective CM-1, Policy CM-1B, and Objective CON-7, Policies CON-7C and CON-7J)*
   a. Sheet flow impacts, as a result of the proposed transmission line project, are prohibited to wetland sloughs important to the Everglades and Everglades restoration including northeast Shark River slough. In addition, FPL shall not constrain the restoration and maintenance of these natural surface water flows pursuant to the CDMP in any areas where the transmission corridors would cross these natural features. Any construction work including preconstruction earthwork in these slough areas crossed by the FPL transmission line corridor shall maintain an equivalent level of sheet-flow to that which currently exists in these sloughs. FPL shall identify access and maintenance road design and construction techniques such as elevated roadways to bridge the slough features, stabilized at-grade roads or geoswales that would not extend above existing wetland grades in these slough areas, or other design alternatives that will maintain an equivalent level of sheet-flow to that which currently exists in these sloughs. *(Miami-Dade County Code Chapter 33 and Chapter 24 Sections 24-7 and 24-48, CDMP Objective LU-3, Policies LU-3A and LU-3B and LU-3C, Objective CM-1, Policy CM-1B, and Objective CON-7, Policies CON-7C and CON-7J)*
   b. At least ninety (90) days prior to beginning construction of the transmission lines or any associated roadways including but not limited to preconstruction earthwork or clearing, FPL shall provide to Miami-Dade County RER for review and approval, design details and information demonstrating preservation of sheet-flow in wetland slough areas consistent with the applicable substantive requirements of Miami-Dade County, including the CDMP and the Miami-Dade County Code. FPL shall not commence work within the transmission line corridors until Miami-Dade County RER and FDEP have determined that the design as well as construction techniques meet all requirements of this condition. *(Miami-Dade CDMP)*

10. **Conditions applicable in the East Everglades Area of Critical Environmental Concern**
   a) Road construction is prohibited in Management Areas 2A within the East Everglades Area of Critical Environmental Concern. *(County Code Chapter 33B, CDMP Policy LU-3C)*.
   b) Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual. *(County Code Chapter 33B(c)(2))*
   c) Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas. *(County Code Section 33B-26(d))*
   d) Excavation associated with transmission line construction and expansion is prohibited within the East Everglades Area of Critical Environmental Concern. (*County Code Section 33B-26(b)).*
   e) In Management Areas 1 and 3B, fill is limited to one-half (1/2) acre. In Management Areas 2A, 2B, 3A and 3C fill shall not exceed one-half acre. (*County Code Chapter 33B)*

11. *Conditions to Ensure Pedestrian, Bicyclist, and Motorist Safety and Access* *(33C-8(D)(6), and CDMP Policy TE-2D; For Transit Zones: Code Section 33C-2(C), 33C-8(D)(6))*

a. Transmission line poles and support structures shall not be located within existing or planned sidewalks. If FPL and Miami-Dade County determine that poles cannot be located outside of existing or planned sidewalks, FPL shall relocate the existing or planned sidewalks to locations that are approved by the County. FPL would be responsible for all costs in these instances.

b. FPL shall design transmission line and pole placements in accordance with the applicable provisions of the Public Works Manual and minimize interference with the proper use of streets, alleys, and other public ways and places, and with existing access rights.

c. FPL shall design the transmission line to comply with applicable provisions of the Americans with Disabilities Act.

d. FPL shall comply with MDC's noise ordinance in Section 21-28 of the MDC Code in the construction, operation, and maintenance of the proposed transmission lines.

12. Air Quality Conditions (CDMP Objective CON-1, and Policy CON-1H; Miami-Dade County Code Chapter 24-7.6; Section 62-296.320(A)(c), F.A.C.)

a. FPL and its contractors shall use or promote the use of non-road diesel equipment when possible, conforming to Tier 2 or better standards established by the Environmental Protection Agency (EPA). Visit http://www.epa.gov/nonroad-diesel/regulations.htm#tier1 for guidance on the Federal government's tier standards.

b. FPL and its contractors shall fuel all diesel vehicles, construction equipment, and generators on site with ultra-low sulfur diesel fuel (ULSD is diesel with sulfur content of 15 ppm or less) or a biodiesel blend approved by the original engine manufacturer.

c. FPL is prohibited from establishing parking and staging areas of diesel equipment and zones to load or unload material within 500 feet of schools, hospitals, daycare facilities, elderly housing, convalescent facilities, residential communities, or public spaces with outdoor activities. FPL or its contractors shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on the general public.

d. FPL and its contractors shall institute a Policy to limit the unnecessary idling of heavy-duty trucks, non-road construction equipment and diesel combustion engines to five consecutive minutes and to be turned off when not in use except:

1) When the vehicle is stopped in traffic or has mechanical difficulties the operator has no control over;
2) To bring the vehicle or equipment to the manufacturer's recommended operating temperature;
3) For the health, safety and comfort of the driver and passenger(s) when there are no auxiliary power sources available to provide heating, ventilation or air conditioning;
4) When necessary to operate auxiliary equipment located in or on the diesel vehicle or construction equipment, to accomplish the intended use of the vehicle or equipment (for example, cranes and cement mixers);
5) When idling is necessary for inspection or repairs.

e. FPL and its contractors shall use low-emissions multi-passenger employee transport vehicles to job-site when possible.

f. FPL and its contractors shall control dust at sites through spraying of a suppressing agent on dust pile (non-hazardous, biodegradable). Contain fugitive dust.

13. *Aviation Clearance Conditions*

a. The proposed corridor traverses areas that may be subject to airport height restrictions in the are of Kendall Tamiami Executive Airport. Pole locations and heights will be required for the Miami-Dade County Aviation Department to issue an airspace letter of determination. At least one hundred and eighty (180) days prior to beginning construction, FPL shall submit the required aviation determination applications and fees to Miami-Dade County. Transmission line construction shall not begin until FPL has received Miami-Dade County's written approval of these applications. *(Miami-Dade County Code of Ordinances Article XL Kendall Tamiami Executive Airport Zoning)*

14. *Conditions for Miami-Dade County Environmentally Endangered Lands (EEL)*

a. Annually, FPL shall provide a report to Miami-Dade County DERM or successor agency detailing the use of pesticides, including herbicides, applied within and adjacent to transmission rights-of-way located within 1,000 feet of Miami-Dade County EEL Program owned or managed parcels. This report shall include types, actual quantities and locations of application of these substances in the previous year and projected use and locations in the coming year. This report shall also include notification of any spills, non-target damage and any applications inconsistent with label restrictions. *(Miami-Dade County Code Sections 24-48, 24-49 and 24-50)*

15. *Conditions regarding general vegetation management and exotic species*

a. There shall be no planting or propagation of prohibited species as defined by Miami-Dade County Code or listed in the CDMP or Miami-Dade County Landscape Manual within the FPL transmission rights-of-way. In addition, planting or propagation of controlled species, as defined by Miami-Dade County Code or listed in the CDMP or Miami-Dade County Landscape Manual, shall be prohibited within FPL transmission right-of-way within 500 feet of wetlands and other natural areas including but not limited to pine rocklands and hardwood hammocks. (*Miami-Dade County Code* Section 24-49, Section 18B-2, Section 18A-12 and CDMP Objective CON-8, Policy CON-8I)

b. Scientific literature has indicated that roads provide avenues for introduction of invasive exotic plant species to adjacent properties. Wherever new roads or road improvements are proposed within the transmission corridors, FPL shall eliminate all plants listed as Prohibited or Controlled by Miami-Dade County pursuant to the Miami-Dade County Code or CDMP, as well as species contained in the Current Florida Invasive Species Council (FISC) List of Invasive Plant Species and perform quarterly maintenance to control exotic vegetation within the transmission right-of-way FPL owned or controlled lands. FPL shall limit the use of herbicide application to exotic and invasive vegetation. FPL shall limit the broadcast use of non-selective herbicides to control exotic and invasive vegetation. Only aquatic-labelled herbicides approved by the U.S. Environmental Protection Agency (EPA) and the Florida Department of Agriculture and Consumer Services (FDACS) shall be applied in proximity of wetland habitats. *(Miami-Dade County Code Sections 24-7, 24-48 and 24-49, CDMP Objective CON-8, Policy CON-8I)*

c. All work to remove exotic and invasive plant species from wetland areas shall be conducted in a manner that avoids adverse environmental impacts, including but not limited to the placement of construction mats to prevent rutting and soil compaction.

d. Mechanical cutting of vegetation as part of transmission line maintenance activities shall include removal of cut vegetation from wetland areas. Vegetative debris must be removed from the subject properties and cannot remain in the upland areas. Exotic vegetation to be removed shall be placed into a fully enclosed truck, wetting the exotic vegetation to prevent seed dispersal during transportation and disposal to an approved upland facility.

All handling and disposal shall be in accordance with solid waste disposal regulations (62-701.300 F.A.C. and Miami-Dade County Code Sections 24-25, 24-27 and 24-48 and Chapter 403.413)

16. *Conditions on soil and material management and disposal*

a. Within one hundred and eighty (180) days of certification, FPL shall submit to RER and DERM an earthwork and material disposal plan that meets applicable Miami-Dade County Code requirements. The plan shall include detailed sketches showing all areas proposed to be excavated, all areas proposed to be used for the temporary stockpiling of excavated material and shall provide the proposed disposition of the excavated material. This plan shall include a written description of all the types of earthwork that will be conducted in association with the proposed construction and installation of the transmission line infrastructure within the certified transmission corridors and associated maintenance and access and roads. The required plan shall be reviewed and approved by RER and DERM for compliance with the Code of Miami-Dade County before any earthwork commences within the transmission line rights-of-way *(Miami-Dade County Code Chapter 33 and Sections 24-7 and 24-44)*

b. For any excavated material proposed to be transported off-site for reuse, FPL shall submit to RER and DERM a "Soil Reuse Proposal" for review and approval at least 90 days prior to beginning construction of the transmission lines or any associated roadways. The aforementioned proposal shall be prepared in accordance with the Soil Reuse Guidance for Miami-Dade County dated revised January 2024 (https://www.miamidade.gov/resources/environment/documents/2024-01-24-soil-reuse-guidance-revision.pdf). Any proposed offsite reuse must be approved by RER and DERM prior to commencement of excavation. *(Miami-Dade County Code Chapter 33 and Section 24-44)*

c. At least 90 days prior to beginning construction of the transmission lines or any associated roadways, FPL shall provide to RER a written description of all the best management practices that will be implemented to prevent the leaching of runoff and erosion of the excavated materials into adjacent wetlands and/or surface water bodies. Plan view and cross section view plans should be included depicting the location where the excavated material is proposed to be placed and the location of any devices and/or barriers proposed to be used for erosion and leachate runoff control. *(Miami-Dade County Code Chapter 33 and Chapter 24 Sections 24-7 and 24-48)*

d. Within thirty (30) days of completion of excavated material disposal activities associated with the certified transmission line corridors, FPL shall provide to RER and DERM copies of all excavated material disposal receipts. *(Miami-Dade County Code Chapter 33 and Chapter 24 Section 24-44)*
https://www.miamidade.gov/resources/environment/documents/2024-01-24-soil-reuse-guidance-revision.pdf

17. *Conditions for Wellfield Protection Areas* (CDMP Land Use Element text p. I-74, "Wellfield Area", p. I-78, "Future Waterwell and Cones of Influence"; CDMP Conservation Element Objective CON-3, Policy CON-3A, Land Use Element Objective LU-3, Policy LU-3B)

a. The use of pesticides, including but not limited to herbicides, is prohibited within all portions of the transmission lines located within wellfield protection areas. (*Levee Midway*

Corridor Certification Agreement dated November 30, 1989 and Miami-Dade County Code Section 24-43)

b. FPL, its agents and contractors shall not transport, generate or store hazardous wastes or hazardous materials as defined pursuant to Section 24-45 Miami-Dade County Code within any portion of the transmission lines located within a wellfield protection area in Miami-Dade County. Discharge or disposal of hazardous wastes or hazardous materials along or adjacent to any portion of the transmission lines including outside of wellfield protection areas is also prohibited within Miami-Dade County. (*Miami-Dade County Code Section 24-43*)

18. *Condition regarding fill within the transmission rights of way*

a. All fill material proposed to be placed within the certified transmission line corridor shall meet the clean fill/soil criteria, pursuant to the definition of section 24-5 of the Code of Miami-Dade County, or shall be compliant with the Soil Reuse Guidance for Miami-Dade County revised January 2024 (https://www.miamidade.gov/resources/environment/documents/2024-01-24-soil-reuse-guidance-revision.pdf). *(Miami-Dade County Code Chapter 33 and Miami-Dade County Code Section 24-48)*

19. *Condition Relating to Co-location of Public Recreation and Other Public Uses Within Transmission Line Rights-of-Way:*

a. FPL will work with the County to discuss the ability to co-locate public recreational trails and the provision for bicycle and pedestrian access or the allowance of other public uses within the proposed transmission line rights-of-way. *(CDMP Policy LU-1H, Miami-Dade County Parks and Open Space Master Plan)*

20. *Condition relating to project design and wildlife impacts*

a. FPL shall conduct a comprehensive study to identify where the certified transmission corridors cross existing wildlife travel corridors, including but not limited to mammalian, avian, reptilian and amphibian travel corridors, with special attention on travel corridors for rare, threatened or endangered fauna. This study, whose methodology must be approved by RER, must be completed prior to final design of any infrastructure to be constructed in the corridors. FPL shall use the results of the study to inform the final design of infrastructure to be constructed to include appropriate wildlife protection features that may include but not be limited to undergrounding in specific areas, fencing, wildlife underpasses, less impacting power pole design, etc. where transmission rights-of-way cross existing wildlife travel corridors. FPL shall be responsible for the cost associated with undergrounding transmission lines. *(Miami-Dade County Code Chapter 33 and Chapter 24 Sections 24-7 and 24-48, CDMP Objective CON-7 Policy CON-7A, Objective CON-9, Policies CON-9A, CON-9B, CON-9C, CON-9E, CON-9F, and Objective CM-4, Policy CM-4C)*

21. *Conditions relating to project design and general protected species occurrence.* *(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3-24.48.4 of the Miami-Dade County Code, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-9A, CON-9B, CON-9C, and CON-9E)*

a. FPL shall coordinate with RER or successor agency and the Florida Fish and Wildlife Conservation Commission (FWC) to obtain and follow the current survey protocols for all listed species, including plant species, that may occur within the transmission line rights-

of-way, plus accessible appropriate buffers as defined by the listed species' survey protocols, prior to conducting detailed surveys.

b. Surveys shall be conducted prior to final design of the transmission infrastructure in accordance with the survey protocols. The results of those detailed surveys shall be provided to RER and to FWC in a report, and coordination shall occur with RER and the FWC on appropriate modifications to final design of transmission infrastructure to avoid, to the extent practicable, impacts to listed species or their habitats. Where avoidance is not possible, FPL shall demonstrate to RER and FWC that final design of transmission infrastructure has minimized impacts to listed species, including but not limited to implementation of wildlife protection features such as undergrounding in specific areas, fencing, wildlife underpasses, less impacting power pole design, etc. (FPL shall be responsible for the cost associated with undergrounding transmission lines.) FPL shall also demonstrate to RER and FWC that appropriate impact mitigation methodologies have been employed for unavoidable impacts to listed species, including but not limited to relocation or establishment of *ex situ* populations of listed plant species. No construction shall occur within the transmission line rights-of-way until the required surveys have been conducted and required reports have been approved by RER and FWC, and that appropriate modifications to final design of transmission infrastructure, and appropriate impact mitigation methodologies have been demonstrated by FPL and approved by both RER and FWC.

22. *Conditions relating to project design and protected species impacts*

a. FPL shall conduct an assessment for protected species that shall note all habitat, occurrence or evidence of protected species within one mile of the certified corridor prior to final design of the transmission infrastructure. Protected species to be included in this survey shall include but not be limited to the bald eagle, migratory birds protected by the Migratory Bird Act, those species listed as endangered, threatened, or of special concern by the FWC or those listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS), and those plant species listed as endangered or threatened by the Florida Department of Agriculture and Consumer Services Division of Plant Industry. Wildlife surveys shall be conducted in the reproductive or "active" seasons for each species unless otherwise approved by Miami-Dade County and the FWC and USFWS. Plant surveys shall be conducted in the reproductive seasons for species that are likely to be found in the available habitats. For species that are difficult to detect, FPL may make the assumption that the species is present and plan appropriate avoidance/mitigation measures after consultation and approval from Miami-Dade County, the FWC, and, if appropriate, the USFWS.
    1) These surveys shall be conducted in accordance with USFWS/FWC guidelines and methodologies by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for each potentially occurring listed species.
    2) These surveys shall identify any wading bird colonies or other avian rookeries or nesting areas (e.g., Everglades snail kite nesting areas, etc.) within one mile of the project that may be affected, as per USFWS buffer recommendations.
    3) These surveys shall identify locations of breeding sites, nests, and burrows for protected wildlife species. Nests and burrows shall be recorded with GPS coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, Miami-Dade County and the FWC prefer that any applicable protection radii surrounding groups of nest sites and burrows be included, rather than around individual nests and burrows.

b. FPL shall utilize this information to modify the management plan for all federal and state listed endangered or threatened species and shall modify final design of transmission infrastructure to avoid impacts to protected wildlife species to the degree practicable, minimize impacts that are unavoidable, and mitigate for impacts that are unavoidable through wildlife protection measures that must be approved by Miami-Dade RER. Breeding sites for threatened or endangered species shall not be moved or destroyed.

c. These surveys shall include an estimate of the acreage and percent cover of each existing vegetation community (Florida Land Use, Cover and Forms Classification System, or FLUCFCS, at the third degree of details), include a wildlife-based habitat classification scheme such as the Comprehensive Wildlife Conservation Strategy (FWC 2005), Description of Vegetation and Land Cover Types (FWC 2004), or Natural Communities Guide (FNAI 1990) of each community that is contained within the transmission line right-of-way and shall use GIS to document findings. Electronic copies of all GIS files used to create the survey report(s) shall be submitted to RER and FWC as part of the reporting requirements, except as specified for listed plant species, below.

d. This survey shall include locations for all plant species that are endangered or threatened at state or federal levels. FPL shall deposit GIS records for listed plant species with a non-governmental organization that is mutually agreeable to both FPL and Miami-Dade County RER.
(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3-24.48.4 of the Miami-Dade County Code, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-7J, CON-9A, CON-9B, CON-9C, and CON-9E)

23. *Condition relating to project design and wildlife corridor impacts*

a. FPL shall conduct a comprehensive study to identify where the certified transmission corridors cross existing wildlife travel corridors, including but not limited to mammalian, avian, reptilian and amphibian travel corridors, with special attention on travel corridors for rare, threatened or endangered fauna. This study, whose methodology must be approved by RER, must be completed prior to final design of any infrastructure to be constructed in the corridors. FPL shall use the results of the study to inform the final design of infrastructure to be constructed to include appropriate wildlife protection features that may include but not be limited to undergrounding in specific areas, fencing, wildlife underpasses, less impacting power pole design, etc. where transmission rights-of-way cross existing wildlife travel corridors. FPL shall be responsible for the cost associated with undergrounding transmission lines. *(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3 of the Miami-Dade County Code, Condition 9 of Miami-Dade County Resolution No. Z-56-07, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-7J, CON-9A, CON-9B, CON-9C, and CON-9E)*

24. *Condition relating to avian nesting, including wading bird colonies*

a. In order to identify the baseline conditions which may indicate the potential for impacts to wading birds, and/or other avian species protected by state or federal law, and to help quantify potential mitigation for such impacts, FPL will perform the following studies prior to final design of the transmission corridor:

1) Follow flight surveys should be conducted during nesting seasons where young successfully fledge from colonies, for any identified wood stork colonies within a mile of the proposed transmission corridor, including but not limited to those along Tamiami Trail (East 1, East 2, and West). A sufficient number of seasons must be

surveyed to ensure that the results include at least one nesting season that is considered average and one that is considered exceptionally successful by FWC, USFWS, and SFWMD biologists. Detailed design for the surveys shall be submitted to FWC, USFWS, SFWMD, Miami-Dade County, and, as the landowner for several known colonies, ENP, within 180 days after certification, and shall be subject to review and approval by these same agencies. The surveys shall be conducted beginning at the start of the nesting season, shall continue during the fledging period, and shall ascertain flight line corridors for the wood storks in terms of direction, destination(s), numbers of birds, altitudes, and other parameters as approved by FWC, USFWS, SFWMD, Miami-Dade County, and ENP. These data would be compared to appropriate data for the same colonies, collected to date where available, as approved by the aforementioned agencies.

2) A post-certification, one-time pre-final design aerial survey, whose methodology shall be subject to review and approval by FWC, USFWS, SFWMD, Miami-Dade County, and ENP, shall be conducted via fixed wing or rotary wing aircraft, between the months of December and May, once it is confirmed by FWC, USFWS, SFWMD, Miami-Dade County, or ENP that wading birds are nesting in the area of the proposed transmission line corridor. The surveys should employ a series of two transects, along each side of the right-of-way. To minimize disturbance to the colonies, the flight(s) should be conducted at altitudes no less than 300 feet.
    a) This survey shall identify any wood stork/wading bird colonies in addition to any found from agency records that may be affected within one mile of the project ROW.
    b) Center locations of all wood stork and wading bird colonies should be delineated with a Wide Area Augmentation System (WAAS) enabled Global Positioning System (GPS) unit.
    c) Ground inspection of all wood stork and wading bird colonies needs to be made as aerial identification of intermediate-sized and dark-plumaged wading birds (little blue heron, tricolored heron, glossy ibis) is difficult at best and because they tend to nest below the vegetation canopy, making species identification all but impossible. To avoid flushing birds from their nests identification of species should be made using binoculars, and surveys should follow the protocols in Rodgers and Smith (1995). *(Rodgers, J. A, and H. T. Smith. 1995. Set-back distances to protect nesting bird colonies from human disturbance in Florida.* Conservation Biology *9: 89-99.)*

b. A post-certification, one-time pre-final design aerial and ground survey, whose timing and methodology shall be subject to review and approval by FWC, USFWS, SFWMD, Miami-Dade County, and ENP, shall be conducted by FPL via fixed wing or rotary wing aircraft and/or ground crews to identify any other avian species, including state and federally listed threatened or endangered species, that are nesting within a mile of the proposed transmission line right-of-way.

c. For any nesting activity by state or federally listed threatened or endangered species identified as being located within one mile from the corridor as a result of the above-referenced post-certification pre-final design survey, and for the protection of known foraging habitat, FPL shall implement the following measures:

1) Modify the project to avoid all impacts to nesting activity by state or federally listed threatened or endangered species, including but not limited to undergrounding or at-grade facilities in specific areas, or relocating the corridor to be outside the recommended USFWS buffer for wood stork colonies and/or a suitable distance

from any other nesting activity by state or federally listed threatened or endangered species (including but not limited to Everglades snail kites), so as to not disturb, even temporarily, any nesting habitat utilized by state or federally listed threatened or endangered species. FPL shall be responsible for the cost associated with undergrounding transmission lines. In addition, the project shall be modified as necessary to avoid all permanent impacts to foraging habitat for listed avifauna (such as but not limited to Everglades Snail Kites) within the Miami-Dade County designated East Everglades Area of Critical Environmental Concern.

2) Flight Diverters – For any portion of the corridor that is outside the one-mile buffer or which would not disturb any other nesting activity by state or federally listed threatened or endangered species but which crosses one or more avian travel corridors, FPL shall install spiral/corkscrew design bird flight diverters (or other mutually agreeable design flight diverters) on the Overhead Ground Wires (OHGW) of each transmission line wherever the transmission infrastructure crosses a travel corridor. Flight diverters shall be installed according to the manufacturers' instructions and maintained on a schedule to be approved by FWC and Miami-Dade County.
3) FPL shall also install perch discouragers at transmission structure pole tops and arms to address risks from nest building and streamers (defecation) and reduced the exposure and potential risk of electrocutions.
4) Mitigation Effectiveness Study – At leave six months prior to any construction, FPL shall fund a monitoring study to determine the effectiveness of proposed avian mitigation measures. The results will be used to determine effectiveness of these measures in the protection of important habitats including assisting wood storks (and other state or federally listed threatened or endangered avian species) in avoiding the new transmission line facilities and identify whether effectiveness of sections of lines with mitigation features is significantly different from unmarked lines. The design and implementation of this survey is subject to review and approval from FWC, USFWS, SFWMD, Miami-Dade County, and ENP and the agency's approval shall include the timelines required for implementation, completion and review of the survey.
5) Post-survey Review – After the Mitigation Effectiveness Study has been conducted, the results will be presented to FWC, USFWS, SFWMD, Miami-Dade County, and ENP. If mortality to any avian species reasonably related to collisions with the transmission lines is detected, FPL and the Study Investigator shall meet with FWC, USFWS, SFWMD, Miami-Dade County, and ENP to discuss the results of the Mitigation Effectiveness Study to determine what additional mitigation measures, including but not limited to redesign of transmission facilities or modification/relocation of the corridor, or a different configuration or greater density of flight diverters, or additional monitoring, or a combination may be required by the aforementioned agencies.

(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3-24.48.4 of the Miami-Dade County Code, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-9A, CON-9B, CON-9C, and CON-9E)

25. ***Condition relating to a management plan for protected species***

a. FPL shall coordinate with FWC, USFWS, SFWMD, and Miami-Dade County in the development of a management plan for protected species for the transmission corridors, which shall be subject to review and approval by the aforementioned agencies. Protected

species to be included in this plan shall include but not be limited to the bald eagle, migratory birds protected by the Migratory Bird Act, those species listed as endangered, threatened, or of special concern by the FWC or those listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS), and those plant species listed as endangered or threatened by the Florida Department of Agriculture and Consumer Services Division of Plant Industry, and those listed in Appendix A and Appendix B of the Miami-Dade County CDMP Conservation, Aquifer Recharge and Drainage Element. *(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3 of the Miami-Dade County Code, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-7J, CON-9A, CON-9B, CON-9C, and CON-9E)*

b. This plan shall address management and preservation of protected species found within one mile of the transmission corridors and their habitats, and shall be submitted to FWC, USFWS, SFWMD, and Miami-Dade County prior to final design of the transmission lines and associated infrastructure. The plan shall identify and preserve, to the maximum extent possible, all habitat identified as significant to these species. No construction in the transmission corridors shall occur until the management plan for protected species has been reviewed and found sufficient by FWC, USFWS, SFWMD, and Miami-Dade County and FPL demonstrates that appropriate wildlife and plant protection measures have been implemented in final design and location of the transmission infrastructure.
(Section 24-7 of the Miami-Dade County Code, Section 24-18(A) of the Miami-Dade County Code, Section 24-48.3 of the Miami-Dade County Code, CDMP Objectives CON-7 and CON-9, CDMP Policies CON-7A, CON-7J, CON-9A, CON-9B, CON-9C, and CON-9E)

26. *General conditions relating to listed species habitat*

a. Rookeries and nesting sites used by federal or State designated or threatened species shall not be moved or destroyed. (CDMP Objective CON-9, Policies CON-9B and CON-9C)
b. Habitats of endangered or threatened species including but not limited to foraging habitat for snail kites shall not be degraded or destroyed as a result of the project including construction, installation and subsequent maintenance of the proposed transmission lines and associated infrastructure, including maintenance roads. (CDMP Objective CON-7, Policy CON-7A,)

27. *General wetland conditions* *(CDMP Land Use Element p. I-75, "Wetland Areas", Objective LU-3, Policy LU-3A, LU-3B, Conservation, Aquifer Recharge and Drainage Element Objective CON-7)*

a. Impacts shall be avoided and minimized in all wetland areas. No less than 90 days prior to commencement of work within each segment of transmission line right-of-way including temporary and permanent access roadways that is located within or impacts wetlands (including site clearing or other preparation work), FPL shall provide Miami-Dade County RER with complete and detailed plans, and construction methodology, for all proposed work within the transmission corridor. This information shall be provided as a post certification submittal for review and approval by Miami-Dade County RER and shall be of sufficient detail for the County to evaluate the proposed work for conformance with ERP regulations as well as the Miami-Dade County CDMP, Section 33B-26, and Section 24-48, Miami-Dade County Code.
b. Construction drawings and engineering calculations signed and sealed by a professional engineer registered in the State of Florida and a land survey sealed by a licensed land surveyor registered in the State of Florida for those elements of the project that involve

wetlands. These plans must include sufficient detail and be prepared at a scale that clearly identifies the limits of filling in wetlands, on-site mitigation areas, structures other than fill in wetlands, and typical cross-sections of all elements of the project that affect wetlands.

c. A construction management plan which shall include methods or best management practices for preventing or controlling secondary impacts from turbidity, siltation, fugitive dust, unpermitted impacts to adjoining wetlands, fill or excavated material, construction debris, noise, or artificial lighting.

d. The proposed work shall demonstrate that all avoidable impacts associated with roads and other infrastructure to be located within and adjacent to the wetland portions of the transmission corridors have been eliminated and that unavoidable impacts have been minimized, and that the project design maximizes preservation of existing natural resources as required pursuant to Section 24-48.4 Miami-Dade County Code. The proposed design and construction of the transmission lines shall incorporate features that avoid and minimize impacts to natural resources including but not limited to wetlands, flora, fauna, and rare, threatened and endangered species. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of fill pads for transmission line structures, elimination of access roads where not necessary, construction of access roads at wetland grade, undergrounding of transmission lines, collocation with existing features, and modification of construction techniques to eliminate avoidable impacts and reduce unavoidable impacts. FPL shall be responsible for the cost associated with undergrounding transmission lines. Access roads, culverts and all other structures shall be located to avoid conflict with existing underground utilities including but not limited to water and sewer facilities. In the event temporary fill is used in wetlands to facilitate construction of the transmission line, the temporary fill shall be removed and the wetlands restored after construction to minimize impacts to wetlands. RER will review the submittal for compliance with the requirements of this condition and the requirements of the Miami-Dade County Code, and FPL shall modify the plan as necessary to comply with these requirements. Work on portions of the transmission lines within wetlands as well as any other portions impacting wetlands shall not commence until RER has approved the submittal through a determination that it meets the requirements of this condition, the Miami-Dade County Public Works Manual and Chapters 24 and 33B, of the Miami-Dade County Code.

e. FPL shall execute a permanent flowage easement in favor of the county, state and federal governments across those portions of the transmission corridors located within Environmental Protection Subarea A (Water Conservation Area A), Environmental Protection Subarea B (Pennsuco Wetlands), Bird Drive Basin, and Everglades National Park (CDMP Policy CON-7C). This flowage easement shall be approved by MDC RER based on a coordinated review by the agencies and shall be executed by FPL prior to any clearing or construction within any of the approved transmission corridors. MDC RER shall record the flowage easement in the public records after acceptance of the finalized language. *(Miami-Dade County Code Chapter 33 and Section 24-48, CDMP Objective LU-3, Policies LU-3A and LU-3B, Objective CON-7, Policy CON-7C).*

f. FPL, through its design, construction, maintenance and operation of infrastructure to be located within the transmission corridors, shall actively support, to the greatest extent applicable, the restoration and maintenance of surface water flow through wetland systems located within Environmental Protection Subarea A (Water Conservation Area A), Environmental Protection Subarea B (Pennsuco Wetlands), Bird Drive Basin, and Everglades National Park. Any work, use, alteration or construction that constrains or prevents the restoration or maintenance of water flow is prohibited. *(Miami-Dade County*

Code Sections 24-7 and 24-48, CDMP Objective LU-3, Policies LU-3A, LU-3B and LU-3C, Objective CON-7, Policies CON-7C and CON-7J).

28. *Conditions for Wetland Mitigation*

a. A complete and detailed comprehensive wetlands mitigation plan, that addresses permanent and temporary impacts, shall be submitted to the FDEP, SFWMD and Miami-Dade County RER for review and approval by each of these agencies prior to any work or construction within the transmission corridors and prior to the performance of any of the mitigation. In order to be acceptable to Miami-Dade County, the mitigation plans shall meet all the requirements of Chapter 24 of the Miami-Dade County Code as well as applicable state and federal regulations. In addition, because the maintenance of the transmission lines, once constructed, will require continual impacts to wetlands and other natural areas, the mitigation plan shall fully address these continuing impacts. (*CDMP Objective CON-7, Policy CON-7A, Sections 24-7 and 24-48.4 Code Miami-Dade County)*

b. FPL shall also mitigate for unavoidable wetland impacts (and other impacts as applicable) that would occur in designated wetland areas to the extent possible within the same wetland basin in which the impacts occur. Prior to mitigating within mitigation banks, FPL shall perform mitigation according to the hierarchy of Section 24-48 of the Miami-Dade County Code, including avoidance and minimization of impacts and in a manner consistent with Everglades Restoration projects including but not limited to CERP and the Modified Water Delivery Project. Mitigation shall not prohibit, delay or otherwise constrain Everglades Restoration projects. If there are insufficient mitigation opportunities available in the same wetland basin in which the impacts occur, FPL may mitigate for unavoidable wetland impacts within adjacent or nearby wetland basins or may purchase credits in a mitigation bank that is considered acceptable by Miami-Dade County RER. To the extent possible, FPL shall undertake mitigation projects in the same wetland area or in adjacent wetland basins before purchasing or otherwise seeking credits from an appropriate mitigation bank. *(CDMP Objective CON-7, Policy CON-7A, Sections 24-7 and 24-48.4 Code Miami-Dade County)*

29. *Conditions regarding power line clearance and work in county canal ROW*

a. Overhead utility crossings, such as telephone and power lines, over a County canal shall be required to have a minimum vertical clearance of forty (40) feet above ground surface, per Section D4.04, Part 2 – Public Works Manual, of the Code of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

b. At least one hundred and eighty (180) days prior to the commencement of construction of any portion of the transmission line which will cross over, on, under, or otherwise use a Miami-Dade County canal right-of-way or canal reservation, complete drawings showing the proposed facilities must be submitted to Miami-Dade County RER for documentation of compliance with Chapters 24 and 33 of the Miami-Dade County Code of Ordinances. DEP and RER will review the drawings for compliance with Chapters 24 and 33 of the Miami-Dade County Code and FPL shall correct the drawings as necessary to comply with Code requirements based on this review. Work under these drawings shall not commence until DEP and RER have approved the drawings. These drawings shall depict the proposed crossing in both plan and profile views and shall show, at a minimum:

1) The canal right-of-way lines;

2) The top of the canal bank and its elevation;
3) The centerline of the levee and its elevation
4) The canal maintenance berm and its elevations at its highest point;
5) The location of any poles, towers, and/or access roads located within the County's right-of-way;
6) The location of any anchors, downguys, or spanguys within the County's right-of-way;
7) The elevation of the lowest line, wire, or cable crossing over the County's right-of-way, given at the lowest point of sag in the span within the County's right-of-way;
8) The location and elevation of any buried facilities;
9) The location of the facilities in relation to a section line, major road, or other prominent well-known landmark by which the facilities may be located in the field.
10) Should FPL desire to utilize Miami-Dade County's canal right-of-way for access during construction of the transmission line and/or for inspection and maintenance after construction, FPL shall submit to Miami-Dade County RER a detailed plan identifying the proposed route, type and number of vehicles to be used, and frequency of such use.

c. The northern portion of the preliminary preferred corridor is collocated with the NW 157 Avenue Canal and the Dade Broward Levee, which are components of the Miami-Dade County secondary canal system as shown on the Water Control Map. Miami-Dade County has approximately 130 feet of canal reservation throughout much of this alignment, and additional County canal right-of-way and canal maintenance easements may also be crossed by the proposed corridor. Any work within Miami-Dade County secondary canal features (i.e., canal right-of-way, canal maintenance easements, and canal reservations) must be reviewed and coordinated with the Water Control Section to ensure they are allowable and do not interfere with conveyance, water quality, or maintenance of the secondary canal system, in accordance with Chapter 24 and the Miami-Dade County Public Works Manual. This review is currently based on the siting corridor map only. The Water Control Section will need to review detailed construction plans and survey showing the proposed transmission infrastructure within or adjacent to County canal interests, including transmission structures, access and maintenance roads, and any other improvements that may affect canal interests. Work in these canal features requires a Class III permit per Section 24-48.1(1)(c).(*Section 24-48.1(1(c), Code Miami-Dade County)*

30. ***Conditions on Water and Sewer Infrastructure***

a. Access to all water and sewer valves, sanitary sewer manholes, and other control mechanisms shall be maintained throughout construction to ensure the public health and safety in the event of an emergency. Covering valve boxes and manholes is considered unauthorized obstruction of and tampering with Water and Sewer Department (MDWASD) Utilities.

b. FPL's contractors shall locate and proceed with caution when excavating within five (5) feet of Miami-Dade County Water and Sewer Department facilities.

c. No trees or palms should be planted within five (5) feet of any MDWASD facility.

d. FPL's contractors shall comply with Chapter 556 F.S. relating to underground facility damage prevention and safety. http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0500-0599/0556/0556.html

31. *Conditions on Roadway Dedications and Other waivers*

a. FPL shall dedicate or otherwise convey to Miami-Dade County land needed for streets, roads, and public ways that are listed in Section 33-133 of the Miami-Dade County Code. Dedication or conveyance documents, as appropriate, shall be executed by FPL prior to any clearing or construction within any of the approved transmission corridors. *(CDMP Page I-88, Policy TC-2D, County Code Section 33-133)*

32. *Condition regarding pole placement, co-location, and design:*

a. Where overhead transmission facilities may be improved or constructed, FPL shall seek to co-locate or bury existing transmission and distribution lines with new transmission lines on new unified pole structures. Throughout the corridors, FPL shall remove extraneous poles, support structures, and other equipment to improve the safety and aesthetics of the corridors, regardless of adjacent land uses. *(CDMP Policy LU-4A, LU-4C, LU-4D)*

33. *Conditions for historic places and structures:* *The portion of the routes that are west of the turnpike, particularly near Krome Avenue and westward, have the potential to impact several sites of archaeological importance.*

a. FPL shall conduct a Cultural Resource Assessment Survey (CRAS) for the transmission lines and associated access roads. Copies of the CRAS shall be provided to Miami-Dade County for review and comment. The Miami-Dade County Office of Historic and Archaeological Resources may also submit their own comments related to eligible or existing historic and archaeological sites along the proposed routes, as some of the proposed routes may have already been surveyed by the office. *(CDMP Land Use Element, Objective LU-6)*

b. Archaeological monitoring shall be performed during all construction west of Krome Avenue. Should archaeological deposits or resources be discovered during such monitoring, the county archaeologist shall be given adequate time (up to one week per site) to collect artifacts and document the site before construction continues. *(CDMP Land Use Element, Objective LU-6)*

c. Coordination with the appropriate State and regional agencies, including the Miccosukee Tribe of Indians, must be undertaken if an archaeological site is discovered, per CDMP Policy LU-6H.

d. FPL shall avoid impacts to County-designated and known historic and archaeological sites and zones, previously recorded archaeological sites, and archaeological resources identified through the CRAS. Where impacts to historic or archaeological resources cannot be avoided, FPL shall consult with Miami-Dade County to identify and implement avoidance measures. *(CDMP Land Use Element, Objective LU-6)*

34. *Protected tree and vegetation conditions:*

a. Existing specimen trees and native vegetation (including canopy, understory, and ground cover) shall be preserved to the maximum extent practicable and FPL shall mitigate for impacts to tree canopy in accordance with the requirements of Section 24-49 of the Code of Miami-Dade County. *(Section 24-49 Code Miami-Dade County)*

b. At least six months prior to commencement of work within each segment of transmission line within uplands on newly established transmission line right-of-way (including site clearing or tree removal), FPL shall submit to Miami-Dade County (and applicable municipalities) for review and approval as a post-certification submittal a tree survey for that segment showing all upland trees that need to be removed, as well as a tree mitigation plan to compensate for the tree canopy to be removed for that segment as required by Section 24-49 Miami-Dade County Code. Miami-Dade County will review the survey and

the adequacy of the plan for compliance with the requirements of the Miami-Dade County Code and municipal laws, and FPL shall correct the survey as well as modify the plan as necessary to comply with these Code requirements. Work under the tree planting plan shall not commence until Miami-Dade County (and applicable municipalities) have approved the survey and plan through a determination that both meet the requirements of Section 24-49, Miami-Dade County Code, and municipal law. FPL shall perform and complete the tree planting in a timely manner as specified in the approved plan. No trees within a newly established transmission line right-of-way shall be removed, transplanted or damaged by FPL, their agents or contractors until Miami-Dade County (and applicable municipalities) approval has been granted, with the exception of specific prohibited species (see Attachment 2) as defined under Miami-County Code that do not require a tree removal permit pursuant to Section 24-49, Miami-Dade County Code. Removal of trees from botanic gardens or state approved nurseries are not subject to the tree or canopy replacement requirements contained herein. For purposes of this condition, state approved nurseries shall mean those nurseries with a valid certificate of registration from the Division of Plant Industry. Wetland mitigation requirements are described in other conditions of certification and trees located within wetlands are not subject to these tree or canopy replacement requirements. (S*ection 24-49 Code Miami-Dade County)*

c. For established and constructed transmission line rights-of-way, FPL shall meet all applicable local and state requirements relating to tree removal and tree trimming and provide Miami-Dade County RER a minimum of five (5) business days' advance written notice prior to conducting routine vegetation maintenance and tree pruning or trimming activities, as required by Section 163.3209, Florida Statutes.

d. For all tree and vegetation pruning within transmission line rights of way, FPL shall utilize best management practices for tree pruning and utility line tree pruning as described by the Tree Care Industry (companion publications to ANSI A300 Part 1). In addition to maintain safe clearance from lines for workers, FPL shall consider tree health and structure to reduce impacts from storms and aesthetics, especially in urban areas.

e. FPL shall not maintain vegetation on or adjacent to a transmission line right-of-way in a manner that would violate the clearance requirements specified in Table 2 of ANSI Z133.1-2000 for lines affected by the North American Electric Reliability Council Standard, FAC 003.1 requirement R1.2., or that would violate the National Electrical Safety Code as adopted by the Florida Public Service Commission.

35. *Condition regarding inspection of transmission line facilities:*

a. FPL shall not begin operation of transmission line facilities until Miami-Dade County has completed inspections of landscaping, poles, and associated construction and determined compliance with the conditions, referenced herein.

36. *Condition regarding dewatering activities:*

a. Prior to the initiation of any dewatering activities associated with the construction of any portion of the transmission line (including access roadways), FPL shall submit all necessary information for a Class V permit review and approval by MDC under the post-certification process. *(Section 24-48, Code Miami-Dade County)*

37. *Condition regarding cost recovery for plan reviews and inspections:*

a. FPL shall compensate Miami-Dade County for staff time associated with plan and other application reviews and inspections, referenced herein. *(Section 403.511(4) and 403.531(4), Florida Statutes)*

RESPECTFULLY SUBMITTED

Daniella Levine Cava

Miami-Dade County Mayor

Stephen P. Clark Center

111 N.W. 1st Street, 29th Floor

Miami, Florida 33128

Tel: (305) 375-5071

By: _____

Lourdes M. Gomez

Director, Regulatory and Economic Resources Department

Reviewed by County Attorney
for legal sufficiency:

_____

APPENDIX II-H – BROWARD COUNTY

From:	Owens, Michael
To:	Senn, Nate; Hurd, Jacqueline; Sunderland, Simon; Rogers, Scott; Zhong, Monica; Cassandra.Frederick@dos.fl.gov; rley; Christine.Velazquez@miamidade.gov; Cucinella, Josh
Cc:	SCO; Corbari, Kelley; Earlywine, Rachel; Lugo, Marbelis; Robertson, Robert; Sattelberger, Danielle; Blandin, Norva; SStiller@psc.state.fl.us; CompliancePermits; druesga@southwestranches.org; rmuniz@southwestranches.org; Brownk@miamidade.gov; Conservation Planning Services
Subject:	RE: Transmission Line Siting Application - FPL Andytown-Oasis 500/230kV (TA26-21) - Completeness Review
Date:	Thursday, June 18, 2026 5:00:34 PM

EXTERNAL MESSAGE
This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Nate, Marbelis, and Kelley,

You asked for responses to the following by tomorrow:

1. **Contact information for the individual(s) from your agency with whom we will work with as the project moves forward.**
   Broward County's contacts for this project are:
   Michael C. Owens, Senior Assistant County Attorney
   Phone: 954-357-7614
   Email: mowens@broward.org
   Jennifer Brown, Senior Assistant County Attorney
   Phone: 954-357-7118
   Email: jennbrown@broward.org
   Matthew Haber, Senior Assistant County Attorney
   Phone: 954-357-7615
   Email: mhaber@broward.org
   Address for all three contacts:
   Broward County Attorney's Office
   115 S. Andrews Avenue, Suite 423
   Fort Lauderdale, FL 33301

2. **Review for Completeness.**
   Broward County's review is that there is enough information included in the application to make an adequate review of the matters within your agency's jurisdiction. As to Broward County's nonprocedural requirements, the application is complete.

3. **Preliminary Statement of Issues and Report.**
   FP&L's application for transmission line and corridor certification, as submitted, is consistent with Broward County's applicable nonprocedural ordinances, regulations, standards, and criteria.
   a. There are no applicable nonprocedural requirements for which a variance, exemption, exception, or other relief is necessary for the proposed corridor to be certified.
   b. Broward County recommends approval of the application.

c. Broward County is not proposing conditions of certification within the County's jurisdiction.
d. If FP&L amends its application in response to other parties' completeness review, Broward County reserves the right to submit an amended Statement of Issues and Report.

Michael C. Owens
Senior Assistant County Attorney
mowens@broward.org
954-357-7600 (o)
954-357-7614 (d)

APPENDIX II-I – TOWN OF SOUTHWEST RANCHES

Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, *Mayor*
Gary Jablonski, *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
David S. Kuczenski, *Council Member*

Russell Muniz, *Town Administrator*
Keith M. Poliakoff, *Town Attorney*
Emil Lopez, CPM, MAcc, *Town Financial Administrator*

August 25, 2026

Nate Senn, Environmental Consultant
Florida Department of Environmental Protection
DWRM Siting Coordination Office
Via email: Nate.Senn@FloridaDEP.gov

Re: FP&L's Application for Transmission Line and Corridor Certification

Dear Mr. Senn:

The Town of Southwest Ranches ("Town") has reviewed Florida Power & Light Company's ("FP&L") application for transmission line and corridor certification and provides the following statement pursuant to the Florida Transmission Line Siting Act, Chapter 163, Florida Statutes.

The application, as submitted, is consistent with the Town's applicable nonprocedural ordinances, regulations, standards, and criteria. There are no applicable nonprocedural requirements for which a variance, exemption, exception, or other relief is necessary for the proposed corridor to be certified.

Accordingly, the Town recommends approval of the application and is not proposing any conditions of certification within its jurisdiction.

This statement is based on the information contained in the application, as submitted to the Town as of the date of this letter, and on the Town's, review conducted in the ordinary course. Should FP&L amend, supplement, or clarify its application, whether in response to a completeness review by the Florida Department of Environmental Protection, any other reviewing agency or party, or otherwise, the Town reserves the right to submit an amended Statement of Issues and Report addressing such amendments, supplements, or clarifications.

The Town further reserves all rights, powers, and authority available to it under the Florida Transmission Line Siting Act, Chapter 163, Florida Statutes, and any other applicable law, including but not limited to the right to: participate in any certification hearing or related proceeding; raise any issue not addressed in this statement, including issues arising from information not currently known to the Town, subsequently discovered, or subsequently submitted; require compliance with all applicable permitting, licensing, and fee requirements not addressed herein; and enforce any nonprocedural requirement of the Town that may later be determined to apply to the proposed corridor.

This letter does not constitute a waiver, release, or estoppel as to any right, claim, or defense of the Town of Southwest Ranches, whether known or unknown as of the date hereof, and should not be construed as such.

Please do not hesitate to contact me with any questions.

Sincerely,

Russell Muñiz, MBA, MPA, ICMA-CM
Town Administrator
Town of Southwest Ranches

Exhibit B

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE:	**FLORIDA POWER & LIGHT ANDYTOWN–OASIS 500/230 KV TRANSMISSION LINE SITING APPLICATION TA26-21**	**DOAH CASE No.: 26-2609TL**
		OGC CASE No.: 26-1490

STIPULATION OF FLORIDA POWER & LIGHT COMPANY AND MIAMI-DADE COUNTY

Whereas, Florida Power & Light Company ("FPL") and Miami-Dade County ("MDC") (jointly, the "Parties") desire to enter into this stipulation ("Stipulation") regarding FPL's proposed Andytown-Oasis 500kV and 230kV transmission line project (the "Project");

Whereas, the Project is the subject of the above-captioned transmission line corridor certification proceeding conducted pursuant to the Florida Electric Transmission Line Siting Act ("TLSA"), in Chapter 403, Part II, Florida Statutes ("F.S.");

Whereas, this Stipulation is to be incorporated into the Joint Stipulation and Motion of the Parties to Cancel Certification Hearing and To Relinquish Jurisdiction to the Florida Department of Environmental Protection for Entry of Final Order, as Exhibit B thereto;

Whereas, FPL has agreed with the Department of Environmental Protection that FPL shall comply with Project Agency Report ("PAR") Condition of Certification B.(I)B (entitled Everglades National Park Land Exchange) as issued on September 11, 2026; and

Whereas, FPL further agrees to provide MDC with the opportunity for consultation and input regarding FPL's implementation of PAR Condition of Certification B.(I)(B);

Now, therefore, the Parties agree as follows:

1. **Recitals.** The foregoing recitals are incorporated by reference as if set forth herein.

2. **Conditions of Certification.** FPL agrees to comply with Florida Department of Environmental Protection PAR, Section B, Part VI (Miami-Dade County), dated September 11,

2026, and the Conditions of Certification set forth herein as Appendix A (together, the "MDC Conditions of Certification").

3. **Withdrawal of Prior Objections.** Upon execution of this Stipulation and subject to the terms hereof, MDC withdraws all objections to certification of the Project. MDC agrees to recommend certification of the Project, as described in FPL's Site Certification Application dated May 22, 2026, and as partially revised in FPL's Notice of Submittal of Responses to Agency Completeness Comments of July 10, 2026, subject to the Conditions of Certification set forth in Appendix A of this Stipulation. In furtherance of this agreement, MDC withdraws its prior recommendation for denial of certification for those portions of the proposed corridor, as set forth in MDC's Agency Report as revised September 1, 2026 (the "Revised Agency Report"), and agrees not to oppose certification of the Project in any proceeding, including before the Division of Administrative Hearings, the Florida Department of Environmental Protection ("Department"), or the Siting Board.

4. **MDC's Agreement to Support Variance.** MDC agrees to support FPL's request for a variance, pursuant to Section 403.201(1)(c), F.S., from restrictions set forth in Miami-Dade County Code Chapter 33B, including, but not limited to: (a) the limitation on fill to one-half (1/2) acre or less within Management Areas 1, 2A, 2B, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern; and (b) the prohibition on excavation within the East Everglades Area of Critical Environmental Concern, for those segments of the corridor located south of US 41/Tamiami Trail and west of the L-31N Canal.

5. **Authority to Execute.** Each signatory to this Stipulation represents that he or she has the authority to execute this Stipulation on behalf of the Party he or she represents and to bind such Party to the terms hereof.

6. **Integration.** This Stipulation constitutes the entire agreement between the Parties with respect to the matters addressed herein as incorporated into the Joint Stipulation and Motion of the Parties to Cancel Certification Hearing and To Relinquish Jurisdiction to the Florida Department of Environmental Protection for Entry of Final Order.

7. **Counterparts.** This Stipulation may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Signatures transmitted by electronic means shall be treated as original signatures.

AGREED TO AND STIPULATED by the undersigned this 22 day of September, 2026.

FLORIDA POWER & LIGHT COMPANY

By: _____
Name: David K. Weda
Title: Director Engineering
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

MIAMI-DADE COUNTY

By: _____
Name: Lourdes M. Gomez
Title: Director, Department of Regulatory
and Economic Resources
Miami-Dade County
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

APPENDIX A

VI. MIAMI-DADE COUNTY

A. General Conditions

1. Construction and operation of the certified facilities shall be in accordance with all applicable nonprocedural requirements of the laws and ordinances of Miami Dade County in effect, including, but not limited to, Chapters 8, 11C, 14, 18A, 24, and 33B of the Code of Miami Dade County, Florida.

2. Impacts shall be avoided and minimized in all wetland areas. [Miami-Dade County Code Section 24-48.4] Prior to the initiation of any work within wetlands, activities associated with the construction of any portion of the transmission line (including access roadways), FPL shall submit all necessary applicable information that would otherwise be required for a Class IV permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

3. Any filling in the wetlands of Miami-Dade County shall consist of only clean fill as defined in Section 24-5(52), Miami-Dade County Code. [Miami-Dade County Code Section 24-48.3(4)]

4. Licensee shall mitigate adverse environmental impacts in accordance with Miami Dade County Code Section 24-48.4.

5. Licensee and their contractors shall comply with Chapter 556, F.S., relating to underground facility damage prevention and safety. [Applicant Agreement]

6. Licensee shall design the transmission lines to comply with applicable provisions of the Americans with Disabilities Act. [Applicant Agreement]

B. Bird Drive Basin

1. All work performed in the Bird Drive Everglades Wetland Basin shall be consistent with the Bird Drive Everglades Basin Plan and the Bird Drive Everglades Fill Encroachment and Water Management Criteria.

2. Prior to the initiation of any work within the Bird Drive Basin associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all applicable information required to determine compliance with fill encroachment and water management criteria for review by the Miami-Dade County Water

Control Section in accordance with Condition XXI. Procedures for Post-Certification Submittals. [Miami-Dade County Code Section 24-48.21]

C. East Everglades Area of Critical Environmental Concern

1. Road construction is prohibited in Management Areas 2A within the East Everglades Area of Critical Environmental Concern. [Miami-Dade County Code Section 33B-26(c)(1)]

2. Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual where applicable. [Miami-Dade County Code Section 33B-26(c)(2)]

3. Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas. [Miami-Dade County Code Section 33B-26(d)]

4. Wetland impacts shall be minimized in the East Everglades Area of Critical Environmental Concern. Prior to construction of transmission lines within the current boundary of Everglades National Park, FPL shall provide as a post-certification submittal a copy of the preliminary alignment along the L-31N canal right-of-way provided to the SFWMD and confer with MDC.

D. Vegetation Management and Exotic Species

1. There shall be no planting or propagation of prohibited species as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual within the FPL transmission rights-of-way. In addition, planting or propagation of controlled species, as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual, shall be prohibited within FPL transmission right-of-way within 500 feet of a natural forest community or native habitats as defined by Miami-Dade County Code Chapter 18A. [Miami-Dade County Code Sections 18A-12 and 18B-2]

2. During initial construction, Licensee shall use best management practices, such as mechanical methods and selective application of herbicides, to eliminate all plants listed as Prohibited or Controlled by Miami-Dade County pursuant to the Miami-Dade County Code, as well as species contained in the current Florida Invasive Species Council (FISC) List of Invasive Plant Species. Licensee shall limit the broadcast use of non-selective herbicides to control exotic and invasive vegetation. Only aquatic-labelled herbicides approved by the U.S. Environmental Protection Agency (EPA) and the Florida Department of

Agriculture and Consumer Services (FDACS) shall be applied in proximity of wetland habitats. [Miami-Dade County Code Sections 24-7, 24-48 and 24-49]

3. All work to remove exotic and invasive plant species from wetland areas shall be conducted in a manner that avoids adverse environmental impacts, including but not limited to the placement of construction mats to prevent rutting and soil compaction. [Miami-Dade County Code Section 24-48]

E. Wellfield Protection Areas

1. Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services, that are not prohibited, to the extent applicable, under section 24-43, shall be used on certified transmission line rights-of-way. Herbicide applications will be in accordance with label directions and will be carried out by a licensed applicator, in compliance with all federal, state and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of herbicide shall not be used unless effects on non-targeted vegetation are minimized.

2. With the exception of herbicides as provided in the paragraph above, the Licensee, its agents and contractors shall not use, generate, handle, dispose of, discharge or store hazardous wastes or hazardous materials as defined pursuant to Section 24-43(5) Miami-Dade County Code within any portion of the transmission lines located within a wellfield protection area in Miami-Dade County following construction. Discharge or disposal of hazardous wastes or hazardous materials along or adjacent to any portion of the transmission lines including outside of wellfield protection areas is also prohibited within Miami-Dade County. [Miami-Dade County Code Section 24-43(5)]

3. Any stormwater disposal associated with construction or operation of the transmission line within a Wellfield Protection Area shall comply with the applicable requirements of Section 24-43, including the allowable stormwater disposal methods established in Section 24-43(4)(c), Table C-1.

F. Work in County Canal ROWs

1. Prior to the initiation of any activities associated with the construction of any portion of the transmission line (including access roadways) within areas of a county canal reservation, county canal maintenance easement, or county canal right-of- way, Licensee shall submit and obtain proprietary approval from Miami-Dade County (RER and Public Works, or successor agencies).

2. Where applicable FPL will obtain any proprietary approval necessary for construction of transmission line structures within county canal reservation, canal maintenance easement,

or canal rights-of-way of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

3. Overhead utility crossings, such as telephone and power lines, over a County canal shall be required to have a minimum vertical clearance of forty (40) feet above ground surface, per Section D4.04, Part 2 – Public Works Manual, of the Code of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

4. Any work within Miami-Dade County secondary canal features (i.e., canal right-of-way, canal maintenance easements, and canal reservations) must be reviewed and coordinated with the Water Control Section to ensure they are allowable and do not interfere with conveyance, water quality, or maintenance of the secondary canal system, in accordance with Chapter 24 and the Miami-Dade County Public Works Manual. Licensee shall submit to the Water Control Section detailed construction plans and surveys showing the proposed transmission infrastructure within or adjacent to County canal interests, including transmission structures, access and maintenance roads, and any other improvements that may affect canal interests for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.1(1)(c)]

G. Protected Tree and Vegetation Requirements

1. Existing specimen trees and native vegetation (including canopy, understory, and ground cover) shall be preserved to the maximum extent practicable, and Licensee shall mitigate for impacts to tree canopy in accordance with the requirements of Section 24-49 of the Code of Miami-Dade County. Removal of trees from botanic gardens or state approved nurseries is not subject to the tree or canopy replacement requirements contained herein. For purposes of this condition, state approved nurseries shall mean those nurseries with a valid certificate of registration from the Division of Plant Industry. [Miami-Dade County Code Section 24-49]

2. Prior to construction within each segment of transmission line within uplands on newly established transmission line right-of-way (including site clearing or tree removal), Licensee shall submit to Miami-Dade County for review in accordance with Condition XXI. Procedures

for Post-Certification Submittals, a tree survey for that segment showing all upland trees that need to be removed, as well as a tree mitigation plan to compensate for the tree canopy to be removed for that segment as required by Section 24-49 Miami-Dade County Code.

H. Dewatering

Prior to the initiation of any dewatering activities associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all necessary applicable information as otherwise would be required for a Class V permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals. [Section 24-48, Code Miami-Dade County]

I. Additional Post-Certification Submittals

Licensee shall provide a copy of the following post-certification submittals to Miami-Dade County:

1. Wildlife surveys required by FWC in Section B. Condition IV., paragraphs A., and B.

2. ERP submittals required by DEP in Section A. Condition XXIX., and Section B. Condition I., paragraph A., including Wetland Mitigation Plans.

3. Preliminary and final designs as required by SFWMD in Section B. Condition III., paragraph A.13. [Applicant Agreement]

4. Cultural resource assessment survey required by DHR in Section B. Condition V, paragraph A.

Rare, Threatened, and Endangered Species

1. Before land clearing and construction activities within the transmission line right-of-way, FPL shall conduct listed faunal species surveys of the transmission line rights-of-way, report locations of evidence of presence of listed species and suitable habitat found, and implement practicable protection measures to avoid, minimize, mitigate, or otherwise address listed species issues. Listed faunal species protection measures shall be in accordance with FWC regulations and FWC conditions of certification. FPL shall provide MDC with a copy of the listed faunal species and habitat survey results along the transmission line rights-of-way and confer with MDC on the proposed protection measures in accordance with Miami-Dade County Code Section 24-48.3(1)(a)].

2. In areas within or immediately adjacent to natural areas including wetlands pinelands or hammocks that are anticipated to be impacted by transmission line construction, FPL shall conduct federal and state listed floral species surveys of the transmission line rights-of-way and report locations of evidence of presence of listed floral species to MDC. Where

practicable FPL shall implement protection measures to avoid and minimize impacts to listed floral species. Where impacts cannot be avoided, FPL shall provide MDC notice and opportunity to salvage or remove any such listed floral species identified in the surveys prior to construction.

Prescribed Burns

1. FPL shall allow MDC or its agents or designees to perform prescribed burns, as approved by the Florida Fire Service (FFS), within the FPL ROW as specified below:

a. Prior to facility construction, in areas where MDC owns or manages property immediately adjacent to or within the FPL ROW (i.e. no FPL facilities) FPL shall allow a prescribed maintenance burn within the FPL ROW, except where it would be incompatible due to existing agricultural uses.

b. FPL acknowledges that Miami-Dade County will manage their lands via control burns adjacent to the corridor.

2. MDC shall meet with FPL staff to discuss controlled burn plans adjacent to the FPL ROW to resolve any issues regarding details of those burn plans, including the timing and schedule for proposed controlled burning and reduction of fuel load to reduce fire intensity and smoke. Where the burn plans involve property not owned by MDC or FPL, MDC shall be responsible for obtaining approval from affected property owners as necessary.

Mitigation for Wetland Impacts

1. Prior to any construction within wetlands along the transmission line rights-of-way, wetlands impact shall be mitigated.

2. Mitigation for impacts to forested wetlands or tree islands shall be mitigated through in-kind mitigation at a mitigation bank or with a project.

3. In FPL's transmission line rights-of-way, FPL must remove cut vegetation from wetland areas. Cut vegetation shall not be dumped in wetlands, should be transported for disposal to an approved facility; all handling shall be in accordance with solid waste disposal regulations.

4. In the final design of the transmission lines, FPL shall avoid and minimize impacts to wetlands to the extent practicable. For unavoidable impacts to wetlands, FPL shall provide mitigation consistent with the conditions herein. Prior to the commencement of construction of the transmission lines, FPL shall provide a post-certification submittal to MDC demonstrating compliance with this requirement.

Andytown-Oasis Transmission Line

1. Post-Certification Review by Miami-Dade County for Transmission Line Placement:

a. Preliminary Design: FPL shall identify the preliminary design and alignment for the transmission line for review by MDC as a post-certification submittal.

b. Final Design: Prior to construction, FPL shall provide to MDC the proposed ROW locations as a post-certification submittal, for review for compliance with these conditions of certification.

2. Public Works Manual Compliance: In the design of the certified transmission line facilities, to the extent practicable, the FPL transmission line alignment shall:

a. In all locations where a new transmission line is installed in or along County ROW, poles shall be sited to ensure safe sight distance triangles for motorists at all appropriate intersections and along all roadways in the immediate vicinity, to the extent practicable, in accordance with Section G5.3 of the MDC Public Works Manual. FPL shall submit drawings to demonstrate compliance with this condition to the County prior to any construction. (This requirement is not applicable where right turn on red is prohibited.) All plans shall be signed and sealed by P.E. registered in Florida. Installation of all Transmission poles shall comply with Stopping Sight Distance and Sight Triangle requirements as defined in The Florida Green Book and FDOT Index 546 as applicable.

b. FPL shall design transmission line and pole placements in accordance with the following provisions of the MDC Public Works Manual as applicable:

i. The utility's work, while in progress, shall be properly protected at all times with suitable barricades, flags, lights, flares or other devices as required by the Manual on Uniform Traffic Control Devices, FDOT Roadway and Traffic Design Standards and/or any requirements of the Public Works Department to protect all members of the public using the portion of the streets involved or adjacent property. The utility shall at all times employ due care and shall install, maintain and use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries or nuisances to the public. All of the utility's structures and lines, equipment and connection in, over, and upon the public rights-of-way of the County wherever situated or located shall at all times be kept and maintained in a safe, suitable, substantial condition, and in good order and repair. Particular emphasis must be placed on safety devices for vehicular traffic. Any work that may create a hazard at night shall be well lighted from sunset to sunrise with lamps or lanterns visible from all approaches.

ii. Upon completion of the work, FPL shall restore the entire area disturbed or affected by this work (both public and private property) to the same or equal condition that existed prior to the work. The restoration of the area shall include, but is not limited to, the removal of surplus or unused materials, rubbish, and temporary structures. Disposal of such materials shall not be made in a manner that will violate any portion of the County Code.

iii. All transmission poles erected within the County's rights of way shall be so located as to cause minimum interference with the proper use of streets, alleys, and other public ways and places, and to cause minimum interference with the rights and reasonable convenience of property owners who may join any of the said street, alleys or other public ways and places.

iv. Transmission poles located within Miami-Dade County Rights-of-ways will not willfully, or otherwise, obstruct, damage, destroy or interfere in any way with the functioning of any drain or drainage system. Poles will not be installed within the drain field of a drainage system.

v. All poles shall be placed at the right-of-way line whenever possible.

vi. FPL shall furnish, install, and supervise the traffic control and warning devices, including use of Uniformed Police Officer when specified, without cost to County. When traffic detours are used, 24 hours advance notice shall be given to law enforcement and fire protection services. FPL shall provide to Public Works Department detour plans for review at least three (3) days in advance and variable message signs will be used to alert the public.

vii. Overhead crossings of power lines above Miami-Dade County canals must have a 40 ft. minimum clearance above ground surface, per Section D4.04, Part 2 – Public Works Manual.

viii. FPL shall demonstrate in a post-certification submittal that it meets the applicable requirements of Section D4.04, Part 2 – Public Works Manual, and Chapter 24 of the Code of Miami-Dade County (MDC), for work in or over Miami-Dade County canals by submitting drawings that depict the proposed crossing in both plan and profile views and the following information:

1) The canal right-of-way lines;

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

3) The centerline of the levee and its elevation;

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

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

6) The location of any anchors, downguys, or spanguys within the County's right-of-way;

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

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

ix.) Should FPL desire to utilize Miami-Dade County's canal rights-of-way for access during construction of the transmission lines and/or for inspection and maintenance after construction, FPL shall submit to the County a detailed plan identifying the proposed route, type and number of vehicles to be used on County canal rights-of-way, and frequency of such use.

Access Controls:

1. In areas where new transmission access roads provide access to sensitive areas that were previously inaccessible to the public, FPL shall provide gates to manage access. Such newly accessible sensitive areas shall be identified by FPL in consultation with MDC.

2. FPL shall work with MDC to identify new or existing FPL transmission access roads for MDC staff or agents to access adjacent or nearby County-owned or –managed lands and will coordinate with MDC to provide access for MDC staff through such locked gates (double locks, master keys, etc.)

3. Prior to construction of the transmission access roads, FPL will inspect the final ROW to identify where vandalism to FPL gates has occurred, and prepare and implement a plan to repair, improve, or maintain such gates.

4. Within 6 months of certification, FPL and MDC shall exchange appropriate contact information for notification and access coordination. The contact information will be updated as needed to address staffing changes. Coordination shall occur no less often than annually.

Public Uses of Transmission Line Rights-of-Way:

Following construction of the transmission lines, FPL will work with the County to discuss the ability to co-locate public recreational trails and the provision for bicycle and pedestrian access or the allowance of other public uses within the transmission line rights-of-way.

Access to Transmission ROW

FPL shall utilize adjacent existing public roads for access to the transmission line ROW before using non-public roads or building new roads for construction, operation, and/or maintenance purposes, to the extent practicable. FPL shall provide a post-certification submittal to MDC for review for compliance with this condition.

Wetland Protection and Mitigation Requirements:

1. Prior to final design, FPL shall request from MDC all records of permit documents and legal instruments including but not limited to Miami-Dade County Zoning Approvals and/or Permits relating to wetlands located in the certified corridor including Class IV Permits, Restrictive Covenants, wetland determinations and platting and zoning comments. Any information provided by MDC within thirty (30) days of FPL's request shall be used by FPL to inform the final design in order to avoid and to minimize impacts to wetlands and mitigation areas as required herein. To the extent required by law, FPL agrees to abide by the aforementioned approvals, permits and other legal instruments unless such are modified by Miami-Dade County.

2. Within the portions of the Proposed Corridor located within Everglades National Park, Bird Drive Basin, or Pennsuco Wetlands (as depicted on Figure 1 below), FPL shall implement design solutions that maintain levels of sheet flow and limit wetland impacts at the time of preliminary design to the extent practicable. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of access roads where not necessary, and collocation with existing linear features to eliminate avoidable impacts and reduce unavoidable impacts. Such design shall also consider projected levels of sheet flow associated with ecosystem restoration projects in the vicinity of the corridor. Prior to construction of transmission lines within these areas, FPL shall provide a post-certification submittal to Miami-Dade County demonstrating compliance with this condition. (County Code Section 24-48.4)

Protected Tree and Vegetation

All tree islands shall be preserved within the Bird Drive Everglades and North Trail Wetland Basins.

Historic Resources

FPL shall avoid or minimize impacts to County-designated and known historic and archaeological sites and zones, previously recorded archaeological sites, and archaeological resources identified through the CRAS submitted to MDC in accordance with

Condition VI(I)4. Where impacts to historic or archaeological resources cannot be avoided, FPL shall confer with DHR and Miami-Dade County to identify and implement appropriate minimization and mitigation measures.

STATE OF FLORIDA

DEPARTMENT

OF

ENVIRONMENTAL PROTECTION

Conditions of Certification

Florida Power & Light

Andytown-Oasis 500/230 kV Transmission Line

TA26-21

November 6, 2026

EXHIBIT 2

Table of Contents

SECTION A: GENERAL CONDITIONS 1

I. SCOPE 1

II. APPLICABLE DEPARTMENT RULES 1

III. REVISIONS TO DEPARTMENT STATUTES AND RULES 3

IV. DEFINITIONS 3

V. FEDERALLY DELEGATED OR APPROVED PERMIT PROGRAMS 4

VI. DESIGN AND PERFORMANCE CRITERIA 5

VII. NOTIFICATION 5

VIII. EMERGENCY CONDITION NOTIFICATION AND RESTORATION 6

IX. CONSTRUCTION PRACTICES 6

A. Local Building Codes 6

B. Open Burning 6

C. Vegetation 6

D. Existing Underground Utilities 6

E. Electric and Magnetic Fields (EMF) 7

F. Radio and Television Interference 7

G. Existing Wells 7

H. Abandonment of Existing Septic Tanks 7

I. Sanitary Wastes 7

X. RIGHT OF ENTRY 7

XI. DISPUTE RESOLUTION 8

A. General 8

B. Modifications 8

C. Post-certification Submittals 8

XII. SEVERABILITY 8

XIII. ENFORCEMENT 9

XIV. REVOCATION OR SUSPENSION 9

XV. REGULATORY COMPLIANCE 9

XVI. CIVIL AND CRIMINAL LIABILITY 10

XVII. USE OF STATE LANDS 10

XVIII. PROCEDURAL RIGHTS 11
XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES 11
XX. PROFESSIONAL CERTIFICATION 12
XXI. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS 12
A. Purpose of Submittals 12
B. Filings 13
C. Completeness 13
D. Interagency Meetings 13
E. Determination of Compliance 13
F. Commencement of Construction 14
G. Revisions to Design Previously Reviewed for Compliance 14
XXII. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY 14
XXIII. POST-CERTIFICATION AMENDMENTS 14
XXIV. MODIFICATION OF CERTIFICATION 15
XXV. WATER QUALITY CERTIFICATION 15
XXVI. LABORATORIES AND QUALITY ASSURANCE 15
XXVII. ROW LOCATION 16
XXVIII. PROCESS FOR REVIEW OF ROW LOCATION 16
XXIX. ENVIRONMENTAL RESOURCES 17
A. General 17
B. Surface Water Management Systems 18
C. Wetland and Other Surface Water Impacts 20
XXX. THIRD PARTY IMPACTS 20
XXXI. FACILITY OPERATION 20
XXXII. RECORDS MAINTAINED AT THE FACILITY 21
XXXIII. WATER DISCHARGES 21
XXXIV. SOLID AND HAZARDOUS WASTE 22
A. Solid Waste 22
B. Hazardous Waste, Used Oil, Petroleum Contact Water, and Spent Mercury 22
C. Hazardous Substance Release Notification 22

D. Contaminated Site Cleanup 23
SECTION B. SPECIFIC CONDITIONS 24
I. DEPARTMENT OF ENVIRONMENTAL PROTECTION 24
A. Management and Storage of Surface Waters, Activities in Surface Waters and 24
Wetlands, and Water Quality Review 24
B. Everglades National Park Land Exchange 27
C. Electric and Magnetic Fields 27
II. DEPARTMENT OF TRANSPORTATION 27
A. Access Management to the State Highway System 27
B. Overweight or Overdimensional Loads 28
C. Use of State of Florida Right of Way or Transportation Facilities 28
D. Drainage 28
E. Airport Licensing, Registration, and Airspace Protection 28
F. Traffic Control 29
G. Other 29
III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT 29
A. General Conditions 29
B. Central and Southern Florida Communication Systems 37
C. Operations & Maintenance / Right-of-Way 41
D. Land Management / Ecosystem Restoration 49
E. Water Use and Water Supply 49
F. Corridor-Specific Conditions 53
IV. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION 56
A. General Listed Species Surveys 56
B. Specific Listed Species Surveys 57
C. Listed Species Locations 57
D. Florida Manatee 58
E. Florida Burrowing Owl 59
F. Wading Birds 60
G. Least Tern 61
H. Everglades Mink 62

V. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES 63

VI. MIAMI-DADE COUNTY 63

A. General Conditions 63

B. Bird Drive Basin 64

C. East Everglades Area of Critical Environmental Concern 64

D. Vegetation Management and Exotic Species 65

E. Wellfield Protection Areas 65

F. Work in County Canal ROWs 66

G. Protected Tree and Vegetation Requirements 66

H. Dewatering 67

I. Additional Post-Certification Submittals 67

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES 72

HISTORY 73

ATTACHMENTS

Attachment A ..... Certified Site/Facilities Delineation Map(s)

Attachment B ..... Surface Water Management System Plan(s)

Attachment C ..... Mitigation Plan(s)

SECTION A: GENERAL CONDITIONS

I. SCOPE

A. Pursuant to the Transmission Line Siting Act (TLSA), Sections 403.52-.5365, Florida Statutes (F.S.), and Chapter 62-17, Florida Administrative Code (F.A.C.), this Certification is issued to Florida Power & Light Company (FPL) as owner/operator and Licensee of the Andytown-Oasis 500/230 kV Transmission Line Project (Project). Subject to the requirements contained in these Conditions of Certification (Conditions), FPL will construct, operate, and maintain two 230 kV and two 500 kV transmission lines in an approximately 31.2 mile-long corridor and associated structures and access roads as described in FPL's Site Certification Application (SCA or Application). The electric transmission line will originate in Broward County and end in Miami-Dade County. No substations associated with the transmission line project are included in this certification.

B. The certified facility includes the Andytown-Oasis 500/230 kV transmission line corridor and associated structures and access roads, as shown in Attachment A – Certified Corridor Map.

C. These Conditions, unless specifically modified, are binding upon the Licensee and shall apply to the construction, operation, and maintenance of the certified facility. If a conflict should occur between the design criteria of this certified facility and the Conditions, the Conditions shall prevail unless modified. In any conflict between any of these Conditions, the more specific condition governs.

D. Within 180 days following the corridor narrowing as defined by 403.522(10), F.S., the Licensees shall provide; an aerial photograph(s)/map(s) of their specific Right-of-Way (ROW) at a scale of at least 1:400, or acceptable equivalent documentation such as an official legal description or survey map(s) signed by a professional land surveyor, delineating the boundaries of the certified transmission line right-of-way, 403.522(23), F.S., which shall be known as the Delineations of the Certified Transmission Line ROW and attached as Attachment B Final ROW Maps.

E. If construction on, or condemnation or acquisition of, the ROW for the transmission line is not commenced within 5 years after the date of certification or such later date as may be authorized by the board, the certification of the ROW for which construction on, or condemnation or acquisition of has not commenced shall become void.

[Sections 403.531, F.S.; Rules 62-4.160(1), (2), and 62-17.205(2), F.A.C.]

II. APPLICABLE DEPARTMENT RULES

The construction, operation, and maintenance of the certified facility shall be in accordance with all applicable non-procedural provisions of Florida Statutes and Florida Administrative Code, including, but not limited to, the applicable non-procedural portions of the following Department regulations, except to the extent a variance, exception, exemption, or other relief is granted in the final order of certification or in a subsequent modification to the Conditions, under a federal permit, or as otherwise provided under Chapter 403, F.S.:

Florida Administrative Code:
18-2 (Management of Uplands Vested in the Board of Trustees)
18-14 (Administrative Fines for Damaging State Lands)

18-20 (Florida Aquatic Preserves)
18-21 (Sovereignty Submerged Lands Management)
62-4 (Permits)
62-6 (Standards for Onsite Sewage Treatment and Disposal Systems)
62-17 (Electrical Power Plant Siting)
62-40 (Water Resource Implementation Rule)
62-150 (Hazardous Substance Release Notification)
62-160 (Quality Assurance)
62-204 (Air Pollution Control-General Provisions)
62-210 (Stationary Sources-General Requirements)
62-212 (Stationary Sources-Preconstruction Review)
62-213 (Operation Permits for Major Sources of Air Pollution)
62-256 (Open Burning)
62-296 (Stationary Sources-Emission Standards)
62-297 (Stationary Sources-Emission Monitoring)
62-302 (Surface Water Quality Standards)
62-303 (Identification of Impaired Surface Waters)
62-304 (Total Maximum Daily Loads)
62-330 (Environmental Resource Permitting)
62-340 (Delineation of the Landward Extent of Wetlands and Surface Waters)
62-342 (Mitigation Banks)
62-345 (Uniform Mitigation Assessment Method)
62-520 (Ground Water Classes, Standards, and Exemptions)
62-528 (Underground Injection Control)
62-531 (Water Well Contractor Licensing Requirements)
62-532 (Water Well Permitting and Construction Requirements)
62-550 (Drinking Water Standards, Monitoring, and Reporting)
62-555 (Permitting, Construction, Operation, and Maintenance of Public Water Systems)
62-560 (Requirements for Public Water Systems That Are Out of Compliance)
62-600 (Domestic Wastewater Facilities)
62-604 (Collection Systems and Transmission Facilities)
62-610 (Reuse of Reclaimed Water and Land Application)
62-620 (Wastewater Facilities and Activities Permitting)
62-621 (Generic Permits)
62-650 (Water Quality Based Effluent Limitations)
62-660 (Industrial Wastewater Facilities)
62-699 (Treatment Plant Classification and Staffing)
62-701 (Solid Waste Management Facilities)
62-709 (Criteria for Organics Processing and Recycling Facilities)
62-710 (Used Oil Management)
62-730 (Hazardous Waste)
62-737 (The Management of Spent Mercury-Containing Lamps and Devices Destined for Recycling)
62-740 (Petroleum Contact Water)
62-761 (Underground Storage Tank Systems)

62-762 (Aboveground Storage Tank Systems)
62-777 (Contaminant Cleanup Target Levels)
62-780 (Contaminated Site Cleanup Criteria)
62-814 (Electric and Magnetic Fields)

III. REVISIONS TO DEPARTMENT STATUTES AND RULES

A. The Licensee shall comply, after a reasonable time, with rules adopted by the Department subsequent to the issuance of the Certification under the TLSA which prescribe new or stricter criteria, to the extent that the rules are applicable to electric transmission lines. Except when a variance, exception, exemption, or other relief has been granted, subsequently adopted Department rules which prescribe new or stricter criteria shall operate as automatic modifications to this Certification.

B. Upon written notification to the Department, the Licensee may choose to operate the certified electrical transmission line in compliance with any rule subsequently adopted by the Department which prescribes criteria more lenient than the criteria required by the terms and conditions in the Certification which are not site-specific.

[Section 403.531, F.S.; Rule 62-4.160(10), F.A.C.]

IV. DEFINITIONS

Unless otherwise indicated herein, the meaning of terms used herein shall be governed by the applicable definitions contained in Chapters 253, 373, 379, and 403, F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these Conditions which is not defined in such statutes or regulations, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or regulation, or in the alternative, by the use of the commonly accepted meaning. As used herein, the following shall apply:

A. "Application" or "SCA" is defined in Section 403.503(6), F.S. For purposes of this License, "Application" shall also include materials submitted for post-certification Amendments and petitions for Modification to the Conditions of Certification, as well as Supplemental Applications.

B. "Associated Facility" or "Associated Facilities" as defined by Section 403.503(7), F.S.

C. "Certified Facility" or "Certified Facilities" means the certified electrical power generation facilities and all certified on- or off-site Associated Facilities and structures identified or described in the Application, in the final order of Certification, or in a post-certification Amendment or Modification.

D. "DEM" shall mean the Florida Division of Emergency Management.

E. "DEP" or "Department" means the Florida Department of Environmental Protection.

F. "DOC" shall mean the Florida Department of Commerce

G. "DHR" means the Florida Department of State, Division of Historical Resources.

H. "DOT" means the Florida Department of Transportation.

I. "Emergency Conditions" or "Emergency Reporting" means urgent circumstances involving potential adverse consequences to human life or property as a result of weather conditions or other calamity.

J. "Feasible" or "Practicable" means reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.

K. "FWC" means the Florida Fish and Wildlife Conservation Commission.

L. "Licensee" means an Applicant that has obtained a Certification order for the subject project.

M. "Post-Certification Submittal" shall mean a submittal made by the Licensee pursuant to a Condition of certification.

N. "Right-of-Way" or "ROW" is defined in Section 403.503(28), F.S.

O. "SCO" means the Department's Siting Coordination Office.

P. "Site" is defined in Section 403.503(29), F.S.

Q. "State Water Quality Standards" shall mean the numerical and narrative criteria applied to specific water uses or classifications set forth in Chapters 62-302 and 62-520, F.A.C.

R. "Surface Water Management System", "SWMS", or "System" means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any combination thereof. The terms "Surface Water Management System", "SWMS", or "System" include areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S.

S. "NED, NWD, CD, SED, SWD, SD" shall mean the Northeast, Northwest, Central, Southeast, Southwest, and South DEP district offices, respectively.

T. "NWF, SR, SJR, SWF, or SFWMD" means the Northwest Florida, Suwannee River, St. Johns River, Southwest Florida, or South Florida Water Management District, respectively.

U. "Wetlands" shall mean those areas meeting the definition set forth in Section 373.019(27), F.S., as delineated pursuant to Chapter 62-340, F.A.C.

V. FEDERALLY DELEGATED OR APPROVED PERMIT PROGRAMS

Subject to the Conditions set forth herein, this Certification shall constitute the sole License of the state and any agency as to the approval of the location of the Corridor and any Associated Facility and the construction and operation of the Electrical Transmission Line, except for the issuance of Department Licenses required under any federally delegated or approved permit program. This certification is not a waiver of any other Department approval that may be required under federally delegated or approved programs. In the event of a conflict between the Certification process and federally required procedures, the applicable federal requirements shall control.

*[Section 403.5*31, F.S.]

VI. DESIGN AND PERFORMANCE CRITERIA

Certification, including these conditions, is predicated upon preliminary designs, concepts, and performance criteria described in the SCA or in testimony and exhibits in support of Certification. The final engineering design of the certified facilities will be consistent and in substantial compliance with the preliminary information described in the SCA or as explained at the certification hearing (if any). Conformance to those criteria, unless specifically modified in accordance with Sections 403.5315, F.S., and Rule 62-17.211, F.A.C., is binding upon the Licensee in the design, construction, operation, and maintenance of the Certified Facility.

[Sections 403.5315, F.S.; Rules 62-4.160(2), and 62-17.680, F.A.C.]

VII. NOTIFICATION

A. If, for any reason, the Licensee does not comply with or will be unable to comply with any condition or limitation specified in this License, the Licensee shall provide the DEP District Office with the following information:

1. A description of and cause of noncompliance; and

2. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The Licensee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this Certification.

3. All notifications which are made in writing shall additionally be provided to the SCO via email to SCO@dep.state.fl.us.

[Rule 62-4.160(8), F.A.C.]

B. The Licensee shall promptly notify the SCO in writing (email acceptable) of any previously submitted information concerning the Certified Facility that is later discovered to be inaccurate.

[Rule 62-4.160(15), F.A.C.]

C. Any owner or operator of a facility who has knowledge of any incident reportable to the State Watch Office regarding a Certified Facility shall notify the State Watch Office at (800) 320-0519 as soon as possible, but not later than 24 hours after discovery of the incident.

D. Any owner or operator of a facility who has knowledge of any reportable pollution release shall submit a Public Notice of Pollution by following the instructions at https://prodenv.dep.state.fl.us/DepPNP/user/pnpRequest, as soon as possible, but not later than 24 hours after discovery of the release.

[Section 403.077, F.S.]

E. Within 60 days after certification of the corridor, the Licensee shall file a notice of the certified route with the Department and the clerk of the circuit court for each county through which the corridor will pass.

The notice shall consist of maps or aerial photographs in the scale of 1:24,000 which clearly show the location of the certified route and shall state that the certification of the corridor

will result in the acquisition of rights-of-way within the corridor. After acquisition of all lands required for the transmission line right-of-way have been acquired, the Licensee shall certify to the Department and clerk that all lands required for the transmission line rights-of-way within the corridor have been acquired within such county.

[Section 403.5312, F.S.]

VIII. EMERGENCY CONDITION NOTIFICATION AND RESTORATION

If the Licensee is temporarily unable to comply with any of the conditions of the License due to breakdown of equipment or destruction by hazard of fire, wind, or other cause, such as an emergency as defined by Sections 252.34(4), (7), (8), or (10), F.S., the Licensee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the Licensee from any liability for failure to comply with Department rules. Any exceedances and/or violations recorded during emergency conditions shall be reported as such, but the Department acknowledges that it intends to use its enforcement discretion during this timeframe. This acknowledgement by the Department does not constitute a waiver or variance from any requirements of any federal permit. Relief from any federal agency must be separately sought.

[Rule 62-4.130, F.A.C.]

IX. CONSTRUCTION PRACTICES

A. Local Building Codes

This certification does not in any way affect the right of any local government to charge appropriate fees or require that construction be in compliance with the National Electrical Safety Code, as prescribed by the commission.

[Section 403.531(4), F.S.]

B. Open Burning

Prior to open burning in connection with land clearing, the Licensee shall seek authorization from the Florida Forest Service in accordance with the requirements of Chapters 62-256 and 5I-2, F.A.C.

[Chapters 5I-2 and 62-256, F.A.C.]

C. Vegetation

For areas located in any Florida Department of Transportation (DOT) ROW, Chapter 3.18 of the Florida DOT Utility Accommodation Manual available on the DOT website at https://www.fdot.gov/programmanagement/utilities/default.shtm shall serve as guidelines for best management practices.

[Sections 403.531 and 373.414, F.S.; Chapters 40D-4 and 40E-4, F.A.C.]

D. Existing Underground Utilities

The Licensee must follow all applicable portions of the Underground Facility Damage Prevention and Safety Act, Chapter 556, F.S. The Licensee shall provide the affected local government and the SCO with copies of valid tickets obtained from Sunshine State One

Call of Florida upon request. Tickets shall be available for request until the underground work is completed for the affected area.

[Chapter 556, F.S.]

E. Electric and Magnetic Fields (EMF)

Any transmission lines and electrical substations that are associated facilities shall comply with the applicable requirements of Chapter 62-814, F.A.C.

[Chapter 62-814, F.A.C.]

F. Radio and Television Interference

The Licensee shall investigate all complaints and take appropriate corrective action for impacts to radio or television reception caused by the proposed transmission line.

[Section 403.531, F.S.]

G. Existing Wells

Any existing wells to be impacted in the path of construction of certified facilities that will no longer be used shall be abandoned by a licensed well contractor. All abandoned wells shall be filled and sealed in accordance with Rule 62-532.500(5), F.A.C., or with the rules of the authorizing agency, or consistent with these Conditions.

[Rules 62-532.400 and 62-532.500(5), F.A.C.]

H. Abandonment of Existing Septic Tanks

Any existing septic tanks that will no longer be used shall be abandoned in accordance with Rule 62-6.011, F.A.C., unless these Conditions provide otherwise.

[Chapter 62-6, F.A.C.]

I. Sanitary Wastes

Disposal of sanitary wastes from construction toilet facilities shall be in accordance with applicable regulations of the Department.

[Rule 62-6.0101, F.A.C.]

X. RIGHT OF ENTRY

A. Upon presentation of credentials or other documents as may be required by law, the Licensee shall allow authorized representatives of the Department or other agencies with jurisdiction over a portion of the certified facility, any authorized off-site mitigation/compensation area or Associated facility:

1. At reasonable times, to enter upon the certified facility in order to monitor activities within their respective jurisdictions for purposes of assessing compliance with this certification; or

2. During business hours, to enter the Licensee's premises in which records are required to be kept under this certification; and to have access to and copy any records required to be kept under this certification.

B. When requested by the Department, on its own behalf or on behalf of another agency with regulatory jurisdiction, the Licensee shall within a reasonable time frame as may be mutually agreed upon by the Department and the Licensee, furnish any information required by law, which is needed to determine compliance with the certification.

[Rules 62-4.160(7)(a) and 62-4.160(15), F.A.C.]

XI. DISPUTE RESOLUTION

A. General

If a situation arises in which mutual agreement cannot be reached between the Department and the Licensee, and/or an agency with substantive regulatory jurisdiction over a matter, the Department may act as a facilitator in an attempt to resolve the issue. If the dispute is not resolved informally in this manner, Licensee may request one or more meetings in which both Licensee and the agency with substantive regulatory jurisdiction over the matter can participate and attempt to resolve the issue informally. If, after such meetings, a mutual agreement cannot be reached between the parties, then the matter shall be referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S. The Licensee or the Department may request DOAH to establish an expedited schedule for processing the dispute. Any filing with DOAH shall state with particularity the specific project and geographic location to which the dispute relates. Work unrelated to the specific project and in areas other than the location to which the dispute relates will not be affected by the dispute.

B. Modifications

If written objections are filed regarding a requested modification, and the objections address only a portion of a requested modification, the Department shall issue a final order approving the portion of the modification to which no objections were filed, unless that portion of the requested modification is substantially related to or necessary to implement the portion to which written objections are filed.

C. Post-certification Submittals

If it is determined, after assessment of a post-certification submittal, that compliance with the Conditions will not be achieved for a particular portion of a submittal, the Department may make a separate assessment of other portions of the submittal, unless those portions of the submittal are substantially related to or necessary to implement that portion for which it has been determined that compliance with the Conditions will not be achieved. The Licensee may proceed with those portions of the submittal which were separately assessed and approved by the Department.

[Section 120.57, F.S.; Rule 62-17.211, F.A.C.]

XII. SEVERABILITY

The provisions of this certification are severable, and if any provision of this certification or the application of any provision of this certification to any circumstance is held invalid, the remainder of the certification or the application of such provision to other circumstances shall not be affected thereby.

XIII. ENFORCEMENT

A. The terms, conditions, requirements, limitations, and restrictions set forth in these Conditions are binding and enforceable pursuant to Sections 403.141, 403.161, 403.533, 403.727, and 403.859 through 403.861, F.S., as applicable. Any noncompliance by the Licensee with these Conditions constitutes a violation of Chapter 403, F.S., and is grounds for enforcement action, which may result in license termination, license revocation, or license revision. The Licensee is placed on notice that the Department may review this certification periodically and may initiate enforcement action for any violation of these Conditions.

B. All records, notes, monitoring data, and other information relating to the construction or operation of the certified facility which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified facility and arising under the Florida Statutes or Department rules, subject to the restrictions in Sections 403.111 and 403.73, F.S. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

[Sections 403.121, 403.131, 403.141, 403.151, 403.161, 403.533, F.S.; Rules 62-4.160(1) and (9), F.A.C.]

XIV. REVOCATION OR SUSPENSION

This certification shall be final unless revised, revoked, or suspended pursuant to law. This certification may be suspended or revoked pursuant to Section 403.532, F.S. This certification is valid only for the specific processes and operations identified in the SCA and approved in the final order of certification or indicated in the testimony and exhibits in support of certification or approved in a subsequent amendment or modification of the certification. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this approval may constitute grounds for revocation and enforcement action by the Department. Any enforcement action, including suspension and revocation, shall only affect the portion(s) of the certified facility that are the cause of such action, and other portions of the certified facility shall remain unaffected by such action.

[Sections 403.532, F.S.; Rule 62-4.160(2), F.A.C.]

XV. REGULATORY COMPLIANCE

As provided in Sections 403.087(8) and 403.722(5), F.S., except as specifically provided in the final order of certification, a subsequent modification or amendment, or these Conditions, the issuance of this License does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This License is not a waiver of or approval of any other Department license or permit that may be required for other aspects of the certified facility that are not addressed in this License. This license does not relieve the Licensee from liability for harm or injury to human health or welfare, animal, or plant life, or public or private property caused by the construction or operation of the certified facility, or from penalties therefore.

[Rules 62-4.160(3) and (5), F.A.C.; Section 403.531, F.S.]

XVI. CIVIL AND CRIMINAL LIABILITY

Except to the extent a variance, exception, exemption, or other relief is granted in a final order of certification, in a subsequent modification to these Conditions, or as otherwise provided under Chapter 403, F.S., this certification does not relieve the Licensee from civil or criminal penalties for noncompliance with any Condition, applicable rules or regulations of the Department, or any other state statutes or regulations which may apply.

[Sections 403.141, 403.161, and 403.531, F.S.]

XVII. USE OF STATE LANDS

A. Except as specifically provided in the final order of certification or these Conditions, the issuance of this License conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

B. If any portion of the certified facility is located on sovereign submerged lands, state-owned uplands, or within an aquatic preserve, then the Licensee must comply with the applicable portions of Chapters 18-2, 18-20, and 18-21, F.A.C., and Chapters 253 and 258, F.S., except as specifically provided in the final order of certification or these Conditions. If any portion of the certified facility is located on sovereign submerged lands, the Licensee must submit section F of Form 62-330.060(1), F.A.C., *Application for Individual and Conceptual Approval Environmental Resource Permit* (State 404 Program Permit) *and Authorization to Use State-Owned Submerged Lands* to the Department prior to construction. If any portion of the certified facility is located on state-owned uplands, the Licensee must submit an Upland Easement Application to the Department prior to construction.

C. If a portion of the certified facility is located on sovereign submerged lands or state-owned uplands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, then the proposed activity on such lands requires a proprietary authorization. Under such circumstances, the proposed activity is not exempt from the need to obtain a proprietary authorization. Unless otherwise provided in the final order of certification or these Conditions, the Department has the responsibility to review and take action on requests for proprietary authorization in accordance with Rule 18-2.018 or 18-21.0051, F.A.C.

D. The Licensee is hereby advised that Florida law states: "A person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund under this chapter, until the person has received the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Chapter 18-14, F.A.C., if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to $10,000 per offense.

E. The terms, conditions, and provisions of any required lease or easement issued by the State shall be met. Any construction activity associated with the certified facility shall not commence on sovereign submerged lands or state-owned uplands, title to which is held by the

Board of Trustees of the Internal Improvement Trust Fund, until all required lease or easement documents have been executed.

[Chapters 253 and 258, 403.531, F.S.; Chapters 18-2, 18-14, 18-21, 62-340, and Rules 62-330.060(1) and 62-4.160(4), F.A.C.]

XVIII. PROCEDURAL RIGHTS

Except as specified in Chapter 403, F.S., or Chapter 62-17, F.A.C., no term or condition of certification shall be interpreted to preclude the post-certification exercise by any party of whatever procedural rights it may have under Chapter 120, F.S., including those related to rule-making proceedings.

[Section 403.531(5), F.S.]

XIX. AGENCY ADDRESSES FOR POST-CERTIFICATION SUBMITTALS AND NOTICES

Where a Condition requires post-certification submittals and/or notices to be sent to a specific agency, the following agency addresses shall be used unless the Conditions specify otherwise or unless the Licensee and the Department are notified in writing of an agency's change in address for such submittals and notices:

Florida Department of Environmental Protection
Siting Coordination Office, MS 3500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
SCO@floridadep.gov

Florida Department of Environmental Protection
Southeast District Office
3301 Gun Club Rd, MSC 7210-1
West Palm Beach, Florida 33406

Florida Department of Commerce
Bureau of Community Planning and Growth
107 East Madison Street
Tallahassee, Florida 32399-2100

Florida Fish & Wildlife Conservation Commission
Conservation Planning Services
620 South Meridian Street, MS 5B5
Tallahassee, Florida 32399-1600
ConservationPlanningServices@myfwc.com

Florida Department of Transportation
District Administration
605 Suwannee Street
Tallahassee, Florida 32399-0450

South Florida Water Management District
Office of General Counsel
3301 Gun Club Rd
West Palm Beach, Florida 33406
WUCompliance@sfwmd.gov

Florida Department of State
Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32399-0250
compliancepermits@dos.myflorida.com

Miami-Dade County
Department of Regulatory and Economic Resources
Planning Division
111 N.W. First Street, 12th Floor
Miami, FL 33128

Broward County
Office of General Counsel
115 S Andrews Ave Suite 423
Fort Lauderdale, Florida 33301

Town of Southwest Ranches
Government Office
13400 Griffin Rd
Southwest Ranches, Florida 33330

[Section 403.531, F.S.]

XX. PROFESSIONAL CERTIFICATION

To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, or of a public drinking water supply, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S.; and all final geological papers or documents involving the practice of the profession of geology shall be in accordance with sound professional geological practices pursuant to Chapter 492, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of amendment requests, petitions for modifications, post certification submittals, and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

[Rule 62-4.050, F.A.C.]

XXI. PROCEDURES FOR POST-CERTIFICATION SUBMITTALS

A. Purpose of Submittals

Conditions which provide for the post-certification submittal of information to DEP or other agencies by the Licensee are for the purpose of facilitating the agencies'

monitoring of the effects arising from the location of the certified facility and the construction and maintenance of the certified facility. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with these Conditions, without further agency action. A submittal of information or determination of compliance pursuant to a post-certification submittal under this Condition does not provide a point of entry for a third party.

B. Filings

All post-certification submittals of information by Licensee are to be filed with the agency or office that requires the submittal pursuant to these Conditions. The SCO shall be copied on all post-certification submittals in electronic .pdf format (unless other formats are requested), via email to SCO@dep.state.fl.us. Each submittal shall clearly identify the Certified facility name, TA#, and the Condition number(s) (i.e. Section X, Condition XX.y.(z)) requiring the submittal. As required by Section 403.5317(2), F.S., each post-certification submittal will be reviewed by each agency with regulatory authority over the matters addressed in the submittal on an expedited and priority basis.

C. Completeness

DEP shall review each post-certification submittal for completeness. This review may include consultation with the other agency(ies) receiving the post-certification submittal with regulatory jurisdiction over the matter addressed in the submittal. DEP's finding of completeness shall specify the area of the certified facility affected and shall not delay further processing of the post-certification submittal for non-affected areas.

If any portion of a post-certification submittal is found to be incomplete, the Licensee shall be so notified. Failure to issue such a notice within 30 days after filing of the submittal shall constitute a finding of completeness. Subsequent findings of incompleteness, if any, shall address only the newly filed information.

D. Interagency Meetings

If a situation arises in which mutual agreement between either the department and the licensee, or the licensee and an agency with substantive regulatory jurisdiction over a matter cannot be reached, the department may act as a facilitator in an attempt to resolve the issue.

E. Determination of Compliance

DEP shall give written notification within 90 days to the Licensee and the other agency(ies) to which the post-certification information was submitted of DEP's determination of whether there is demonstration of compliance with these Conditions. If it is determined that compliance with the Conditions has not been provided, the Licensee shall be notified with particularity of the deficiencies and possible corrective measures suggested. Failure to notify Licensee in writing within 90 days of receipt of a complete post-certification submittal shall constitute a determination of compliance. A post-certification compliance review may be the basis for initiating modifications to the relevant Condition or to other related Conditions.

F. Commencement of Construction

If DEP does not object within the time period specified in paragraph E., above, Licensee may begin construction pursuant to the terms of these Conditions and the subsequently submitted construction details.

G. Revisions to Design Previously Reviewed for Compliance

If revisions to site-specific designs occur after submittal, the Licensee shall submit revised plans prior to construction for review in accordance with the post-certification process specified in this Condition.

[Sections 403.531 and 403.5317, F.S.; and Rules 62-17.600, 62-17.665, F.A.C.]

XXII. POST-CERTIFICATION SUBMITTAL REQUIREMENTS SUMMARY

Within 90 days after certification, and within 90 days after any subsequent modification or certification, the Licensee shall provide the SCO a complete summary of those post-certification submittals that are identified in these Conditions when due-dates for the information required of the Licensee have been identified. A summary shall be provided as a separate document for each transmission line, if any. Such submittals shall include, but are not limited to, monitoring reports, management plans, wildlife surveys, etc. The summary shall be provided to the SCO, in a sortable spreadsheet, electronically, in the format shown below or equivalent. For subsequent modifications and certifications, a "Post-Certification Submittal Requirements Summary" shall be required only for new or altered post-certification requirements.

Condition Number	Requirement and Timeframe	Due Date	Name of Agency or Agency Subunit to whom the submittal is required to be provided

[Section 403.5317, F.S.; Rule 62-17.191(3), F.A.C.]

XXIII. POST-CERTIFICATION AMENDMENTS

If, subsequent to certification, the Licensee proposes any material change to the SCA and revisions or amendments thereto, as certified, the Licensee shall submit a written request for amendment and a description of the proposed change to the SCA to the Department. Within 30 days after the receipt of a complete request for an amendment, the Department shall determine whether the proposed change to the SCA requires a modification to the Conditions.

A. If the Department concludes that the change would not require a modification to the Conditions, the Department shall provide written notification of the approval of the proposed amendment to the Licensee, all agencies, and all other parties to the certification.

B. If the Department concludes that the change would require a modification to the Conditions, the Department shall provide written notification to the Licensee that the proposed change to the SCA requires a request for modification pursuant to Section 403.5315, F.S.

[Section 403.5317, F.S.]

XXIV. MODIFICATION OF CERTIFICATION

A. Pursuant to Section 403.5315(1), F.S., and Rule 62-17.211, F.A.C., the Siting Board hereby delegates the authority to the Department to modify any Condition which would not otherwise require approval by the Siting Board, after notice and receipt of no objection by a party to the certification within 45 days after notice by mail to the party's last address of record, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days of public notice.

B. Except as otherwise provided in the conditions of certification, the licensee shall petition to modify the certification for all changes in transmission line corridor alignment.

C. Expansions in right-of-way width following the narrowing of the certified site pursuant to Section. 403.522(10), F.S., will be considered modifications pursuant to Section 403.5315, F.S. If such a modification occurs the Licensee shall submit a revised ROW map to replace Attachment B.

D. Once all property interests required for the right-of-way have been acquired by the licensee, the area of the corridor certified narrows to only that land within the boundaries of the right-of-way, unless specified otherwise by the conditions of certification. Under the provisions of Section 403.522(10), F.S., this shall not be construed to require a modification or further agency review.

E. Alteration of Site boundaries may require modification of the Conditions of Certification.

[Section 403.5315, F.S.; and 62-17.680, F.A.C.]

XXV. WATER QUALITY CERTIFICATION

Pursuant to the Operating Agreement between the Department, United States Army Corps of Engineers (USACE) and water management districts, the written final order granting certification under the Florida Electrical Transmission Line Siting Act, sections 403.52-.539, F.S., also constitutes certification of compliance with state water quality standards pursuant to section 401 of the Clean Water Act, 33 U.S.C.

[2012 Operating Agreement, Jacksonville District USACOE, DEP and Water Management Districts, Section II.A.1.(f)]

XXVI. LABORATORIES AND QUALITY ASSURANCE

Chemical, physical, biological, microbiological, and toxicological data collected as a requirement of these Conditions must be reliable and collected and analyzed by scientifically sound procedures. Unless otherwise specified in these Conditions, the Licensee shall adhere to

the minimum field and laboratory quality assurance, methodological and reporting requirements of the Department as set forth in Chapter 62-160, F.A.C.

[Chapter 62-160, F.A.C.]

XXVII. ROW LOCATION

A. Licensee shall co-locate the transmission line ROW to the extent feasible within or adjacent to existing public rights-of-way for those portions of the corridor which include such existing public rights-of-way. To the extent a widened road right-of-way has been acquired by the appropriate governmental agency at the time of final transmission line design, Licensee's design shall reflect that new widened right-of-way.

B. To the extent feasible Licensee shall locate the transmission line right-of-way so as to avoid the taking of homes.

C. To the extent feasible and consistent with good engineering design and practices, the Licensees shall use best management practices to minimize impacts to pre-existing natural features and minimize tree removal and trimming of vegetation.

XXVIII. PROCESS FOR REVIEW OF ROW LOCATION

A. Prior to the finalization of the ROW location, three copies of the most recent available aerial photographs at a scale of 1" = 400' with wetland locations generally identified shall be submitted to DEP Siting Coordination Office, and one copy each to the applicable district office, SFWMD, DOT, DOC, FWC, Miami-Dade County, Broward County, and the Town of Southwest Ranches, delineating the certified corridor, and the selected transmission line ROW. In addition, Licensee shall note on the aerial photographs any new construction within the corridor that has occurred since the photograph was taken. Licensee shall notify all parties of such filing and, if needed, shall meet with DEP to discuss the ROW location. This information may be submitted in segments. The agencies receiving the aerial photographs from Licensee shall review the photographs as a post-certification submittal (see Section A. Condition XXI. Procedures for Post-certification submittals) and notify DEP of any apparent conflicts with the requirements of the Conditions of Certification, or requests for additional information. However, this paragraph shall not operate to avoid the need for post-certification submittals and compliance reviews otherwise required by the Conditions of Certification.

B. After review of the aerial photographs and comments from the other reviewing agencies, if DEP Siting Coordination Office has reason to believe that the construction of the transmission line, access roads or pads within Licensee's designated ROW cannot be accomplished in compliance with the Conditions of Certification, Licensee shall be so notified in writing, with copies to other parties to the certification proceeding of the particular basis for DEP's conclusion, and possible corrective measures which would bring the Project into compliance. If such notice is not received within 15 days of Licensee's submittal of the aerial photographs to the agencies, Licensee may proceed with design of the transmission line on the noticed ROW.

C. The acquisition of a particular ROW or the expenditure of funds toward acquisition of a particular ROW prior to the agencies' review pursuant to this condition will be at Licensee's risk, and no party will be estopped by such acquisition to seek disapproval of the construction of the transmission line or access road within the ROW in accordance with these Conditions of Certification.

D. After Licensee has acquired interest in the entire length of the transmission line ROW, Licensee shall:

1. File a statement with the clerk of the circuit court for each county through which the corridor passes certifying that all lands required for the transmission line ROW within the corridor have been acquired. Licensee shall also file with the county Planning Department a map at the scale of 1" = 400' showing the boundaries of the acquired ROW.

2. File with DEP Siting Coordination Office a map at a scale of 1" = 400' showing the boundaries of the acquired ROW, if such boundaries are different from those shown in the filing required by paragraph A above. Such maps shall comply with the requirements of paragraph A. If the boundaries have not changed, Licensee shall file a statement with DEP Siting Coordination Office accordingly.

E. Once the ROW has been determined, Licensee will submit, to the applicable County offices, information that is consistent with County ROW permits for the portions of the line which pass through each affected county.

[Sections 403.531 and 403.5312, F.S.; Rule 62-17.600(4), F.A.C.]

XXIX. ENVIRONMENTAL RESOURCES

A. General

1. Submittals for Construction Activities

a. Prior to the commencement of construction of new facilities and/or new Associated facilities the Licensee shall provide to the DEP Southeast District for review, all information necessary for a complete *Application for Individual and Conceptual Approval Environmental Resource Permit and Authorization to Use State-Owned Lands* (ERP), DEP Form 62-330.060(1), F.A.C., or other applicable ERP authorization form. A copy of the submittal shall also be provided to the SCO.

b. This form may: 1) be submitted concurrently with a SCA; 2) be submitted as part of an amendment request or a petition for modification; or 3) be submitted as a post-certification submittal following approval of a Project through certification, modification, or amendment. Such ERP submittals, once received, shall be reviewed in accordance with the non-procedural standards and criteria for issuance of an ERP, including all the provisions related to reduction and elimination of impacts, conditions for issuance, additional conditions for issuance, and mitigation contained in Chapter 62-330, F.A.C., as applicable, unless otherwise stated in these Conditions. While the information is provided for review via submittal of the ERP form, consistent with Section 403.531, F.S., a separate ERP is not required for certified facilities, and therefore, a separate ERP will not be issued.

c. Those forms submitted as part of a SCA, an amendment, or modification, shall be processed concurrently with the respective SCA, amendment, or modification, in compliance with the applicable TLSA procedures. Those forms submitted as a post-certification submittal (after certification, modification, or amendment and prior to construction) shall be processed in accordance with Section A. General Conditions, Condition XXI., Procedures for Post-Certification Submittals. Post-certification submittal information may be submitted for discrete portions of the certified facilities for a determination of compliance with these Conditions.

d. No construction shall commence on a project feature, or in a particular segment of a linear facility, until the Department has determined that there is a demonstration of compliance with these Conditions. For post-certification submittal reviews, the Department's determination is governed by Section A, General Conditions, Condition XXI., Procedures for Post-Certification Submittals.

e. Concurrent with submittal of the DEP form required in subparagraph A.1.a., above, the Licensee shall submit, as applicable, a survey of wetland and surface water areas as delineated in accordance with Chapter 62-340, F.A.C., and verified by appropriate agency staff for Department compliance review. Available DEP-approved wetland and surface water delineations within the boundaries of a certified site or a portion thereof may be used and reproduced for this delineation submittal and verification. Formal DEP-approved wetland and surface water delineations are valid only for a period of five years.

[Section 373.416, F.S.; Chapters 62-330 and 62-340, F.A.C.]

2. Construction, operation, and maintenance of the proposed project (including any access roads and structures constructed within wetlands and other surface waters, and/or Associated facilities) shall satisfy any applicable non-procedural requirements in the Department rules.

[Section 373.414(1)(a), F.S.]

3. Any delineation of the extent of a wetland or other surface water submitted as part of the DEP ERP Application Form required by subparagraph A.1.a., above, including plans or other supporting documentation, shall not be considered binding on the Department unless a specific condition of this certification or a formal wetlands jurisdictional determination under Section 373.421(2), F.S., provides otherwise.

[Sections 373.421 and 403.523, F.S.]

4. Silt screens, hay bales, turbidity screens/barriers, or other such sediment control measures shall be utilized during construction. The selected sediment control measure shall be installed landward of all protected wetlands and other surface waters and shall be properly "trenched" etc. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into wetlands and other surface waters.

[Chapter 62-330, F.A.C.]

B. Surface Water Management Systems

1. Information regarding surface water management systems (SWMS) will be reviewed for consistency with the applicable non-procedural requirements under Part IV of Chapter 373, F.S., following submittal of Form 62-330.060(1), F.A.C., to the DEP District.

2. All construction, operation, and maintenance of the SWMS(s) for the certified facilities shall be as set forth in the plans, specifications, and performance criteria contained in the SCA and other materials presented during the certification proceeding, post-certification submittals, and as otherwise approved. If specific requirements are necessary for construction, operation, and/or maintenance of an approved SWMS, those requirements shall be incorporated into a SWMS Operation and Maintenance Requirements for that system and incorporated herein as Attachment B (Surface Water Management System Requirements). Any alteration or modification to the SWMS Plan or the SWMS as certified requires prior approval from the Department.

3. To allow for stabilization of all disturbed areas, prior to construction, during construction of the SWMS, and for a period of time after construction of the SWMS, the Licensee shall implement and maintain erosion and sediment control best management practices, such as silt fences, erosion control blankets, mulch, sediment traps, polyacrylamide (PAM), temporary grass seed, permanent sod, and floating turbidity screens to retain sediment on-site and to prevent violations of state water quality standards. These devices shall be installed, used, and maintained at all locations where the possibility exists of transferring suspended solids into the receiving waterbody due to the licensed work, and shall remain in place at all locations until construction in that location is completed and soils are permanently stabilized. All best management practices shall be in accordance with the guidelines and specifications described in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Transportation and Florida Department of Environmental Protection, by HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2013) unless a project-specific erosion and sediment control plan is approved as part of this License. If project-specific Conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved erosion and sediment control plan, the Licensee shall implement additional best management practices as necessary, in accordance with the guidelines and specifications in the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual*. The Licensee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as feasible. Once project construction is complete in an area, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before conversion to the operation and maintenance phase, all silt screens and fences, temporary baffles, and other materials that are no longer required for erosion and sediment control shall be removed.

4. The Licensee shall complete construction of all aspects of the SWMS described in the ERP Application Form, submitted as part of a post-certification submittal, amendment, modification, or SCA including water quality treatment features, and discharge control facilities prior to use of the portion of the certified facility being served by the SWMS.

5. At least 48 hours prior to beginning the authorized activities, the Licensee shall submit to the DEP District a fully executed Form 62-330.350(1), F.A.C., "Construction Commencement Notice," (October 1, 2013), (http://www.flrules.org/Gateway/reference.asp?No=Ref-02505), indicating the expected start and completion dates. A copy of this form may be obtained from the Department, as described in subsection 62-330.010(5), F.A.C., and shall be submitted electronically. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), F.A.C., shall also serve as notice of commencement of construction and, in such a case, submittal of Form 62-330.350(1), F.A.C., is not required.

6. Each phase or independent portion of the approved system must be completed in accordance with the submitted DEP Form prior to the operation of the portion of the certified facility being served by that portion or phase of the system.

7. Within 30 days, or such other date as agreed to by DEP and the Licensee, after completion of construction of any new portions of the SWMS, the Licensee shall submit to the DEP District, and copy the SCO, a written statement of completion and certification by a

registered professional engineer (P.E.), or other appropriate registered professional, as authorized by law, utilizing the required "As-Built Certification and Request for Conversion to Operation Phase" (DEP Form 62-330.310(1), F.A.C.). Additionally, if deviations from the approved drawings are discovered, the As-Built Certification must be accompanied by a copy of the approved drawings with deviations noted.

8. Any substantial deviation from the approved drawings, exhibits, specifications, or Conditions may constitute grounds for revocation or enforcement action by the Department.

9. The operation phase of any new SWMS approved by the Department shall not become effective until the Licensee has complied with the requirements of the conditions herein, the Department determines the System to be in compliance with the approved plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the System.

10. The DEP District must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in off-site discharge or sediment transport into wetlands or surface waters, a written dewatering plan must be submitted to and approved by the Department prior to the dewatering event.

[Section 373.414, F.S.; Chapters 62-302, 62-330, and Rule 62-4.242, F.A.C.]

C. Wetland and Other Surface Water Impacts

1. All certified facilities shall be constructed in a manner which will eliminate or reduce adverse impacts to on-site and/or adjacent wetlands or other surface waters to the extent practicable or otherwise comply with the Department's substantive criteria for elimination or reduction of such impacts. When impacts to wetlands will occur as a result of a future amendment, modification, or certification, and cannot be practicably eliminated or reduced, the Licensee may propose, and the Department or Board shall consider, mitigation to offset such impacts under the ERP review process pursuant to subparagraph A.1., above.

2. Proposed mitigation requirements/plans submitted with the DEP ERP Application forms required in subparagraph A.1.a., above, or submitted as part of an amendment, modification, or certification, and that are deemed acceptable by DEP, shall include applicable construction conditions, success criteria, monitoring plans, and remedial actions (if applicable), and shall be incorporated into these Conditions as Attachment C (Wetland Mitigation Requirements/Plans).

[Sections 373.413, 373.414, 373.4145, 403.531, 403.814(6), F.S.; Chapters 62-312, 62-330, 62-340, 62-342, and 62-345, F.A.C.]

XXX. THIRD PARTY IMPACTS

The Licensee is responsible for maintaining compliance with these Conditions even when third party activities authorized by the Licensee occur in or on the certified site.

[Sections 403.524(1), F.S.]

XXXI. FACILITY OPERATION

The Licensee shall properly operate and maintain the certified facility and systems of treatment and control (and related appurtenances) that are installed and used by the Licensee to

achieve compliance with these Conditions, as required by the final order of certification, these Conditions, or a post-certification amendment or modification. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the final order of certification, these Conditions, or a post-certification amendment or modification.

[Rule 62-4.160(6), F.A.C.]

XXXII. RECORDS MAINTAINED AT THE FACILITY

A. The Licensee shall hold at the Site, or other location designated by these Conditions, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by these Conditions (if any), copies of all reports required by these Conditions, and records of all data used to complete the SCA for this approval. These materials shall be retained at least 3 years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

C. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

[Rules 62-4.160(12) and (14)(b), F.A.C.]

XXXIII. WATER DISCHARGES

A. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption or other relief is granted or authorized by these Conditions, the Licensee shall not discharge to surface or ground waters of the State wastes in concentrations which alone or in combinations with other substances, or components of discharges (whether thermal or non-thermal) are carcinogenic, mutagenic, or teratogenic to human beings (unless specific criteria are established for such components in Rule 62-520.400, F.A.C.) or are acutely toxic to indigenous species of significance to the aquatic community within surface waters affected by the ground water at the point of contact with surface waters.

B. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions, all discharges and activities must be conducted so as to not cause a violation of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, 62-550, and 62-620, F.A.C., including the provisions of Rules 62-4.243, 62-4.244, and 62-4.246, F.A.C., the antidegradation provisions of Rules 62-4.242(1)(a), (1)(b), and 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in Rules 62-4.242(2) and (3), F.A.C.

C. Except as otherwise authorized by a permit issued by the Department under a federally approved or delegated program or to the extent a variance, exception, exemption, or other relief is granted or authorized by these Conditions, all dewatering discharges must be in compliance with Rule 62-621.300, F.A.C.

[Chapters 62-4, 62-302, 62-520, 62-550, 62-620, and 62-621, F.A.C.]

XXXIV. SOLID AND HAZARDOUS WASTE

A. Solid Waste

1. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-701, F.A.C., for any solid waste generated within the certified facility during construction, operation, maintenance, and closure.

[Chapter 62-701, F.A.C.]

B. Hazardous Waste, Used Oil, Petroleum Contact Water, and Spent Mercury

1. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-730, F.A.C., for any hazardous waste generated within the certified facility. An EPA identification number must be obtained before beginning hazardous waste activities unless the facility is a Very Small Quantity Generator (VSQG). VSQGs generate no more than 100 kg (220 lbs) of hazardous waste in any month and have less than 1,000 kg (2,200 lbs) of accumulated hazardous waste at any one time.

2. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-710, F.A.C., for any used oil and used oil filters generated within the certified facility.

3. The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-737, F.A.C., for any spent mercury-containing lamps and devices generated within the certified facility.

4. The Licensee shall comply with all applicable provisions of Chapter 62-740, F.A.C., for any petroleum contact water located within the certified facility.

[Chapters 62-710, 62-730, 62-737, and 62-740, F.A.C.]

C. Hazardous Substance Release Notification

1. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a certified facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the Department by calling the State Watch Office, (800) 320-0519, as soon as possible, but not later than one working day of discovery of the release.

2. Any owner or operator of a facility who has knowledge of any release of a hazardous substance from a certified facility in a quantity equal to or exceeding the reportable quantity in any 24-hour period shall notify the public by submitting a Public Notice of Pollution, https://prodenv.dep.state.fl.us/DepPNP/user/pnpRequest, as soon as possible, but not later than 24 hours after discovery of the release.

3. Releases of mixtures and solutions are subject to these notification requirements only where a component hazardous substance of the mixture or solution is released in a quantity equal to or greater than its reportable quantity.

4. Notification of the release of a reportable quantity of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers (0.004 inches).

[Chapter 62-150, F.A.C.]

D. Contaminated Site Cleanup

The Licensee shall comply with all applicable non-procedural provisions of Chapter 62-780, F.A.C., for any violations of relevant provisions of Chapters 376 or 403, F.S., that result in legal responsibility for site rehabilitation pursuant to those chapters. This responsibility for site rehabilitation does not affect any activity or discharge permitted or exempted pursuant to Chapters 376 or 403, F.S., or rules promulgated pursuant to Chapters 376 or 403, F.S.

[Chapter 62-780, F.A.C.]

SECTION B. SPECIFIC CONDITIONS

I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

A. Management and Storage of Surface Waters, Activities in Surface Waters and Wetlands, and Water Quality Review

1. Field Inspection

Prior to any construction, FPL shall arrange with the appropriate DEP district staff a field inspection to verify wetland and other surface water boundaries and site conditions. Prior to field inspection, FPL shall have wetland and other surface water boundaries field staked or flagged for DEP staff verification and approval. Additional information, depending on the outcome of the field inspection, may be required. Verification and approval will be processed as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Section 10.2, Vol I Applicant's Handbook]

2. Transition from Construction Area into Adjacent Wetlands

Prior to any construction, FPL shall provide to the applicable DEP district typical cross-sectional diagrams showing the transition from the construction area into adjacent wetlands. Details of slope grades, location of erosion and turbidity control devices, location of limits of construction, and methods and timing of slope stabilization and revegetation shall also be included. Review and approval will be processed as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330.060, and 62-17.665, F.A.C]

3. Wetland Mitigation Plan

Prior to any construction, FPL shall submit documentation demonstrating that the proposed ROW will meet the requirements of Section 10.2.1 of the Applicant's Handbook Volume I with regard to the elimination or reduction of wetland and other surface water impacts. A detailed mitigation plan shall be submitted if there will be any unavoidable wetland impacts. The plan shall include adequate compensation for wetland and other surface water impacts in accordance with the requirements of Section 10.3, Vol. I, including an estimation of credits for functional loss to determine the extent of potential wetland and other surface water impacts associated with the proposed ROW. The plan will be reviewed, and notification of compliance issued, by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals. As described in Section A. Condition XXIX. Environmental Resources, paragraph C, such plan and requirements will be incorporated and attached hereto as Attachment D.

[Rules 62-330.060, and 62-17.665, F.A.C]

4. Erosion and Sediment Plan

Prior to any construction FPL will submit to the DEP Southeast District ERP Section, a detailed erosion and sediment control plan for the project area. The plan will be reviewed, and notification of compliance issued by the appropriate DEP district through the post-

certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40.432(2), 62-330 and 62-17.665, F.A.C]

5. Construction Schedule

Prior to any construction, FPL shall submit to the DEP Southeast District a construction schedule which will include, at a minimum, details on phases of vegetation clearing, installation of erosion and turbidity control devices, dredging, filling, slope stabilization and replanting. The schedule shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

6. Water Quality Assurance

Prior to any construction, FPL shall provide reasonable assurance to the appropriate DEP district that the regulated activity will not cause or contribute to violations of water quality standards within surface waters and wetlands. The location of turbidity and erosion control devices shall be included on the plans as well as descriptions of the proposed methodology for ensuring the project will not result in adverse short-term impacts to water quality. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

7. Navigation

Prior to any construction, FPL shall provide reasonable assurance to the appropriate DEP district that the regulated activity will not adversely affect navigation within waterbodies that the regulated activity will be crossing. The methods for construction and minimizing impacts to navigation during construction shall be included on the plans, as well as descriptions of any proposed methodology for ensuring that the project will not result in short-term or long-term adverse impacts to navigation. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

8. Nighttime Construction Activities

All proposed dredging and filling activities within other surface waters shall be limited to daylight hours as turbidity plumes are not visible at night. Should such nighttime activities need to occur, FPL shall provide reasonable assurances to the appropriate DEP district that such activities shall not violate water quality standards. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

9. Hydrologic Studies

Prior to any construction, FPL shall submit to the appropriate DEP district hydrologic studies to evaluate runoff characteristics for new culvert crossings and access road designs. The hydrologic studies shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

10. Sovereign Submerged Lands

Prior to any construction, FPL shall obtain appropriate leases and/or easements for any state-owned lands as outlined in Section A. Condition XVII. Use of State Lands.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

11. Floodplain

Prior to any construction, FPL shall provide documentation to demonstrate the no-net encroachment into the floodplain, between the average wet season water table and that encompassed by the 100-year event, which will adversely affect the existing rights of others. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

12. Passage of Drainage

Prior to any construction, FPL shall provide documentation to demonstrate that onsite works such as swales and dikes shall be used to allow the passage of drainage from offsite areas to downstream areas. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40, 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

13. Stormwater Treatment Methodology

Prior to any construction, FPL shall provide a description of the proposed stormwater treatment methodology for existing and proposed paved and unpaved access roads, temporary or permanent, and impervious areas of the monopoles. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rules 62-40, 62-330 and 62-17.665, F.A.C; Applicant's Handbook]

14. Flowage Easements

Prior to any construction, FPL shall provide drafts of all stormwater management system easements and plats of the property containing the proposed system. The documentation shall be reviewed, and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Rule 62-330, F.A.C; Applicant's Handbook]

15. Herbicide Management and Application Plan

Prior to any construction FPL shall provide a proposed herbicide management and application plan including stormwater runoff, distance to nearby surface water, wetlands and sensitive areas. Review of the plan and a notification of compliance shall be issued by the appropriate DEP district through the post-certification process as described in Section A. Condition XXI. Procedures for Post-Certification Submittals.

[Chapter 62-330, F.A.C]

B. Everglades National Park Land Exchange

1. In the section of the Proposed Corridor within the current boundary of Everglades National Park (ENP), FPL shall make reasonable efforts to secure the necessary authorizations, approvals, and property rights to support the timely siting, construction, operation, and maintenance of the Project to the east of the western boundary of the South Florida Water Management District's L-31N right-of-way to the extent practicable, taking into account factors including but not limited to cost, engineering, SFWMD operations, and regulatory and proprietary constraints.

2. In areas where FPL is unable to build and maintain its structures east of the L-31N canal right-of-way boundary (outside of the current boundaries of ENP), FPL shall only use the minimum amount of land west of the L-31N canal right-of-way boundary (inside of the current boundaries of ENP) that is necessary to build and maintain the structures, and FPL shall return to installing structures to the east of the western boundary of the L-31N canal right-of-way at the first practicable location as provided in paragraph 1. above.

3. Within 90 days of determination of the final right-of-way alignment for the Project, FPL shall initiate activities to reconvey lands not utilized for the Project to the National Park Service for Everglades National Park, including the processes necessary to proceed to closing on the exchange of lands.

[Applicant Agreement]

C. Electric and Magnetic Fields

Prior to construction, FPL shall submit to the Department an EMF report demonstrating compliance with the provisions of Rule 62-814, F.A.C., for review in accordance with Condition XXI.

II. DEPARTMENT OF TRANSPORTATION

A. 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, F.A.C., State Highway System Connection Permits, and 14-97, F.A.C., State Highway System Access Control Classification System and Access Management Standards.

[Chapters 14-96, and 14-97, F.A.C.]

B. 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 as defined in Section 316.550, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

C. Use of State of Florida Right of Way or Transportation Facilities

Any use of State of Florida right of way and certain activities on state transportation facilities will be subject to the requirements of FDOT's 2017 Utility Accommodation Manual, Rule Chapter 14-46, Utilities Installation or Adjustment, F.A.C., and Chapter 337, including, but not limited to, Section 337.403, F.S., Interference caused by relocation of utility; expenses.

[Sections 337.403 and 337.404, F.S.; Chapters 14-15, 14-46, and 14-96, F.A.C.]

D. 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, F.A.C., including, but not limited to, the requirement to obtain all applicable permits.

[Chapter 14-86, F.A.C.]

E. Airport Licensing, Registration, and Airspace Protection

Any proposed construction or alteration in the application that exceeds the criteria detailed in 14 C.F.R. Section 77, Subpart B, will be subject to an aeronautical study by the Federal Aviation Administration (FAA). The FAA has provided a Notice Criteria Tool at https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredTool Form, to simplify compliance with the federal regulation in determining when an aeronautical study is required. An airspace determination is required for all structures that are determined to exceed by the Notice Criteria Tool. Applications for an aeronautical study are made utilizing the electronic FAA Form 7460-1 available at the following FAA website: https://oeaaa.faa.gov/oeaaa/external/portal.jsp.

If the FAA aeronautical study determines that the construction or alteration "Exceeds But Is Okay" (EBO) or is "Determined Not To Be A Hazard" (DNH), the construction or alteration is subject to the requirements of Chapter 333, F.S., and Chapter 14-60, F.A.C.. If political subdivisions have adopted airport protection zoning regulations, the construction or alteration requires a permit from the political subdivision pursuant to Chapter 333, F.S. Absent political subdivision airport protection zoning regulations, if the construction or alteration is within a 10-nautical mile radius of the airport reference point of a public-use or military airport, the construction or alteration requires a permit from FDOT pursuant to Chapter 333, F.S. A permit from FDOT may be obtained using FDOT Form 725-040-11, and following the instructions in Rule Chapter 14-60, F.A.C.; FDOT Form 725-040-11 is available at the following FDOT website: https://www.florida-aviation-database.com/dotsite/pdfs/725-040-11.pdf.

Applicants seeking Certification or Post-Certification Amendment(s) under the Florida Transmission Line Siting Act (TLSA), must comply with the provisions of Chapter 330,

F.S., Chapter 333, F.S., and Rule Chapter 14-60, F.A.C., to operate an airport within the State of Florida.

[Chapter 333, F.S.; Rule 14-60.009, F.A.C.]

F. Traffic Control

Traffic control will be maintained during construction and maintenance in compliance with the standards contained in the Manual of Uniform Traffic Control Devices; FDOT's Standard Plans for Road and Bridge Construction; FDOT's Standard Specifications for Road and Bridge Construction; and the Department's 2017 Utility Accommodation Manual, whichever is more stringent.

[Chapter 316, F.S.; Chapter 14-46, F.A.C.]

G. Other

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

• Heavy construction vehicles are to remain onsite during construction.

• A bulletin board shall be located such that employees have easy access to it and on which carpooling advertisements can be placed.

If the applicant uses contractors for the delivery of any overweight or overdimensional loads to the site during construction, the Applicant shall ensure that its contractors adhere to the necessary standards and receive the necessary permits required under Chapter 316, F.S., and Rule Chapter 14-26, F.A.C., Safety Regulations and Permit Fees for Overweight and Overdimensional Vehicles.

[Chapter 316, F.S.; Chapter 14-26, F.A.C.]

III. SOUTH FLORIDA WATER MANAGEMENT DISTRICT

A. General Conditions

1. For purposes of these conditions of certification, the following definitions shall apply:

a. "Inconsistency" shall mean any significant incompatibility, encroachment, or obstruction that hinders, compromises, or detrimentally affects SFWMD Planned and Existing projects, including but not limited to scheduling, costs, goals, purposes, benefits, functions, operation, maintenance, repair, replacement, rehabilitation, performance, or life expectancy.

b. "Planned and Existing Projects" shall mean any project or facility of the SFWMD that is either: (1) the projects provided in Attachments 1 and 2, as may be amended; and (2) the projects and/or project components of the Comprehensive Everglades Restoration Plan (CERP), as listed in the CERP Yellowbook (1999).

c. "Planned Communication Facilities" are those facilities that are either in the construction phase or in the final construction design phase with approved funding for design.

d. "Pollutant" shall mean any hazardous or toxic substance, material, or waste of any kind or any contaminant, pollutant as defined by Rule 62-150 F.A.C., and 42 USC 9601, in addition to petroleum, petroleum product, or petroleum by-product.

e. "Release" shall mean the release, spill, or discharge of such Pollutants.

f. "SFWMD ROW Criteria Manual" shall mean the SFWMD Right-of-Way Criteria Manual for Use of Works or Lands of the District dated August 12, 2013 together with the rules set forth in Chapter 40E-6, F.A.C.

g. "SFWMD Right(s)-of-Way" when used in SFWMD Conditions is intended to mean those lands acquired by SFWMD in fee, easement, or other type of grant, for the purpose of operations and maintenance of SFWMD's canal and levee system, spoil areas, and access and other easements.

h. "SFWMD Real Property Interests" is defined as SFWMD Right(s)-of-Way, Works of the District, and any property interest evidenced by being recorded in the public records.

2. If this Certification is transferred from the Licensee to another party, the Licensee from whom the Certification is transferred shall remain liable for corrective actions that may be required as a result of any violations that occurred prior to the transfer.

[Sections 373.044, 373.085, 373.223, 373.342, and 373.413, F.S.; Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-3.101(1), and 40E-6.351, F.A.C.]

3. This project must be constructed, operated, and maintained in compliance with and meet all non-procedural requirements and criteria set forth in Chapter 373, F.S., and Chapters 40E-2 (Consumptive Use), 40E-6 (Works or Lands of the District), 40E-8 (Minimum Flows and Levels "MFLs"), 40E-10 (Water Reservations), and 40E-21 (Water Shortage), F.A.C.

[Rule 62-17.191, F.A.C.]

4. Prior to constructing any certified facilities along, within or across SFWMD Real Property Interests, Licensee shall obtain an easement interest, which shall be contingent on SFWMD Governing Board's approval.

[Sections 373.085 and 373.086, F.S.]

5. It is the responsibility of the Licensee to avoid or minimize and mitigate any impacts to the water resources, SFWMD routine and/or emergency operations or maintenance, or Planned and Existing Projects within its rights-of-way and property interests during the construction, operation, and maintenance of the project in accordance with these conditions of certification.

[Chapter 373, F.S.; Rules 40E-2.09l, 40E-2.38l, and 40E-6, F.A.C.]

6. The Licensee shall be responsible for the construction, operation, and maintenance of all facilities installed for the proposed project in accordance with the terms of these conditions of certification and any other applicable agreements between the Licensee and the SFWMD.

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

7. Information submitted to SFWMD subsequent to Certification, in compliance with these Conditions of Certification, shall be for the purpose of SFWMD determining the Licensee's compliance with the non-procedural criteria contained in Chapter 373, F.S., Chapters 40E-2, 40E-6, 40E-8, 40E-10, and 40E-21, F.A.C., as applicable prior to the commencement of the subject construction, operation, and/or maintenance activity covered by these Conditions of Certification.

[Rule 62-17.191, F.A.C.]

8. SFWMD may confer with DEP to request that DEP take any and all lawful actions that are necessary to enforce any condition of this Certification based on the authorizing statutes and rules of SFWMD.

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

9. It is understood that the Licensee and SFWMD shall strive to resolve disputes by mutual agreement. However, SFWMD retains its right to seek any and all available relief under Florida law for the protection of the water resources, health, safety, and welfare of persons and property within its jurisdictional boundaries.

[Sections 373.044, 373.085, 373.113, 373.129, 373.413 and 373.429, F.S.; Rules 40E-1, 40E-6.331, and 40E-6.341, F.A.C.]

10. With concurrence from DEP, SFWMD and the Licensee may jointly agree to vary the informational requirement necessary to conduct the post certification review.

[Sections 373.085 and 373.229, F.S.; and Rules 40E-2.101(1), F.A.C.]

11. Licensee shall maintain the status (exempt from public disclosure) in a confidential manner of any documents received from SFWMD, including communications systems and building plans, blueprints, schematic drawings, and diagrams, in preliminary draft and final formats, which depict the internal layout and structural elements of a building or water structure, or other SFWMD facilities, owned and operated by SFWMD, which are exempt from the Public Records law, unless required to disclose such documents pursuant to Section 119.071(3)(b)3., F.S., as also agreed to in the Exempt Records Memorandum of Understanding Between FPL and SFWMD, which was executed in April 2024, and is attached hereto as Attachment 3.

12. Indemnification / Insurance - Licensee shall also be responsible for the following:

a. For good and valuable consideration received, and to the fullest extent permitted by law, Licensee agrees to defend, indemnify, and hold harmless SFWMD, its Board members, Directors, employees, and agents (collectively, the "Indemnified Parties") from and against any and all claims, suits, loss, including, but not limited to, bodily injury, death, and property damage and all other damage, including reasonable attorneys' fees and costs, sustained by the SFWMD Entities to the extent caused by or arising from Licensee's and its agents' (which includes Licensee's officers, employees, contractors, subcontractors, agents, representatives, and invitees) planning, engineering, design, construction, alteration, operation, maintenance, removal, abandonment of facilities on, activities upon and access over SFWMD Real Property Interests or activities undertaken under this Certification (including post certification reviews,

amendments or modifications, collectively the "Certification") unless Licensee can establish that the damages were attributable solely to the negligent or willful actions of one or more Indemnified Parties or third parties other than Licensee and its agents. SFWMD shall have the right to approve, in SFWMD's reasonable discretion, Licensee's legal counsel in connection with this indemnity.

b. Licensee shall procure and maintain during the occupancy of SFWMD Premises, through self-insurance or insurance, at least $1,000,000 per occurrence/$2,000,000 general aggregate in limits of liability for General Liability Insurance. Licensee shall procure and maintain, through self-insurance or insurance, at least $1,000,000 per occurrence in limits of liability for Automobile Liability Insurance. In addition, Licensee must carry Workers' Compensation and Employer's Liability insurance if required by Florida Statutes, Chapter 440. Depending on the activity, other specialty insurance may be required. If operating drones/unmanned aircraft systems (UAS), Licensee or their Drone contractor must provide a current drone operator's license/certificate for all operators and have applicable UAS drone liability insurance of at least $1,000,000 per occurrence in limits of liability. Licensee shall provide to SFWMD a certificate of insurance signed by the insurance carrier's authorized representative, indicating the producer, insured, carrier's name and A.M. Best rating, policy numbers and effective and expiration dates of each type of coverage required. The certificate of insurance must name the SFWMD as the certificate holder and must name the SFWMD as an additional insured for the General Liability, Automobile Liability, and UAS Drone Liability coverages. Licensee, contractors, and their insurance carriers shall provide a Waiver of Subrogation endorsement in favor of SFWMD for all insurance coverages. The coverage required shall extend to all employees and subcontractors of the Licensee. If the Licensee is a self-insured entity, the Licensee may submit a letter citing a state-approved self-insurance program in lieu of satisfying these insurance requirements subject to SFWMD approval.

c. Any insurance provided by Licensee and its agents naming SFWMD and its agents as an additional insured, including self-insurance, shall respond first and defend and indemnify SFWMD and its agents with respect to any and all claims or suits arising out of Licensee's or its agents access over or adjacent to SFWMD Right(s)-of-Way, Works of the District or SFWMD Real Property Interests recorded in the public records, interference with SFWMD communication systems, or activities undertaken under this Certification, including design, construction, operation, and maintenance of facilities. If and only if such insurance does not apply or is otherwise not available with respect to a particular matter, the indemnity provisions in the first paragraph of this section will apply.

d. It is expressly agreed that this Section shall survive the termination or expiration of this Certification.

[Sections 373.016, 373.085(1)(b), and 373.1391, F.S and Rules 40E-6.051(3), 40E-6.381(6), 40E-6.221(2)(i), F.A.C.]

13. Consistency with Planned and Existing Projects

a. During the planning and design of the certified transmission lines, and prior to the final design of the transmission lines right-of-way to be located on SFWMD real property interests, Licensee shall coordinate with SFWMD to obtain SFWMD's plans, including detailed design plans and specifications, for any Planned and Existing Projects. Licensee shall

coordinate all project activities with SFWMD in such a manner as to avoid inconsistencies with Planned and Existing Projects, as defined in section I.A.1.C.

b. No later than twelve (12) days after receipt of Licensee's post-certification submittal of the proposed transmission line right-of-way location as required by Section A., Condition XXI, SFWMD will submit to Licensee any revised SFWMD plans for Planned and Existing Project.

c. Licensee will undertake its preliminary through final design of the certified transmission facilities to be located on SFWMD Real Property Interests to accommodate and avoid inconsistencies with Planned and Existing Projects. Licensee's designs must account for flowage elevations, as necessary, in order to be consistent with Planned and Existing Projects. Outcomes of SFWMD planning projects include, and are not limited to, change in groundwater elevation, surface water elevation, and site existing conditions. The Licensee as part of their design process will coordinate and incorporate in their design the best-to-date information regarding water elevation data from SFWMD planning projects for site future conditions.

d. At the time of design of the certified transmission facilities, Licensee shall submit to SFWMD a preliminary design demonstrating compliance with paragraph 13(c) above, so that SFWMD can review this information. SFWMD must review Licensee's preliminary design within ninety (90) days following SFWMD receipt of Licensee's preliminary design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with final design consistent with the submitted preliminary design. If SFWMD's review indicates an Inconsistency (as defined in Section I.A.1.a above) exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the United States Army Corps of Engineers (USACE). Any costs associated with the review, evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

e. At least ninety (90) days prior to construction, Licensee shall submit to SFWMD a final design demonstrating compliance with its preliminary design and any agreeable solutions for design modifications identified pursuant to paragraph 12(d), so that SFWMD can review this information for consistency with Planned and Existing Projects. SFWMD must review Licensee's final design within ninety (90) days following SFWMD receipt of Licensee's final design. If SFWMD does not respond within ninety (90) days, Licensee can proceed with construction consistent with the submitted final design. If SFWMD's review indicates an inconsistency exists, the parties will strive to achieve an agreeable solution in accordance with Condition I.A.8 of these conditions of certification. Agreeable solutions may include modification of the Licensee's facilities or, if no practicable design alternative can be identified, modification of SFWMD facilities. For any project in which SFWMD serves as a local sponsor, SFWMD cannot agree to any modification of its facilities unless and until that modification is reviewed and approved by the USACE. Any costs associated with the review,

evaluation, and approval of a proposed modification, including all direct and indirect costs incurred by SFWMD to obtain USACE's approval, shall be borne by the Licensee. If SFWMD modifies its facilities as the agreeable solution, the Licensee shall reimburse SFWMD for all associated costs, including direct, indirect, and overhead costs.

f. If two (2) years elapse after Licensee submittal of its final design demonstrating compliance with paragraph 12(c) above without commencement of construction of Licensee's project, Licensee shall request a list of new or updated planned project information. If SFWMD provides a list of new or updated planned project information within thirty (30) days of Licensee's request, Licensee shall incorporate this new or updated information to achieve compliance with paragraph 12(c) above. In the event that new or updated information is provided by SFWMD to Licensee, the coordination process as described in paragraph 12(d) above shall be followed.

14. Reimbursements and Costs - In addition to any requirements specified elsewhere in these conditions, the Licensee shall also be responsible for the following:

a. Modifications to Licensee Project Facilities - Where the certified transmission line(s) will cross or use lands where SFWMD holds a real property interest, Licensee shall design any future modifications to its transmission line(s), including its structures and access roads, to avoid Inconsistency with Planned and Existing Projects utilizing the process described in Condition I.A.12. above. Licensee shall undertake at its own expense any necessary alterations to Licensee's project as a result of such Inconsistencies as defined in condition I.A.12.g.

b. Payment Timeliness and Other Remedies - Licensee shall make reimbursements within sixty (60) days following receipt of invoices submitted by SFWMD. Each invoice must be accompanied by an itemization of the time and expenses incurred in accordance with state auditing procedures. In the event a dispute arises as to the appropriateness of the request for reimbursement of one or more cost items, the dispute may be resolved pursuant to the dispute resolution process specified in Section A, Condition XI. Dispute Resolution. However, this provision is not intended to be an exclusive remedy and does not preclude the exercise of any other rights and remedies available under law or equity. Reimbursement of a disputed cost shall be held in abeyance until the dispute is resolved.

[Rules 40E-6.381(3), (4), F.A.C.]

15. Licensee Access to SFWMD Areas of Real Property Interest

a. For informational purposes and to the extent practicable, and subject to any easements or other agreements between Licensee and SFWMD, Licensee shall meet with SFWMD representatives no less than six (6) months prior to construction to identify all of Licensee's construction activities SFWMD Real Property Interests. Licensee shall also meet with SFWMD representatives no less than one (1) month prior to commencement of construction to coordinate with SFWMD the Licensee's construction schedule and non-major activities on SFWMD Real Property Interests. Licensee is encouraged to discuss coordination with SFWMD any minor activities that arise unexpectedly.

[Rule 62-17 F.A.C.]

b. Licensee shall be responsible for any mitigation or permitting arising from impacts to any state or federally listed threatened or endangered species where

SFWMD holds a real property interest occurring from the construction, operation, or maintenance of the proposed transmission line facilities, in accordance with the terms and conditions of any local, state, or federal approvals, and all applicable regulatory laws, including, but not limited to the conditions in this Certification.

[Sections 373.085 and 373.086, F.S; Rules 40E-6.221(2), 40E-6.091(1) and 62-17 F.A.C. and Right of Way Criteria Manual for Use of Works or Lands of the District]

c. Licensee, its agents, employees, contractors and subcontractors shall be prohibited from removing any items of historical, architectural, archaeological, or cultural significance on lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.; 40E-6.311(3) and 62-17 F.A.C.]

d. Any release of Pollutants SFWMD Real Property Interests, whether caused by the Licensee or any other third party, shall be reported to the SFWMD within twenty-four (24) hours upon the knowledge thereof by the Licensee. The Licensee shall be solely responsible for the entire cost of cleanup of any release of Pollutants resulting from the activities of the Licensee, its contractors, subcontractors, agents, and/or assigns discovered in or on canals or lands where SFWMD holds a real property interest.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. SFWMD does not waive sovereign immunity in any respect.

[Rules Chapter 40E-6.091(1) and 40E-6.381(7), F.A.C.]

f. No vehicular maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, be used, stored or discarded within lands where SFWMD holds a real property interest nor shall these lands be used for storage or parking of equipment, associated machinery, or construction trailers unless specifically authorized by these Conditions of Certification or agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), and 62-17 F.A.C.]

g. Licensee shall not stockpile excavated material in the canal or within lands where SFWMD has a real property interest, except as specifically authorized by SFWMD. Licensee shall be responsible for the removal of all construction materials and debris from SFWMD canal and SFWMD Right(s)-of-Way; and, for the repair, replacement, and restoration of any sections of SFWMD Right(s)-of-Way damaged or disturbed resulting from the authorized activity. Repair, replacement and restoration shall be to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance (i.e., for backfill material, density/compaction, stabilization and maintainability). Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge. Furthermore, such restoration, when required, shall include grading/re-shaping, seeding, resodding with bahia, Argentine, or other species recognized by SFWMD as a drought tolerant species. Licensee is also responsible for removal of all excess project-related material from SFWMD Right(s)-of-Way, unless otherwise authorized in these conditions of certification or agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.081(8), and 62-17 F.A.C.]

h. Licensee shall work collaboratively with SFWMD to address any proprietary interests or issues arising with respect to the placement of transmission facilities on SFWMD Real Property Interests within the transmission line corridor having any encumbrance, such as those having a federal interest as described in the June 1999 SFWMD and U.S. Department of Interior (DOI) Grant Agreement for Everglades Watershed Restoration in accordance with the DOI and Related Agencies Appropriations Act, 1999, Public Law 105-277, Stat. 2681 (Grant Agreement), as specified in the paragraph below.

[Sections 373.085 and 373.086, F.S.]

i. Use of SFWMD Parcels Subject to Encumbrances: FPL shall bear the SFWMD's administrative costs (e.g., surveying, appraisals, and title searches) of release of encumbrances within the proposed transmission line rights-of-way, or the cost of replacement lands, if necessary, in an area acceptable to SFWMD and DOI.

[Sections 373.085 and 373.086, F.S.]

j. Licensee shall comply with the following concerning removal of exotic vegetation as identified on the Florida Invasive Species Council Plant List (2026).

i. Licensee shall coordinate with SFWMD prior to conducting any exotic vegetation removal work to ensure such activities do not interfere with SFWMD's land management activities.

ii. Licensee shall remove all exotic vegetation throughout the limits of the transmission line right-of-way from lands where SFWMD holds a real property interest and keep these lands free of said exotic vegetation throughout the life of the project, where practicable.

iii. Licensee is put on notice that successful removal of the exotic vegetation may require the application of a suitable herbicide on cut stumps, etc. by following manufacturer's label instructions.

iv. Licensee shall take all reasonable precautions to not damage or destroy existing native (indigenous) vegetation located within the SFWMD Right(s)-of-Way throughout the project limits.

v. Licensee shall maintain the project area on a regular cycle basis and keep Licensee's rights of way free of excessive weeds and exotic vegetation.

[Sections 373.085 and 373.086, F.S.; Rules 40E-6.091(1) and 62 17F.A.C.; SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

16. *SFWMD Approval Limitations* - No right of review, inspection, or approval by SFWMD under this Certification shall: (1) be deemed a waiver of any of SFWMD rights under the Certification or at law or in equity; (2) be deemed to be an assumption of such responsibility by SFWMD for any defect, error, omission; or (3) relieve Licensee of its responsibility for the performance of its obligations under the Certification and the accuracy, competency, adequacy, fitness, suitability, or coordination of its post-certification responsibilities and deliverables under this Certification. Approval by any governmental or other

regulatory agency or other governing body, including DEP and USACE (as it relates to CERP projects and the C&SF system), shall not relieve Licensee of responsibility for the strict performance of its obligations under this Certification. Licensee expressly accepts the risk that defects in its performance, if any, may not be discovered until after completion of the transmission line project. Licensee's post-certification submittal may be submitted in segments and/or on a line-by-line basis. SFWMD's failure to timely object to a particular post-certification submittal for any particular segment or line does not waive SFWMD's right to object to the same information for another post-certification submittal.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381, F.A.C.]

17. These conditions of certification shall not operate to revoke any rights, terms or conditions of any permit, license, easement, or other property interest, over SFWMD-owned lands, for the uses identified in those instruments.

B. Central and Southern Florida Communication Systems

1. Communication Systems

a. Licensee's project, as described in the Site Certification Application and in post certification submittals, shall not result in harmful interference or other adverse impacts to the South Florida Water Management District Communication System and Facilities (WMDCSF). WMDCSF refers to the SFWMD Information Technology (IT) Systems and Supervisory Control and Data Acquisition (SCADA) systems necessary for the operations and maintenance of the SFWMD and C&SF Flood Control Project. The IT Systems are the collection of microwave sites, communications towers, antenna sub-systems, microwave radios, SCADA base stations, mobile radio base stations, multiplex electronics, data internet protocol (IP) electronics, direct current (DC) power systems, standby power systems, shelters, and all other related and supporting systems and sub-systems. The SCADA systems are the collection of base radios, remote terminal unit (RTU) radios, antenna sub-systems, antenna support pole, RTUs, data loggers, wireline communications, enclosures, sensors, instrumentation, and all other related and supporting systems and sub-systems. The SCADA systems include the central software applications that monitor, control, collect, and store data.

b. Prior to initiation of detailed design, Licensee shall request an updated list of WMDCSF identifying existing and Planned Communication Facilities within 5,280 feet of the certified transmission line corridor.

c. Licensee shall take the WMDCSF into consideration during its design to avoid harmful interference, as defined by the FCC, or adverse impacts to WMDCSF. Adverse impacts to WMDCSF shall be defined as any manifestation of performance degradation, misinterpretation, or loss of information beyond the range of normal variation in signal strength that would not otherwise happen in the absence of unwanted energy or physical obstructions.

d. The Consulting Engineer shall take the following WMDCSF technical specifications into consideration in the proposed transmission line design. Any proposed alternatives to these specifications shall be documented in the Preliminary Evaluation Report.

i. For maintenance of microwave communications performance and reliability purposes, the design for the electrical transmission lines shall be such that:

1) Electrical transmission line towers are not located within the 0.3F1 at K=2/3 and 1.0F1 at K=4/3 of a SFWMD microwave path (GTE Lenkurt Inc., "Engineering Considerations for Microwave Systems", Section 7, "Clearance Criteria").

2) Electrical transmission line conductors are not located within the first Fresnel zone of a SFWMD microwave path when the conductors are located within 2 kilometers of a microwave site (Seizawa, Y., Takeshita, K. Takeshita, S., "Influence of Microwave Scattering by Power Transmission Lines on Digital Radio Communications", IEEE Transactions on Electromagnetic Compatibility, Volume 31, No.4, pp 346-352, November 1989).

3) Electrical transmission line conductors that will cross a microwave path should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDSCF.

4) Electrical Transmission line conductors that will run adjacent or parallel to a microwave path along any point along the path for any length should be studied to determine what effects they will have on the microwave path performance. Licensee shall mitigate any potential issues including required changes or improvements to the District WMDCSF.

ii. For maintenance of land mobile radio voice communications base station and area coverage performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, attributable to the electrical transmission lines, is not sufficient to cause harmful interference or other harmful impacts to WMDCSF.

iii. For maintenance of SCADA telemetry communications performance and reliability purposes, the design for the electrical transmission lines shall be such that the RF noise floor, in either clear or rainy conditions, is not increased to an amount that reduces the fade margin for SCADA base station and RTU fade margin to less than 30 dB for the primary communications path and 20 dB for the secondary communications path (SFWMD Design Standard). For SCADA systems that have fade margins less than the SFWMD Design Standard any reduction in fade margin shall be eliminated or mitigated.

e. Licensee, in consultation with SFWMD, shall identify and retain an independent Consulting Engineer(s) with demonstrated knowledge of and/or experience with RF and SCADA communications systems such as the WMDCSF for the purpose of conducting the evaluations, including modeling and measurements, required by these SFWMD Communications Conditions (collectively referred to as the "Evaluation Program"). Licensee shall be responsible for payment of fees charged by the Consulting Engineer(s).

f. The Consulting Engineer, in consultation with Licensee and SFWMD, shall develop a scope of work and schedule to accomplish the Evaluation Program. Licensee shall submit the proposed scope of work and schedule for the Evaluation Program, together with any revisions proposed by Licensee, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI. At a minimum, the scope shall include:

i. Identification of the location and characteristics of all existing and planned WMDCSF within 5,280 feet of the certified transmission line corridors that

have the potential to experience harmful interference or other adverse impacts from the certified transmission facilities.

ii. Identification of the appropriate evaluation methodology to assess whether harmful interference or any other adverse impact to WMDCSF will occur due to Licensee's facilities.

iii. The Preliminary Evaluation shall include:

1) Based on Licensee's preliminary design of its transmission line facilities, a modeling and analysis effort to determine the potential for transmission line harmful interference or adverse impacts to operation of the WMDCSF.

2) Field measurements, and review of SFWMD maintenance and performance records for the WMDCSF, to establish environmental baseline operability of the WMDCSF where the modeling and analysis in Section I.B.1.f.iii.(1) above, show a potential for harmful interference or adverse impacts to operation of the WMDCSF, and ambient or preexisting corona discharge, power line noise (arcing/sparking across transmission line hardware), electromagnetic and radio interference conditions in the vicinity of the WMDCSF. The Baseline Testing shall be conducted during the wet season, dry season, or during other times as agreed upon by SFWMD and Licensee for a period sufficient to capture significant weather events and establish signal strength profiles.

iv. A report that will communicate the findings of the Preliminary Evaluation and identify specific potential interference issues that should be addressed in Licensee's final design of the transmission line facilities to avoid harmful interference or adverse impacts to WMDCSF.

v. Review of Final Transmission Line Design. The Consulting Engineer shall advise the Licensee and SFWMD of any potential harmful interference or adverse impact issues identified in the Preliminary Evaluation report that do not appear to have been addressed in the final transmission line design.

vi. Construction Acceptance Test Program shall include:

1) If construction is commenced more than two (2) years following field measurements under Section I.B.1.f.iii.2. above, verification of baseline conditions and WMDCSF operability during the wet season immediately prior to initiation of construction.

2) Measurement of post-construction conditions and WMDCSF operability immediately following transmission line energization and load condition during the next wet season, dry season or during other times as agreed upon by SFWMD and Licensee.

vii. Provision of methodology for collection of all test data.

viii. Provision of a report from the Consulting Engineer to Licensee analyzing the pre- and post-transmission line construction testing data and communicate the findings of the Construction Acceptance Test Program and identify any specific harmful interference or adverse impacts to the WMDCSF that Licensee must address

through avoidance (i.e., redesign) or mitigation or determine that no harmful interference or adverse impacts are created by Licensee's project.

g. Sixty (60) days prior to any planned testing or invasive measurements of WMDCSF, Licensee shall submit a calendar schedule to allow for SFWMD coordination of access, water management operation change control, SFWMD observation of testing, and staff support.

h. Licensee shall submit its preliminary design of transmission facilities necessary for the evaluation in Section C. I.B.1.f.iii above, to the Consulting Engineer, with an informational copy to SFWMD.

i. Licensee shall submit the Preliminary Evaluation Report as a postcertification submittal for review pursuant to Section A., Condition XXI.

j. If the results of the Evaluation Program indicate that harmful interference or adverse impacts are likely to occur or are occurring, Licensee shall avoid or mitigate for such harmful interference or adverse impacts. Licensee shall either revise the design of the transmission facilities, or work with SFWMD to develop a mitigation plan for enhancement of the WMDCSF or other remedial redesign of affected WMDCSF. Should the mitigation plan involve service affecting operations, Licensee shall develop a Cutover Plan that details the timeframes WMDCSF service will be affected and coordinate with SFWMD on scheduling activities. The Cutover Plan shall be included in the mitigation plan submitted as a post-certification submittal for review pursuant to Section A., Condition XXI. All mitigation costs attributable to Licensee-created harmful interference or adverse impacts shall be the responsibility of Licensee. Such mitigation will be implemented on a mutually agreeable schedule upon determination that the transmission facilities will produce or are producing harmful interference or adverse impacts to WMDCSF. Design and mitigation solutions to offset adverse impacts to existing and planned WMDCSF shall be submitted to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and may include, but are not limited to:

i. Redesign of Licensee's transmission facilities, such as upgrades to the phase-conductor design to lower the corona-produced radio frequency interference generated by the transmission lines, relocation of poles, and changing height of phase conductors.

ii. Enhancements to SFWMD's system, such as larger antennas; raising, lowering, adjusting or relocating SFWMD's antennas, antenna-mounting structures, poles, or transmitters; a dedicated fiber optic circuit or communications link to be deployed during and/or after Licensee's construction activities; temporary facilities and systems to maintain operations during construction; relocating or hardening of SCADA monitoring stations and/or associated RF Systems; working with SFWMD to enhance the communication system signal strength or coverage areas near the transmission facilities.

iii. An implementation schedule.

k. Licensee shall submit its final transmission line design to SFWMD as a post-certification submittal pursuant to Section A., Condition XXI and to the Consulting Engineer at least ninety (90) days prior to commencement of construction, identifying design

features that have been incorporated to address all potential harmful interference issues or adverse impacts identified in the Consulting Engineer's report under Section I.B.1.f.iv. above.

l. Licensee shall submit the report of the Construction Acceptance Test Program, together with any Licensee comments, to SFWMD as a post-certification submittal for review pursuant to Section A., Condition XXI.

m. Before, during, and after construction, and after energizing the power transmission lines, and for long term operation after the power transmission lines are placed into service Licensee shall immediately investigate all complaints of harmful interference or other adverse impacts disrupting communications through any portion of WMDCSF in proximity to Licensee's certified transmission facilities. If such investigation indicates the harmful interference or other adverse impacts are caused by Licensee's transmission lines, Licensee shall implement appropriate mitigation.

[33 C.F.R. 208.10 and C.F.R. 385.37; Sections 373.085(1)(b) and 373.086(1); Rule 62-17, F.A.C.]

n. Licensee shall provide the SFWMD direct contact information for submitting interference complaints which will result in prompt response and action to investigate any reported issue, and remedy if necessary. Licensee shall keep the contact information current and shall work with or develop a process with the SFWMD to convey the contact information.

C. Operations & Maintenance / Right-of-Way

1. General Conditions

a. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines on SFWMD Right(s)-of-Way, Licensee shall provide SFWMD with the final right-of-way location within the certified corridor.

[Sections 373.085(1) and 373.413(2), F.S.; Chapter 40E-6, F.A.C.]

b. At least ninety (90) days prior to the commencement of construction of any portion of the transmission lines over, across, or using any SFWMD canal or levee right-of-way to facilitate the construction or maintenance of the transmission line, Licensee shall submit complete scaled or fully dimensioned plans to SFWMD showing the proposed facilities for SFWMD review for compliance with the non-procedural requirements of the SFWMD ROW Criteria Manual. The plans shall depict all of the Licensee's proposed improvements within the SFWMD Right(s)-of Way, in both plan and profile views, and shall show, at a minimum, information sufficient to demonstrate compliance with the SFWMD ROW Criteria Manual.

[Sections 373.085, 373.086, and 373.413(2), F.S.; Rule 40E-6.091(1) and 40E-6.201(1)(i), F.A.C.]

c. Prior to use of SFWMD Right(s)-of-Way for construction access, the Licensee shall submit to SFWMD a detailed plan identifying the following: proposed route; type, weight, length, and number of vehicles to be used; daily trips for each vehicle; proposed material and/or vehicle/equipment storage within the SFWMD Right(s)-of-Way; and dates of proposed access of the right-of-way. If travel over a SFWMD bridge or facility is required, the Licensee shall submit engineering analysis required by SFWMD to determine if the bridge or facility can support the vehicles/equipment proposed to travel over the bridge or facility. Prior to

the use of any portion of SFWMD Right(s)-of-Way, the Licensee shall post a financial assurance, which shall be a minimum of $5,000 per one-half mile, or a greater amount as determined by SFWMD, depending on the scope of work, the route, vehicular trips traveled, use of or travel over SFWMD bridges and/or facilities, types of vehicles, and duration.

[Section 373.085 and 373.086, F.S.; Rules 40E-6.091(1), 40E-6.201(1)(i), and 40E-6.361(1), F.A.C.]

d. The Licensee shall maintain the area of SFWMD Right(s)-of-Way occupied by Licensee's facilities at all times in a condition as good or better than the condition existing prior to Licensee's use, including cycle mowing a minimum of 5 times per year and trimming around all above-ground improvements, unless otherwise agreed to by SFWMD in writing.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

e. If deemed necessary to accommodate unimpeded continuous access by SFWMD vehicles and equipment, the Licensee shall construct vehicle turn-around/passing areas to meet SFWMD requirements or coordinate with SFWMD when construction activities that may impede access are scheduled to occur.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

f. Vertical clearances for any aerial crossings over SFWMD canals and rights-of-way shall meet SFWMD non-procedural criteria and requirements in effect at the time of Licensee's submittal of plans in subsection (b) above, as set forth in Chapter 40E-6, F.A.C.

[Sections 373.085(1) and 373.086(1), F.S.; Rule 40E-6.091, F.A.C.]

g. Subsequent to Certification and acquisition of an easement interests, which shall be contingent on SFWMD Governing Board's approval, within the SFWMD Right(s)-of-Way by the Licensee, any requests for use of SFWMD Right(s)-of-Way deemed acceptable by SFWMD through such easement interest shall not require Governing Board approval of a waiver to the SFWMD ROW Criteria Manual.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

h. The Licensee is responsible for identifying potential conflicts with existing facilities owned by third parties permitted by SFWMD and for coordinating relocation of previously permitted facilities, as required, including obtaining the necessary right-of-way occupancy permit modifications for those previously permitted facilities. Similarly, if during the course of future permit application reviews SFWMD notices a proposed facility that potentially interferes with the transmission lines, SFWMD will require the applicant to coordinate with Licensee to resolve potential conflicts.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

i. The Licensee shall only have the right to utilize SFWMD right-of-way for those activities, uses, and purposes specifically authorized in this Certification for the purpose of construction, operation, and maintenance of the certified transmission facilities unless otherwise agreed to by SFWMD and Licensee in writing. All other activities, uses, and purposes on SFWMD Right(s)-of-Way by Licensee not specifically authorized in this Certification are

prohibited. Furthermore, the Licensee shall not have the right to authorize any other person or entity to utilize SFWMD Right(s)-of-Way for any activity, use, or purpose without the prior written consent of SFWMD.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

j. SFWMD reserves the right of priority access in order to perform its regional water management missions and the Licensee shall not interfere with that access, particularly during emergencies. The Licensee shall ensure that SFWMD access within its right-of-way is available and sufficient for SFWMD vehicles and equipment at all times. If, in the Licensee's opinion, it will be necessary for the SFWMD access to be blocked, impeded, or altered at any time, the Licensee shall submit a written request to SFWMD setting forth the proposed activities that will result in obstruction of the right-of-way and the dates that the right-of-way will be rendered inaccessible. Written agreement from SFWMD shall be obtained by the Licensee prior to the proposed obstruction of the right-of-way.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, and Rule 40E-6.381, F.A.C.]

k. The Licensee does not have any authority to incur liens for labor or materials on SFWMD rights-of-way. All persons contracting with the Licensee, all material, men, contractors, mechanics, and laborers are hereby charged with notice they must look to the Licensee, and to the Licensee only, to secure the payment of any bill for work done or any materials furnished during the term of this Certification. Pursuant to Sections 713.01(26), F. S., SFWMD right-of-way shall not be subject to liens for improvements and such liability is expressly prohibited. This paragraph shall be included in all contracts with the Licensee for materials or services involving SFWMD right-of-way. In the event that the Licensee does not, within thirty (30) days following Licensee's notice of the imposition of any such lien, cause the same to be released of record by payment or posting of a bond or other means acceptable to SFWMD, SFWMD shall have, in addition to all other remedies provided herein and by law, the right, but not the obligation, to cause the same to be released by such means as it shall deem proper, including payment of the claim giving rise to such lien. All such sums paid by SFWMD, including, but not limited to reasonable attorney's fees and expenses incurred by it in connection therewith, together with interest at the maximum rate allowed by law, shall be payable to SFWMD by the Licensee on demand.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

l. SFWMD, its Governing Board members, employees, contractors, and subcontractors, are not responsible or liable for any claims by the Licensee, or any partner, parent, affiliate, or subsidiary, for damages (including special and consequential), loss, expense, or costs with respect to the Licensee's project or other property or improvements arising directly, indirectly, or proximately from water level fluctuations, water flows, or operations of water control structures.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

m. The Licensee shall only use the access points and gates authorized by SFWMD. Upon payment of applicable key deposit fees and submission of complete key permit applications, SFWMD agrees to issue, as a ministerial act, to Licensee the necessary key permits allowing access to SFWMD roads to support the construction, operation, and

maintenance needs of the Licensee. The Licensee shall take all necessary measures practicable to preclude the general public from accessing those portions of the right-of-way under construction such as posting of designated construction zones.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

n. Licensee shall not utilize SFWMD right-of-way for the storage of any contaminant, hazardous substance, fuel, or other petroleum products unless agreed to by SFWMD in writing. The Licensee shall ensure that no vehicle or equipment maintenance or repair activities or substances or parts associated with the repair or maintenance of vehicles or equipment will take place, or be used, stored, or discarded with the SFWMD right-of-way unless agreed to by SFWMD in writing. Vehicles or equipment that become inoperable within the SFWMD right-of- way shall be removed from the right-of-way as quickly as possible.

[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]

o. Licensee shall be solely responsible for the costs, preparation, and implementation of any repair, remediation, mitigation, and/or related plans required to address damages and/or any other adverse impacts to SFWMD facilities or systems caused by the Licensee during the design, construction, operation, and/or maintenance of the certified facilities. *[Sections 373.085 and 373.086, F.S.; Chapter 40E-6, F.A.C.]*

2. Standard Limiting Conditions

a. All structures on SFWMD works or lands constructed by Licensee shall remain the property of Licensee, who shall be solely responsible for ensuring that such structures and other uses remain in good and safe condition. The Licensee is advised that other federal, state, and local safety standards may govern the occupancy and use of SFWMD lands or works. SFWMD assumes no duty with regard to ensuring that such uses are so maintained and assumes no liability with regard to injuries caused to others by any such failure.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(1), F.A.C.]

b. Licensee solely acknowledges and accepts the duty and all associated responsibilities to incorporate safety features that meet applicable engineering practice and accepted industry standards into the design, construction, operation, and continued maintenance of the authorized facilities/use. This duty shall include, but not be limited to, the Licensee's understanding of SFWMD regulation, and potential fluctuation, of water levels in canals and facilities of the C&SF system which are operated in compliance with the USACE Master Water Control Manual for the C&SF Project and the Operations and Maintenance (O&M) Manual for the C&SF Project, as well as the Licensee's understanding that upgrades and modifications to the authorized facilities/use may be necessary to meet any future changes to applicable engineering practice and accepted industry standards. The Licensee acknowledges that SFWMD's review of this project, including, but not limited to, any post-certification reviews and field inspections performed by SFWMD, does not in any way consider or ensure that the authorized use/facilities are planned, designed, engineered, constructed, or will be operated, maintained or modified so as to meet applicable engineering practice and accepted industry standards, or otherwise provide any safety protections. The Licensee further acknowledges that any inquiries, discussions, or representations, whether verbal or written, by or with any SFWMD staff or representative during the post-certification review process, including, but not limited to, any field inspections, shall not in any way be relied upon by Licensee as SFWMD assumption of

any duty to incorporate safety features, as set forth above, and shall also not be relied upon by the Licensee in order to meet Licensee's duty to incorporate safety features, as set forth above.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(2), F.A.C.]

c. The Licensee shall not engage in any activity regarding the authorized use that interferes with the construction, alteration, maintenance, or operation of the works of the SFWMD, including:

i. discharge of debris or aquatic weeds into the works of the SFWMD;

ii. causing erosion or shoaling within the works of the SFWMD;

iii. planting trees or shrubs or erecting structures that limit or hinder access by SFWMD equipment and vehicles, except as may be authorized by this Certification.

iv. leaving construction or other debris in/on SFWMD right-of-ways or waterways;

v. damaging SFWMD berms and levees; removal of SFWMD-owned spoil material without written approval of SFWMD; removal of or damage to SFWMD locks, gates, and fencing; opening of SFWMD rights-of-way to unauthorized vehicular access; or running or allowing livestock on SFWMD rights-of-way.

d. Licensee shall be responsible for any costs incurred by the SFWMD resulting from any such interference, as set forth in i. through v. above. Should the authorized activities or placement of the authorized facilities within SFWMD right-of-way or maintenance of same contribute to sloughing, erosion, or wash-outs of SFWMD right-of-way, berm, or side slope of the canal, it is the Licensee's sole responsibility and expense to, upon notification from SFWMD, immediately take appropriate steps to restore the right-of-way to pre-existing conditions or better using current SFWMD engineering standards provided by SFWMD as guidance. Site-specific engineering considerations and decisions shall be undertaken by the Professional Engineer in charge (i.e., for backfill material, density/ compaction, stabilization, and maintainability).

[Sections 373.085 and 373.086, F.S.; Rules 62-17and Chapter 40E-6, F.A.C.]

e. SFWMD shall not be responsible for any personal injury or property damage that may directly or indirectly result from the use of water from SFWMD's canal or any activities that may include use or contact with water from the SFWMD canal, since SFWMD periodically sprays its canals for aquatic weed control purposes and uses substances that may be harmful to human health or plant life.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(9), F.A.C.]

f. SFWMD has the right to change, regulate, limit, schedule, or suspend discharges into, or withdrawals from, works of the SFWMD in accordance with criteria established by SFWMD or USACE for the works of the SFWMD.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(13) and 62-17 F.A.C.]

g. Licensee shall be responsible for the repair or replacement of any existing facilities located within SFWMD right-of-way that are damaged as a result of Licensee's installation or maintenance of the authorized facilities.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(18), F.A.C.]

h. It is the responsibility of the Licensee to make prospective bidders on construction contracts for the certified facilities aware of the pertinent terms and conditions of this Certification.

[Sections 373.085 and 373.086, F.S.; Rule 40E-6.381(20), F.A.C.]

[Sections 373.044, 373.113, 373.085(1), 373.086, 373.103, 373.129, and 373.603, F.S.; Rule 40E-6.381, F.A.C.]

3. Special Conditions

a. A copy of the Certification application, Certification order, and SFWMD post-certification submittals shall be available for review by SFWMD upon request.

b. At no time shall Licensee place permanent or semi-permanent above-ground encroachments or facilities within the 40-foot-wide strip of land lying parallel to any SFWMD canal as measured from the top of the existing canal bank landward unless agreed to by SFWMD in writing.

c. At no time shall Licensee place facilities crossing over SFWMD structures or project culverts unless agreed to by SFWMD in writing.

d. At no time shall Licensee place permanent or semi-permanent above-ground structures within SFWMD's one hundred (100) foot-long equipment staging areas defined as being immediately upstream and downstream of all bridges and pile-supported utility crossings of SFWMD canals unless agreed to by SFWMD in writing. Temporary placement of equipment or materials is allowable as long as the equipment or materials can be removed by Licensee within 48 hours of notice given by SFWMD that a tropical storm watch has been declared for Miami-Dade or Broward County, or at times when post-storm debris removal activities must be undertaken by SFWMD.

e. Within thirty (30) days of completion of the work, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a final inspection for compliance with right-of-way conditions of certification.

f. Licensee shall comply with the following requirements during use of SFWMD right-of-way for construction, maintenance, and operation activities:

i. Prior to commencement of construction or utilization of SFWMD right-of-way, the Licensee shall contact the SFWMD field representative at the Miami or Homestead Field Station to schedule a pre-construction meeting. The Licensee shall prepare and present the following at the pre-construction meeting:

1) Contact information for FPL representative(s) and the contractor(s)/subcontractor(s), including telephone numbers for 24-hour contact and email addresses.

2) A written inventory of the type of vehicles, construction equipment, other machinery, and materials that will be located within SFWMD right-of-way.

3) Written procedures for the removal of all construction materials, machinery, equipment, and vehicles from the canal, required SFWMD staging areas, and the overbank lying within 40 feet from top of bank within 24 hours of notice from SFWMD.

4) Contact information for the contractor(s)/subcontractor(s) or parties responsible for implementation of the written procedures required in f.i.(3) of this subsection.

ii. Entry into the SFWMD rights-of-way shall be limited to the Licensee and the Licensee's contractor(s)/subcontractor(s) only. The Licensee and/or its contractor(s)/subcontractor(s) shall obtain a SFWMD gate key(s) to the SFWMD right-of-way through the SFWMD Key Permit Application process.

iii. The Licensee shall be responsible for locking SFWMD access gates upon entering and leaving SFWMD right-of-way. The Licensee shall take all necessary measures to preclude the general public from accessing the right-of-way with motorized vehicles.

iv. The Licensee shall be responsible for posting a watchman at any SFWMD vehicular access gates unlocked by Licensee during any working hours that the gate remains unlocked. At no time shall a SFWMD gate unlocked by Licensee be left unlocked and unattended by Licensee.

v. The Licensee shall be responsible for providing and utilizing acceptable dust control measures during the duration of the proposed work.

vi. The Licensee shall submit bi-weekly status reports to the SFWMD field representative with both narrative and photographs, as needed, to document the condition of the SFWMD right-of-way, work progress, and compliance with conditions of certification.

vii. The Licensee shall immediately notify the SFWMD field representative if any SFWMD gate, structure, facility, or other SFWMD improvement is damaged by the Licensee's contractor(s)/subcontractor(s). The Licensee shall be solely responsible for the construction, repair, replacement, or modification of such improvements at its sole expense. Such remedial action shall be performed in compliance with SFWMD standards and specifications.

viii. The Licensee shall grade, repair, sod, fill, or make correction to the SFWMD right-of-way, including SFWMD access roads, when it is determined by SFWMD that such work is required to restore the right-of-way to its condition prior to the commencement of work. The Licensee shall perform such work at its sole expense and in compliance with SFWMD standards and specifications.

g. The Licensee shall comply with the following concerning storm event notifications and requirements during construction activities:

i. If storm, hurricane, or emergency circumstances are developing, SFWMD will attempt to provide a 48-hour notice. The Licensee will be contacted by telephone, e-mail, or a visit to the construction site wherein the Licensee will be informed of the emergency situation. The Licensee is put on notice that the 48-hour notice is a warning that SFWMD may or may not be able to provide the Licensee.

ii. If storm, hurricane, or emergency circumstances have developed, SFWMD will contact the Licensee by telephone, e-mail, or visit the site to place the Licensee on 24-hour alert. At this time, the Licensee and the Licensee's contractor(s)/subcontractor(s) shall begin securing the project site in accordance with Special Condition f.i.(3) of this subsection.

iii. The Licensee is advised that SFWMD's hurricane, storm event, and/or emergency alert may differ from the National Hurricane Center or the local news and weather. SFWMD takes into consideration the numerous factors concerning construction within the canal rights-of-way. As such, upon SFWMD notification to the Licensee of a pending emergency, storm event, or hurricane, the Licensee will have 24 hours or less to comply with SFWMD orders.

h. In the event of floods or other natural or civil disaster or emergencies affecting SFWMD or SFWMD rights-of-way, the Licensee shall cooperate with SFWMD to facilitate mitigation of the impact of such emergencies. The Licensee shall immediately notify SFWMD of any emergency situation observed on SFWMD rights-of way.

i. Licensee shall be responsible for obtaining any and all other necessary federal, state, local, special district, private, and underlying owner authorizations in connection with its activities conducted under this Certification. In the event the Licensee does not obtain such authorizations from the underlying owner, the Licensee shall acquire or otherwise satisfy any interest or claims made by such underlying owners with respect to this Certification.

j. If required by the Florida Department of Transportation (FDOT) to prepare a Maintenance of Traffic (MOT) Plan that involves SFWMD property, the Licensee shall provide SFWMD with a copy of the MOT Plan upon submittal to FDOT. The Licensee shall provide SFWMD with a copy of the Final MOT Plan reviewed by the FDOT.

k. Licensee acknowledges that Licensee's proposed activities contemplated under this Certification may be subject to USACE 33 U.S. Code Section 408 approval requirements. Licensee further acknowledges, and agrees, that in the event a relocation is deemed necessary for the Planned and Existing Projects identified as of the date of this certification, or a portion thereof, by USACE, it shall be the responsibility of the Licensee to implement any and all necessary modifications to Licensee's facilities including, but not limited to, relocations thereof required by the USACE at Licensee's sole cost and expense.

[Federal Water Resources Development Acts of 1992, 1996 and 2000; 33 U.S.C. 408; 33 C.F.R. 385 and 208; Sections 373.085, 373.086, 373.1501 and 373.103(2), F.S.; Chapter 40E-6 and Rule 62-17, F.A.C.]

D. Land Management / Ecosystem Restoration

1. The Licensee shall, to the extent practicable, use adjacent existing public roads for access to the SFWMD Real Property Interests for construction, operation, and/or maintenance purposes before using non-public roads or building new roads.

[Sections 373.085, 373.086, and 373.1391, F.S.]

2. All new access points created by Licensee for access to its transmission facilities located on SFWMD Real Property Interests shall be designed to include locked gates, or other appropriate methods or techniques to prevent illegal access to SFWMD Real Property Interests, including, but not limited to, lands within the Pennsuco Wetlands. Licensee shall maintain these access points by repairing illegal breaches within thirty (30) days of being notified of or discovering such breaches.

[Sections 373.085, 373.086, and 373.1391, F.S; Rules 40E-6.311, 40E-6.091 and SFWMD Right of Way Criteria Manual for Use of Works or Lands of the District]

3. Licensee shall provide SFWMD with final construction drawings of all Licensee's facilities that encroach or cross SFWMD Real Property Interests, works, or projects.

[Sections 373.085(1)(b) and 373.1391, F.S]

4. At least thirty (30) days prior to construction of the transmission line segments located within SFWMD Real Property Interests, Licensee shall submit a construction schedule and a coordination plan to SFWMD for review and approval. The coordination plan will be for the purpose of coordinating Licensee and SFWMD construction activities in areas where both entities will have ongoing simultaneous construction activities.

[Sections 373.085and 373.086, F.S.]

5. Conditions set forth in Sections C.1.c. through e. and C.1.h. through p. related to access and staging within SFWMD Right(s)-of-Way shall also be applicable to access and staging within SFWMD Real Property Interests.

[Sections 373.085and 373.086, F.S.]

6. Should Licensee require use of SFWMD Real Property Interests to construct temporary crane pads or staging areas, Licensee shall submit plans depicting the construction of such temporary facilities to SFWMD for review and approval at least ninety (90) day prior to construction of such temporary facilities.

[Sections 373.085, 373.086, 373.1391, 373.1501(4)(d), 373.1502(2)(a), and 373.4592, F.S.]

E. Water Use and Water Supply

1. General

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

further put on notice that during a water shortage, pumpage, water levels, and water quality data shall be collected and submitted as required by SFWMD orders issued pursuant to Chapter 40E-21, F.A.C.

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

b. *Interference with Existing Legal Use*s. The Licensee shall mitigate interference with existing legal uses that were caused in whole or in part by the Licensee's withdrawals, consistent with an approved mitigation plan. As necessary to offset the interference, mitigation may include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means. Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1-in-10 year drought event that results in the:

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

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

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

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

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

ii. Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

iii. Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

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

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

Licensee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to these Conditions of Certification includes:

i. Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/saltwater interface; wetlands;

ii. Reduction in water levels that harm the hydroperiod of wetlands;

iii. Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond;

iv. Harmful movement of contaminants in violation of state water quality standards; or

v. Harm to the natural system including damage to habitat for rare or endangered species.

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

e. The project shall conform with all SFWMD resource protection criteria for any and all water reservations, restricted allocation areas, and Minimum Flow and Level water bodies along or adjacent to the transmission line corridor.

[Section 373.223, F.S., Rules 40E-2.091, 40E-2.301, 40E-2.381, 40E-8.221, 40E-8.421, 40E-10.021, 40E-10.031, and 40E-10.061, F.A.C.]

2. Site Specific Design Authorizations/Requirements

a. Water Use

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

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

b. Prior to the commencement of construction of those portions of the project that involve dewatering activities, unless the proposed dewatering activity meets the General Permits by Rule criteria of Rule 40E-2.061(2), F.A.C. and Section 2.3.2.B. of the *Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District* Applicant's Handbook) , the Licensee shall submit a detailed plan for the proposed dewatering activities to SFWMD for an assessment of consistency with the nonprocedural requirements of Chapters 40E-2, and 40E-3 , F.A.C., in effect at the time of submittal and impact monitoring if necessary. The following information, referenced to North American Vertical Datum of 1988 (NAVD88) where appropriate, shall be submitted:

i. Provide reasonable assurances that the project will not cause harm to the resource, existing legal uses, offsite land uses, and wetland environments or cause harmful saline water intrusion or movement of pollutants, as described in Chapter 3 of this Applicant's Handbook. If the potential for harm exists, the applicant shall redesign the

dewatering activities, including recharge trenches or storage areas to offset the potential drawdown impacts of the proposed activity;

ii. Demonstrate that the requested allocations represent reasonable dewatering needs. These needs are generally demonstrated by providing information on the water budget for the operation, including all sources and losses of water utilized in the dewatering process. The water budget should demonstrate where and in what quantities water is generated to accomplish the dewatering, including any associated losses, and where and in what quantity water is stored, recharged, disposed, or reused. If processing of materials is associated with the dewatering, a separate water budget describing these activities is required. The water budget may be in the form of a spreadsheet or a flow diagram that indicates all water sources and losses;

iii. Identify the areal extent and depth of the proposed excavation, the depth of dewatering, and the areal extent of the drawdown of the Water Table aquifer associated with the proposed dewatering;

iv. Provide reasonable assurances that all dewatering water will be retained on the project site, unless the applicant demonstrates that it is not technically feasible to retain the dewatering water onsite. If any offsite discharge is requested due to demonstrated technical infeasibility of onsite retention, the applicant must provide the following information with the permit application:

1) Documentation of authorization that allows the applicant to discharge directly into the receiving water body and/or adjacent lands (e.g., NPDES or ERP permit), and a demonstration that the receiving water body or adjacent lands are capable of accepting the dewatering discharge;

2) An operational plan which demonstrates that the discharge to the receiving water body will meet all applicable State Water Quality standards prior to discharge;

3) An operational plan which demonstrates that the discharge to protected wetlands will not contain turbidity levels in violation of State Water Quality standards (must be less than 29 NTU above background levels) prior to discharge;

4) A monitoring plan which includes, at a minimum, proposed sampling locations and daily turbidity measurements of the discharge and background conditions in the receiving body and/or wetland; and

5) A contingency plan which includes procedures for ceasing dewatering operations and correcting the situation until monitoring demonstrates water quality standards are met;

v. Demonstrate that reserved water will not be withdrawn pursuant to paragraph 40E-10.041, F.A.C., by retaining all water onsite;

vi. Provide reasonable assurances that fresh dewatering water will not be discharged to saline tidal waters, unless the applicant demonstrates that it is not technically feasible to prevent discharge to saline water and requests specific authority from the SFWMD for discharge. Saline dewatering water, as defined in this Applicant's Handbook, may be discharged to tidewater;

vii. Provide an operational plan which describes how stormwater will be handled during dewatering operations;

viii. For Standard Individual Permits, the applicant shall specify all proposed dewatering activities for the project in terms of depth, duration, and areal extent of dewatering and proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm. The applicant may proceed with all dewatering activities once the permit has been approved.

F. Corridor-Specific Conditions

1. Central and Southern Florida Project

a. Levee Procedures/Requirements

i. Pre-Construction Surveys/Inspections

1) Within thirty (30) days of written request from the Licensee, SFWMD shall provide the Licensee with a copy of the most recent levee inspection reports, if available, for the levees or other embankments within SFWMD right-of-way that the Licensee is proposing to access for construction and/or maintenance activities. For the purpose of these conditions of certification, the term "levee" shall apply to both Federal levees within the National Levee Database or other embankments within SFWMD Real Property Interests.

2) In areas where the transmission line access will be located on SFWMD levee(s), the Licensee shall conduct surveys, including a level survey at the toe and crest of the levee and cross-section surveys every 500 feet (including both toes of the levee) and at locations agreed between SFWMD and Licensee as potential problem areas. Potential problem areas will be identified by visual inspection or where there are significant changes proposed to the levee. Upon completion of the surveys, Licensee shall submit certified, copies of the surveys to SFWMD. The surveys will be used to establish a baseline of the pre-construction topographic features of the levee(s) including, but not limited to, top-of-levee width and elevation and side slopes in NAVD88.

3) In addition to surveys, the Licensee shall also perform a visual inspection of the levee(s), documented by videotape or photographs, to assess the structural integrity of the levee(s). Where video or photographic documentation is used, station markers and GPS coordinates should be installed or used so that exact locations can be determined for reference.

4) If Licensee's surveys, visual inspection, or other assessment methods indicate that further investigation is needed to accurately assess the integrity of the levee(s), Licensee shall conduct additional investigations in consultation with SFWMD. Further investigations may include, but shall not be limited to, soil borings, piezometer installations/monitoring, laboratory tests, modeling, etc. The Licensee shall provide its written findings, conclusions, and recommendations, certified by a Florida-registered Professional Engineer, to SFWMD. Licensee shall conduct additional investigations or assessments, as necessary, to satisfy SFWMD non-procedural requirements, prior to any construction activities on SFWMD levees. Any activities that disturb the existing levee, including but not limited to, soil borings and piezometers may require approval from the USACE prior to commencement of the activity. Those activities shall be coordinated through the SFWMD and any costs associated with the review shall be paid for by the Licensee.

ii. Post-Construction

1) Licensee shall provide as-built drawings and corresponding SFWMD engineer certification forms showing all levee improvements within the, L-30, and L-31N, L-33, C-4, C-304, and Dade-Broward canal rights-of-way within ninety (90) days of completion of each phase of construction. The as-built drawings and certifications shall be signed and sealed by a Florida-registered Professional Engineer and shall be referenced to NAVD88. Licensee and SFWMD may use the drawings as a reference for maintenance or improvements of ingress and egress areas to the levees that are utilized by the Licensee for ongoing operation of the adjacent electrical transmission line facilities, or until modified/utilized by other parties.

2) If Licensee's improvements within SFWMD canal rights-of-way are modified / utilized by parties other than the Licensee, the Licensee shall not be responsible for any impacts to the levee(s) caused by such third-party use. The third-party user and/or SFWMD shall be responsible for approval of any changes to the as-built drawings to reflect said third party use of the Licensee's improvements.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Section 601(h)(3)(C); 33 C.F.R. 208 and 385; Sections 373.085(1)(b) and 373.1501, F.S.; Rules 40E-6.091(1) and 62-17, F.A.C.]

b. Unless authorized by an easement interest, which shall be contingent on SFWMD Governing Board's approval, in SFWMD Real Property Interests, electrical transmission line support structures and overhead lines shall not be placed in the SFWMD Real Property Interests along the transmission corridor. Installation of aerial crossings over canal rights of way or other activities that would otherwise be permitted by the SFWMD ROW Criteria Manual are expressly exempt and may be placed in the SFWMD Right(s)-of-Way provided they comply with Section C.1.(f) of this Certification.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]

c. To the greatest extent possible and when doing so is necessary to protect SFWMD Real Property Interests and Planned and Existing Projects, Licensee shall design its transmission line facilities located within SFWMD Real Property Interests to comply with the SFWMD ROW Criteria Manual, expect where otherwise agreed to between the Licensee and SFWMD. Where applicable, transmission line support structures (poles) shall be placed a minimum of forty (40) feet from the toe of the water conservation area side of the levee.

[Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E 6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17, F.A.C.]

d. The Licensee shall comply with the following conditions concerning use of service bridges:

i. The Licensee's proposed use is secondary to SFWMD and USACE proposed use and shall not interfere with SFWMD proposed use.

ii. The Licensee shall inspect the bridges prior to and after construction activities in accordance with FDOT standards.

iii. Prior to construction, the Licensee shall provide load rating calculations for specific high frequency and special vehicles that will need to use the bridges.

iv. Maximum load criteria shall not be exceeded.

v. Prior to construction, the Licensee shall provide SFWMD with videos and/or photographs documenting the condition of the bridges.

vi. The Licensee shall be responsible for paying the cost of any necessary bridge improvements required to accommodate Licensee's activities.

vii. The Licensee shall be responsible for repairing or paying the cost of repairing any damage to the bridge as a result of Licensee's activities. Upon notice of any damage caused by the Licensee's construction activities the licensee shall document and make notice to SFWMD of the damage and shall begin restoration of the bridge and its immediate surroundings to its original condition prior to construction, including, but not limited to, concrete/asphalt repairs, canal bank repairs, gravel, and sod.

viii. The Licensee shall provide SFWMD with uninterrupted access acceptable to SFWMD for the duration of any necessary repair work.

ix. The Licensee shall obtain consent from the underlying fee owners for use of lands adjacent to any bridges, if needed, and related access road and shall submit a copy of said documentation to SFWMD prior to use.

x. Prior to Licensee's use of SFWMD service bridges, Licensee shall submit to SFWMD a Bypass Pumping Plan. The Plan shall address, to SFWMD's satisfaction, bypass pumping, in the event any water control structures are damaged as a result of Licensee's use thereof, such that the conveyance capability of water control structures is impacted. The Bypass Pumping Plan must contemplate on-site facilities in order to effectuate immediate implementation in the event of damage to any water control structures.

[FPL Stipulation –6/20/13; Federal Water Resources Development Acts of 1992, 1996 and 2000, Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10) and 62-17 F.A.C.]

[Federal Water Resources Development Acts of 1992, 1996 and 2000; Sections 373.085(1)(b), 373.086(1) and 373.089, F.S.; Rules 40E-6.011 (1), (2), (4), (5), (6), (7) and (12), 40E-6.041 (1) and (2), 40E-6.221 (1), (2) and (10), and 62-17, F.A.C.]

2. Land Management / Ecosystem Restoration

a. SFWMD C-4 Emergency Detention Basin

i. Licensee's use and occupancy of the SFWMD C-4 Emergency Detention Basin works, including levees and access roads, shall comply with Section C.VI.F.2.b. above.

ii. Licensee's use is secondary to that of SFWMD and shall not interfere with SFWMD use.

iii. Any proposed levee improvements shall be designed and constructed so as not to cause a significant reduction in the C-4 Emergency Detention Basin existing water storage capacity.

b. Transmission line facilities in the Pennsuco Regional Mitigation Area shall comply with Section C.VI.D. above.

3. The following conditions apply to the AOP Corridor:

a. Licensee may place the certified facilities along, within or across the L-31N and L-30 right-of-way through the granting of an easement, which shall be contingent on SFWMD Governing Board's approval, subject to the SFWMD's review of the final alignment for compliance with applicable conditions of certification. All Licensee transmission facilities placed on the west side of L-31N shall comply with all conditions in Section C.VI.F.2.b. above.

b. Licensee shall coordinate with Permittee of SFWMD Standard Permit No. 12872 to ensure compatibility of design and operation of Licensee transmission facilities with Permittee's authorized use of SFWMD Right(s)-of-Way, or work with permittee and the SFWMD to modify the above-referenced permit. SFWMD proposed conditions and Licensee anticipated compliance therewith in no way constitutes a waiver or variance of the above referenced permit.

c. Licensee shall design the transmission facilities to be compatible with the SFWMD South Miami microwave tower (B-90) and in compliance with Communication Systems condition in Section C.VI.B. above; if compatibility requires modification of the SFWMD tower or tower facilities, such modification shall be at Licensee's expense.

IV. FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

A. General Listed Species Surveys

1. The Licensee shall coordinate with the Florida Fish and Wildlife Conservation Commission (FWC) to obtain and follow the current survey protocols for all listed species that may occur within the FPL Andytown-Oasis Transmission Line area to be impacted, as well as accessible appropriate buffers within the Licensee property or rights-of-way as defined by the listed species survey protocols, prior to conducting detailed surveys. Guidance related to general and species-specific survey protocols can be found in the appropriate species permitting guidelines or management plan (http://myfwc.com/wildlifehabitats/imperiled/mangement-plans/) or in FWC's Florida Wildlife Conservation Guide (FWCG) at http://myfwc.com/conservation/value/fwcg/.

2. Surveys shall be conducted prior to clearing and construction in accordance with the survey protocols. The results of those surveys shall be provided to the FWC in a report and coordination shall occur with the FWC on appropriate impact avoidance, minimization, or mitigation methodologies. Reports may be sent to: ConservationPlanningServices@MyFWC.com.

[Article IV, Section 9, Florida Constitution; Sections 379.2291, 403.507, F.S.; Chapter 68A-27 and Rule 62-17.191, F.A.C.]

B. Specific Listed Species Surveys

Before land clearing and construction activities within the Project Area, the Licensee shall conduct an assessment for terrestrial listed species and shall note all habitat, occurrence, or evidence of listed species. Wildlife surveys shall be conducted during the reproductive or active season for each species that falls before the projected clearing activity schedule unless otherwise approved by the FWC. For species that are difficult to detect, the Licensee may make the assumption that the species is present and plan appropriate avoidance or mitigation measures after consultation with the FWC. The Licensee will submit avoidance or mitigation measures to the FWC for post-certification review and approval at least 60 days prior to commencing clearing or construction activities within the surveyed area. The surveys required by these Conditions of Certification may be conducted prior to issuance of the final order of certification, in which case this Condition would be considered satisfied.

1. This survey shall be conducted in accordance with U.S. Fish and Wildlife Service (USFWS) or FWC guidelines and methodologies by a person or firm that is knowledgeable and experienced in conducting flora and fauna surveys for each potentially occurring listed species.

2. This survey shall identify locations of breeding sites, nests, and burrows for listed wildlife species. Nests and burrows shall be recorded with global positioning system (GPS) coordinates, identified on an aerial photograph, and submitted with the final listed species report. Although nests and burrows may be recorded individually with GPS, the FWC prefers that any applicable protection radii surrounding groups of nest sites and burrows be included on a site-specific basis, rather than around individual nests and burrows, and be physically marked so that clearing and construction shall avoid impacting them.

3. This survey shall include an estimate of the acreage and percent cover of each existing vegetation community that is contained within the Certified Site area to be impacted prior to land clearing and construction activities using a geographic information system (GIS). Examples of such wildlife-based habitat classification schemes include Florida's State Wildlife Action Plan[1] (FWC 2019) or the Natural Communities Guide[2] (Florida Natural Areas Inventory 2010).

[Article IV, Section 9, Florida Constitution; Sections 379.2291, F.S.; Chapters 68A-4, 68A-16, 68A-27, and Rule 62-17.191, F.A.C.]

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

C. Listed Species Locations

1. Where any suitable habitat or evidence is found of the presence of listed species, including but not limited to those specified in Paragraph D, E, F, G, and H below, within the FPL Andytown-Oasis Transmission Line area to be impacted, the Licensee shall report those locations to and confer with the FWC regarding the need for additional pre-clearing surveys, and to identify potential avoidance, minimization, or mitigation recommendations. If additional pre-clearing surveys are required by the FWC as appropriate and as specified in these Conditions of Certification, they shall occur in the reproductive season prior to the anticipated date for the start of construction within the FPL Andytown-Oasis Transmission Line area to be impacted. The

Licensee shall not construct in areas where evidence of listed species was identified during the initial survey until the particular listed species issues have been resolved.

2. If listed wildlife species are found, their presence shall be reported to the DEP Siting Coordination Office, the DEP Southeast District, the FWC, USFWS, and other agencies as appropriate.

3. If avoidance of state-listed wildlife species is not feasible, the Licensee shall consult with the FWC to determine the steps appropriate for the species potentially impacted to avoid, minimize, mitigate, or otherwise appropriately address the potential impacts. These steps shall be memorialized in a Wildlife Species Management Plan and submitted to the FWC.

[Article IV, Section 9, Florida Constitution; Section 379.2291, F.S.; Chapter 68A-27and Rule 62-17.191, F.A.C.]

D. Florida Manatee

1. All personnel associated with portions of the project expected to occur in manatee accessible waters shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The Licensee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

2. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

3. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

4. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shut down if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

5. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission's Alert Hotline at (888) 404-3922. Collision and/or injury should also be reported to the USFWS in Jacksonville at (904) 731-3336 for north Florida or Vero Beach at (772) 562-3909 for south Florida, and to FWC at ImperiledSpecies@myFWC.com.

6. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads Caution Boaters: Watch for Manatees must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the

shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

7. Due to the project's location in a narrow waterway, at least one (1) observer shall be present onsite and dedicated to watch for manatees during all in-water operations. Observers shall have prior on-the-job experience observing for manatees during previous in-water work and meet the criteria outlined in the Observer Guidelines for Protected Species Monitoring Programs in Florida State Waters manual: https://myfwc.com/media/a14gnftv/observerguidelines.pdf. In-water work shall not be performed after dusk or before dawn, when the possibility of spotting manatees is negligible.

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

E. Florida Burrowing Owl

1. The Licensee shall conduct project planning surveys for Florida burrowing owls and their burrows in accordance with FWC-approved Species Conservation Measures and Permitting Guidelines: https://myfwc.com/media/2028/florida-burrowing-owl-guidelines.pdf. Project planning surveys shall be conducted within 90 days of clearing or earthwork activities.

2. If potentially occupied Florida burrowing owl burrows (as defined by the Species Conservation Measures and Permitting Guidelines) are found during the project planning surveys, pre-activity surveys shall be conducted in the active part of the project site within 48 hours prior to commencing site preparation, clearing, or project activities.

3. If Florida burrowing owl burrows are identified on-site, the following buffers shall be maintained to avoid disturbance:

a. During the non-breeding season (July 11 to February 14), no site preparation, clearing, staging, or other project-related activities shall occur within a 10-foot (3-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.

b. During the breeding season (February 15 to July 10), no site preparation, clearing, staging, or project activities shall occur within a 33-foot (10-meter) radius from the entrance of potentially occupied burrows, including those on adjacent properties.

4. Buffers for potentially occupied burrows shall be posted as follows:

a. Posting shall be installed prior to earthwork or other construction activities that are to occur in the general vicinity of the burrow(s) to deter equipment operators or project personnel from entering the recommended buffers.

b. Posting shall be placed at a minimum of 33 feet from the burrows from February 15 to July 10 and a minimum 10 feet from July 11 to February 14. No posting materials shall be placed within 10 feet (3 meters) of the burrow.

c. Posting shall consist of 1 to 4 PVC poles or 2-inch by 1-inch by 4-foot wooden stakes. The wooden stakes may be constructed in t-perch fashion.

d. Silt fencing shall not be used for posting, except when needed to prevent soil and debris from construction from encroaching upon a burrow. In these instances, silt fencing shall be installed on the uphill side but shall not completely encircle the burrows.

e. Educational signage warning of the State Threatened status of the burrowing owl shall be posted on wooden stakes at minimum of 10 feet from the burrow.

5. The Licensee shall ensure all personnel associated with the project are advised of the presence of Florida burrowing owls and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Florida burrowing owls or their eggs, or to collapse or block their burrows, or to attempt to engage in such conduct. All personnel shall be directed not to enter posted areas around potentially occupied burrows.

6. If a Florida burrowing owl burrow is identified on-site the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the nests and what steps were taken to avoid these areas. If these areas cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.

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

*[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 4*03.5317, and 379.2291, F.S.; and Rule 68A-27, F.A.C.]

F. Wading Birds

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

2. If wading bird nesting is identified within or adjacent to the planned right-of-way or other areas associated with the project, a 330-foot (100-meter) buffer distance from the nest shall be maintained.

3. If wading bird nesting is identified on the site, the Licensee shall also provide a detailed post-certification submittal. This submittal should include location information for the wading bird nesting areas and what steps were taken to avoid these areas. If these areas, cannot be avoided, the submittal should also include the Licensee's proposed coordination with the FWC.

4. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, the Licensee shall consult with FWC staff to determine the steps appropriate to minimize, mitigate, or otherwise appropriately address potential impacts.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

G. Least Tern

1. If least terns or other imperiled beach nesting birds are observed on the subject property during project activities, the permittee shall alert the Florida Fish and Wildlife Conservation Commission (FWC) Regional Shorebird Contact within 48 hours: https://myfwc.com/conservation/you-conserve/wildlife/shorebirds/contacts/. In addition, a qualified Bird Monitor shall be used to identify breeding behavior and the location of active nests. The permittee shall ensure that the Bird Monitor meets the minimum qualifications established by the FWC as outlined below. If you are unsure if a bird monitor meets minimum qualifications, contact your Regional Shorebird Contact for more information:

a. Ability to identify all species of beach-nesting birds that nest in the project area by sight and sound.

b. Ability to identify breeding/territorial behaviors and find nests of shorebirds that occur in the project area.

c. Ability to identify habitats preferred by shorebirds nesting in the project area.

d. Have a clear working knowledge of, and adhere to, the Breeding Bird Protocol for Florida's Seabirds and Shorebirds.

e. Complete the full-length webinars and annual refresher training, Route-Surveyor Training and Rooftop Monitoring Training, available on the Florida Shorebird Database (FSD) website at: https://app.myfwc.com/crossdoi/shorebirds/resources.aspx.

f. Familiar with FWC beach driving guidelines: https://myfwc.com/conservation/you-conserve/wildlife/beach-driving/#:~:text=Avoid%20driving%20on%20the%20upper,nests%20or%20shorebird%20breeding%20areas.

g. Previously participated in beach-nesting bird surveys in Florida and is a registered contributor to the FSD.

h. Experience posting beach-nesting bird sites, consistent with Florida Shorebird Alliance Guidelines (https://flshorebirdalliance.org/media/v3ebapky/2021-guidelines-for-posting-shorebird-and-seabird-sites-in-florida.pdf).

2. If least terns or other imperiled beach nesting birds are present within the project boundary, surveys for detecting breeding behavior and the presence of flightless chicks shall be completed daily by a qualified Bird Monitor prior to project activities taking place when construction activities occur during the breeding season. Breeding Season dates can be found in the Species Conservation Measures and Permitting Guidelines at: https://myfwc.com/media/0t0dt3ro/ibnb-guidelines.pdf. Movement of equipment or other activities prior to bird monitoring and protection measures can cause take of state-Threatened beach nesting birds, their eggs, or young (harm or harassment as defined in 68A-27.001, F.A.C. and Species Conservation Measures and Permitting Guidelines).

3. If active nests are observed onsite, all project activities conducted during the breeding season shall maintain a buffer of 300 feet (91 meters) around active nests. The buffer zone shall be clearly visible to all personnel associated with the project. The perimeter of the buffer zone shall be marked with posts, twine, and signs approved by the FWC stating "Do

Not Enter, Important Nesting Area" or similar language. Posts shall not exceed 4 feet in height once installed. Symbolic fencing, consisting of twine, string, or rope, shall be placed between all posts at least 2.5 feet above the ground. The posting shall be maintained in good repair until breeding is completed (when all chicks have fledged) or terminated. Signs and fencing shall not be removed, repositioned, or otherwise modified by anyone other than the Bird Monitor. Sign examples and templates are available at https://flshorebirdalliance.org/resources/signs/.

a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.

b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.

4. If least tern nesting is observed, all personnel associated with the project shall be advised of the presence of least terns and that it is a violation of state law to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect least terns or their eggs, or to attempt to engage in such conduct. The Permittee shall place and maintain a bulletin board in the project staging area with the location map of the construction site showing the bird breeding areas and a warning, clearly visible, stating that "NESTING BIRDS ARE PROTECTED BY LAW INCLUDING THE FLORIDA ENDANGERED AND THREATENED SPECIES ACT AND THE STATE and FEDERAL MIGRATORY BIRD ACTS".

5. No pedestrian traffic, operation of a vehicle, site preparation, staging, clearing, or other project activities shall occur within the 300-foot (91-meter) nest buffer zone.

a. Smaller, site-specific buffers may be established at some sites with written permission or on-site guidance from the FWC Regional Shorebird Contact.

b. If birds appear to be agitated by any activities on the project site, the width of buffer zones shall be increased immediately to a sufficient size that does not incite behavioral indicators of disturbance including adults or chicks flushing from nests and adults flying towards (dive-bombing) sources of disturbance such as people, heavy equipment, or vehicles.

6. Injury or mortality of a least tern, including crushing eggs or chicks, shall be immediately reported to the FWC Wildlife Alert Hotline at (888) 404-3922 and the Regional Shorebird Contact.

[Article IV, Sec. 9, Florida Constitution; Sections 403.526, 403.5317, and 379.2291, F.S.; Rule 68A-27, F.A.C.; and Rule 68A-16.001, F.A.C.]

H. Everglades Mink

1. If an Everglades mink is observed onsite after construction begins, work activities shall cease, and the mink be allowed to leave on its own accord.

2. Any sitings of Everglades mink shall be reported to the FWC online at https://app.myfwc.com/hsc/weasel/Default.aspx, preferably with a photograph and GPS coordinates.

3. All personnel associated with the project shall be advised of the presence of Everglades Mink and that it is a violation of state law to feed, harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect Everglades mink, their young, and nests, or to attempt to engage in such conduct.

4. Injury or mortality of an Everglades mink shall be immediately reported to the Florida Fish and Wildlife Conservation Commission's Wildlife Alert Hotline at (888) 404-3922.

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

V. DEPARTMENT OF STATE – DIVISION OF HISTORICAL RESOURCES

A. Prior to new construction in areas not previously surveyed, the Licensee shall conduct a survey of sensitive cultural resource areas, as determined in consultation with the Department of State, Division of Historical Resources (DHR). A qualified cultural resources consultant will identify an appropriate work plan for this project based on a thorough review of the certified facility. Prior to beginning any field work, the work plan will be reviewed in consultation with DHR. Upon completion of the survey, the results will be compiled into a report which shall be submitted to DHR. If feasible, sites considered to be eligible for the National Register shall be avoided during construction of the project and access roads, and subsequently during maintenance. If avoidance of any discovered sites is not feasible, impact shall be mitigated through archaeological salvage operations or other methods acceptable to DHR, as appropriate.

B. If historical or archaeological artifacts or features are discovered at any time within the certified facility, the Licensee shall notify the appropriate DEP District office(s) and the DHR, R.A. Gray Building, 500 South Bronough Street, Room 423, Tallahassee, Florida 32399-0250, telephone number (850) 245-6333, and the Licensee shall consult with DHR to determine appropriate action.

[Sections 267.061, 403.531, and 872.02, F.S.]

VI. MIAMI-DADE COUNTY

A. General Conditions

1. Construction and operation of the certified facilities shall be in accordance with all applicable non-procedural requirements of the laws and ordinances of Miami-Dade County in effect, including, but not limited to, Chapters 8, 11C, 14, 18A, 24 and 33B of the Code of Miami Dade County, Florida.

[FPL-MDC Stipulation – 9/22/2026]

2. Impacts shall be avoided and minimized in all wetland areas. Prior to the initiation of any work within wetlands, activities associated with the construction of any portion of the transmission line (including access roadways), FPL shall submit all necessary applicable information that would otherwise be required for a Class IV permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.4, and FPL-MDC Stipulation – 9/22/2026]

3. Any filling in the wetlands of Miami-Dade County shall consist of only clean fill as defined in Section 24-5(52), Miami-Dade County Code.

[Miami-Dade County Code Section 24-48.3(4)]

4. Licensee shall mitigate adverse environmental impacts in accordance with Miami Dade County Code Section 24-48.4.

5. Licensee and their contractors shall comply with Chapter 556, F.S., relating to underground facility damage prevention and safety.

[Applicant Agreement]

6. Licensee shall design the transmission lines to comply with applicable provisions of the Americans with Disabilities Act.

[Applicant Agreement]

B. Bird Drive Basin

1. All work performed in the Bird Drive Everglades Wetland Basin shall be consistent with the Bird Drive Everglades Basin Plan and the Bird Drive Everglades Fill Encroachment and Water Management Criteria.

2. Prior to the initiation of any work within the Bird Drive Basin associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all applicable information required to determine compliance with fill encroachment and water management criteria for review by the Miami-Dade County Water Control Section in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.21, and FPL-MDC Stipulation – 9/22/2026]

C. East Everglades Area of Critical Environmental Concern

1. Road construction is prohibited in Management Areas 2A within the East Everglades Area of Critical Environmental Concern.

[Miami-Dade County Code Section 33B-26(c)(1)]

2. Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual where applicable.

[Miami-Dade County Code Section 33B-26(c)(2)]

3. Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas.

[Miami-Dade County Code Section 33B-26(d)]

4. Wetland impacts shall be minimized in the East Everglades Area of Critical Environmental Concern. Prior to construction of transmission lines within the current boundary of Everglades National Park, FPL shall provide as a post-certification submittal a copy of the preliminary alignment along the L-31N canal right-of-way provided to the SFWMD and confer with MDC.

[FPL-MDC Stipulation – 9/22/2026]

D. Vegetation Management and Exotic Species

1. There shall be no planting or propagation of prohibited species as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual within the FPL transmission rights-of-way. In addition, planting or propagation of controlled species, as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual, shall be prohibited within FPL transmission right-of-way within 500 feet of a natural forest community or native habitats as defined by Miami-Dade County Code Chapter 18A.

[Miami-Dade County Code Sections 18A-12 and 18B-2]

2. During initial construction, Licensee shall use best management practices, such as mechanical methods and selective application of herbicides, to eliminate all plants listed as Prohibited or Controlled by Miami-Dade County pursuant to the Miami-Dade County Code, as well as species contained in the current Florida Invasive Species Council (FISC) List of Invasive Plant Species. Licensee shall limit the broadcast use of non-selective herbicides to control exotic and invasive vegetation. Only aquatic-labelled herbicides approved by the U.S. Environmental Protection Agency (EPA) and the Florida Department of Agriculture and Consumer Services (FDACS) shall be applied in proximity of wetland habitats.

[Miami-Dade County Code Sections 24-7, 24-48 and 24-49, and FPL-MDC Stipulation – 9/22/2026]

3. All work to remove exotic and invasive plant species from wetland areas shall be conducted in a manner that avoids adverse environmental impacts, including but not limited to the placement of construction mats to prevent rutting and soil compaction.

[Miami-Dade County Code Section 24-48]

E. Wellfield Protection Areas

1. Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services, that are not prohibited, to the extent applicable, under section 24-43, shall be used on certified transmission line rights-of-way. Herbicide applications will be in accordance with label directions and will be carried out by a licensed applicator, in compliance with all federal, state and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of herbicide shall not be used unless effects on non-targeted vegetation are minimized.

[Miami-Dade County Code Section 24-43, and FPL-MDC Stipulation – 9/22/2026]

2. With the exception of herbicides as provided in the paragraph above, the Licensee, its agents and contractors shall not use, generate, handle, dispose of, discharge or store hazardous wastes or hazardous materials as defined pursuant to Section 24-43(5) Miami-Dade

County Code within any portion of the transmission lines located within a wellfield protection area in Miami-Dade County following construction. Discharge or disposal of hazardous wastes or hazardous materials along or adjacent to any portion of the transmission lines including outside of wellfield protection areas is also prohibited within Miami-Dade County.

[Miami-Dade County Code Section 24-43(5), and FPL-MDC Stipulation – 9/22/2026]

3. Any stormwater disposal associated with construction or operation of the transmission line within a Wellfield Protection Area shall comply with the applicable requirements of Section 24-43, including the allowable stormwater disposal methods established in Section 24-43(4)(c), Table C-1.

[FPL-MDC Stipulation – 9/22/2026]

F. Work in County Canal ROWs

1. Prior to the initiation of any activities associated with the construction of any portion of the transmission line (including access roadways) within areas of a county canal reservation, county canal maintenance easement, or county canal right-of- way, Licensee shall submit and obtain proprietary approval from Miami-Dade County (RER and Public Works, or successor agencies).

2. Where applicable FPL will obtain any proprietary approval necessary for construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

3. Overhead utility crossings, such as telephone and power lines, over a County canal shall be required to have a minimum vertical clearance of forty (40) feet above ground surface, per Section D4.04, Part 2 – Public Works Manual, of the Code of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

4. Any work within Miami-Dade County secondary canal features (i.e., canal right-of-way, canal maintenance easements, and canal reservations) must be reviewed and coordinated with the Water Control Section to ensure they are allowable and do not interfere with conveyance, water quality, or maintenance of the secondary canal system, in accordance with Chapter 24 and the Miami-Dade County Public Works Manual. Licensee shall submit to the Water Control Section detailed construction plans and surveys showing the proposed transmission infrastructure within or adjacent to County canal interests, including transmission structures, access and maintenance roads, and any other improvements that may affect canal interests for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.1(1)(c), and FPL-MDC Stipulation – 9/22/2026]

G. Protected Tree and Vegetation Requirements

1. Existing specimen trees and native vegetation (including canopy, understory, and ground cover) shall be preserved to the maximum extent practicable, and Licensee shall mitigate for impacts to tree canopy in accordance with the requirements of Section 24-49 of the Code of Miami-Dade County. Removal of trees from botanic gardens or state approved nurseries is not subject to the tree or canopy replacement requirements contained herein. For purposes of this condition, state approved nurseries shall mean those nurseries with a valid certificate of registration from the Division of Plant Industry.

[Miami-Dade County Code Section 24-49, and FPL-MDC Stipulation – 9/22/2026]

2. Prior to construction within each segment of transmission line within uplands on newly established transmission line right-of-way (including site clearing or tree removal), Licensee shall submit to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals, a tree survey for that segment showing all upland trees that need to be removed, as well as a tree mitigation plan to compensate for the tree canopy to be removed for that segment as required by Section 24-49 Miami-Dade County Code.

H. Dewatering

Prior to the initiation of any dewatering activities associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all necessary applicable information as otherwise would be required for a Class V permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48]

I. Additional Post-Certification Submittals

Licensee shall provide a copy of the following post-certification submittals to Miami-Dade County:

1. Wildlife surveys required by FWC in Section B. Condition IV. paragraphs A. and B.

2. ERP submittals required by DEP in Section A. Condition XXIX. and Section B. Condition I. paragraph A. including Wetland Mitigation Plans.

3. Preliminary and final designs as required by SFWMD in Section B. Condition III. paragraph A.13.

4. Cultural resource assessment survey required by DHR in Section B. Condition V. paragraph A.

[Applicant Agreement, and FPL-MDC Stipulation – 9/22/2026]

J. Rare, Threatened, and Endangered Species

1. Before land clearing and construction activities within the transmission line right-of-way, FPL shall conduct listed faunal species surveys of the transmission line rights-of-way, report locations of evidence of presence of listed species and suitable habitat found, and implement practicable protection measures to avoid, minimize, mitigate, or otherwise address

listed species issues. Listed faunal species protection measures shall be in accordance with FWC regulations and FWC conditions of certification. FPL shall provide MDC with a copy of the listed faunal species and habitat survey results along the transmission line rights-of-way and confer with MDC on the proposed protection measures in accordance with Miami-Dade County Code Section 24-48.3(1)(a).

2. In areas within or immediately adjacent to natural areas including wetlands pinelands or hammocks that are anticipated to be impacted by transmission line construction, FPL shall conduct federal and state listed floral species surveys of the transmission line rights-of-way and report locations of evidence of presence of listed floral species to MDC. Where practicable FPL shall implement protection measures to avoid and minimize impacts to listed floral species. Where impacts cannot be avoided, FPL shall provide MDC notice and opportunity to salvage or remove any such listed floral species identified in the surveys prior to construction.

[FPL-MDC Stipulation – 9/22/2026]

K. Prescribed Burns

1. FPL shall allow MDC or its agents or designees to perform prescribed burns, as approved by the Florida Fire Service (FFS), within the FPL ROW as specified below:

a. Prior to facility construction, in areas where MDC owns or manages property immediately adjacent to or within the FPL ROW (i.e. no FPL facilities) FPL shall allow a prescribed maintenance burn within the FPL ROW, except where it would be incompatible due to existing agricultural uses.

b. FPL acknowledges that Miami-Dade County will manage their lands via controlled burns adjacent to the corridor.

2. MDC shall meet with FPL staff to discuss controlled burn plans adjacent to the FPL ROW to resolve any issues regarding details of those burn plans, including the timing and schedule for proposed controlled burning and reduction of fuel load to reduce fire intensity and smoke. Where the burn plans involve property not owned by MDC or FPL, MDC shall be responsible for obtaining approval from affected property owners as necessary.

[FPL-MDC Stipulation – 9/22/2026]

L. Mitigation for Wetland Impacts

1. Prior to any construction within wetlands along the transmission line rights-of-way, wetlands impact shall be mitigated.

2. Mitigation for impacts to forested wetlands or tree islands shall be mitigated through in-kind mitigation at a mitigation bank or with a project.

3. In FPL's transmission line rights-of-way, FPL must remove cut vegetation from wetland areas. Cut vegetation shall not be dumped in wetlands, should be transported for disposal to an approved facility; all handling shall be in accordance with solid waste disposal regulations.

4. In the final design of the transmission lines, FPL shall avoid and minimize impacts to wetlands to the extent practicable. For unavoidable impacts to wetlands, FPL shall provide mitigation consistent with the conditions herein. Prior to the commencement of

construction of the transmission lines, FPL shall provide a post-certification submittal to MDC demonstrating compliance with this requirement.

[FPL-MDC Stipulation – 9/22/2026]

M. Andytown-Oasis Transmission Line

1. Post-Certification Review by Miami-Dade County for Transmission Line Placement:

a. Preliminary Design: FPL shall identify the preliminary design and alignment for the transmission line for review by MDC as a post-certification submittal.

b. Final Design: Prior to construction, FPL shall provide to MDC the proposed ROW locations as a post-certification submittal, for review for compliance with these conditions of certification.

2. Public Works Manual Compliance: In the design of the certified transmission line facilities, to the extent practicable, the FPL transmission line alignment shall:

a. In all locations where a new transmission line is installed in or along County ROW, poles shall be sited to ensure safe sight distance triangles for motorists at all appropriate intersections and along all roadways in the immediate vicinity, to the extent practicable, in accordance with Section G5.3 of the MDC Public Works Manual. FPL shall submit drawings to demonstrate compliance with this condition to the County prior to any construction. (This requirement is not applicable where right turn on red is prohibited.) All plans shall be signed and sealed by P.E. registered in Florida. Installation of all Transmission poles shall comply with Stopping Sight Distance and Sight Triangle requirements as defined in The Florida Green Book and FDOT Index 546 as applicable.

b. FPL shall design transmission line and pole placements in accordance with the following provisions of the MDC Public Works Manual as applicable:

i. The utility's work, while in progress, shall be properly protected at all times with suitable barricades, flags, lights, flares or other devices as required by the Manual on Uniform Traffic Control Devices, FDOT Roadway and Traffic Design Standards and/or any requirements of the Public Works Department to protect all members of the public using the portion of the streets involved or adjacent property. The utility shall at all times employ due care and shall install, maintain and use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries or nuisances to the public. All of the utility's structures and lines, equipment and connection in, over, and upon the public rights-of-way of the County wherever situated or located shall at all times be kept and maintained in a safe, suitable, substantial condition, and in good order and repair. Particular emphasis must be placed on safety devices for vehicular traffic. Any work that may create a hazard at night shall be well lighted from sunset to sunrise with lamps or lanterns visible from all approaches.

ii. Upon completion of the work, FPL shall restore the entire area disturbed or affected by this work (both public and private property) to the same or equal condition that existed prior to the work. The restoration of the area shall include, but is not limited to, the removal of surplus or unused materials, rubbish, and temporary structures.

Disposal of such materials shall not be made in a manner that will violate any portion of the County Code.

iii. All transmission poles erected within the County's rights of way shall be so located as to cause minimum interference with the proper use of streets, alleys, and other public ways and places, and to cause minimum interference with the rights and reasonable convenience of property owners who may join any of the said street, alleys or other public ways and places.

iv. Transmission poles located within Miami-Dade County Rights-of-ways will not willfully, or otherwise, obstruct, damage, destroy or interfere in any way with the functioning of any drain or drainage system. Poles will not be installed within the drain field of a drainage system.

v. All poles shall be placed at the right-of-way line whenever possible.

vi. FPL shall furnish, install, and supervise the traffic control and warning devices, including use of Uniformed Police Officer when specified, without cost to County. When traffic detours are used, 24 hours advance notice shall be given to law enforcement and fire protection services. FPL shall provide to Public Works Department detour plans for review at least three (3) days in advance and variable message signs will be used to alert the public.

vii. Overhead crossings of power lines above Miami-Dade County canals must have a 40 ft. minimum clearance above ground surface, per Section D4.04, Part 2 – Public Works Manual.

viii. FPL shall demonstrate in a post-certification submittal that it meets the applicable requirements of Section D4.04, Part 2 – Public Works Manual, and Chapter 24 of the Code of Miami-Dade County (MDC), for work in or over Miami-Dade County canals by submitting drawings that depict the proposed crossing in both plan and profile views and the following information:

1) The canal right-of-way lines;

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

3) The centerline of the levee and its elevation;

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

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

6) The location of any anchors, downguys, or spanguys within the County's right-of-way;

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

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

ix. Should FPL desire to utilize Miami-Dade County's canal rights-of-way for access during construction of the transmission lines and/or for inspection and maintenance after construction, FPL shall submit to the County a detailed plan identifying the proposed route, type and number of vehicles to be used on County canal rights-of-way, and frequency of such use.

[FPL-MDC Stipulation – 9/22/2026]

N. Access Controls

1. In areas where new transmission access roads provide access to sensitive areas that were previously inaccessible to the public, FPL shall provide gates to manage access. Such newly accessible sensitive areas shall be identified by FPL in consultation with MDC.

2. FPL shall work with MDC to identify new or existing FPL transmission access roads for MDC staff or agents to access adjacent or nearby County-owned or County-managed lands and will coordinate with MDC to provide access for MDC staff through such locked gates (double locks, master keys, etc.)

3. Prior to construction of the transmission access roads, FPL will inspect the final ROW to identify where vandalism to FPL gates has occurred, and prepare and implement a plan to repair, improve, or maintain such gates.

4. Within 6 months of certification, FPL and MDC shall exchange appropriate contact information for notification and access coordination. The contact information will be updated as needed to address staffing changes. Coordination shall occur no less often than annually.

[FPL-MDC Stipulation – 9/22/2026]

O. Public Uses of Transmission Line ROW

Following construction of the transmission lines, FPL will work with the County to discuss the ability to co-locate public recreational trails and the provision for bicycle and pedestrian access or the allowance of other public uses within the transmission line rights-of-way.

[FPL-MDC Stipulation – 9/22/2026]

P. Access to Transmission ROW

FPL shall utilize adjacent existing public roads for access to the transmission line ROW before using non-public roads or building new roads for construction, operation, and/or maintenance purposes, to the extent practicable. FPL shall provide a post-certification submittal to MDC for review for compliance with this condition.

[FPL-MDC Stipulation – 9/22/2026]

Q. Wetland Protection and Mitigation Requirements

1. Prior to final design, FPL shall request from MDC all records of permit documents and legal instruments including but not limited to Miami-Dade County Zoning

Approvals and/or Permits relating to wetlands located in the certified corridor including Class IV Permits, Restrictive Covenants, wetland determinations and platting and zoning comments. Any information provided by MDC within thirty (30) days of FPL's request shall be used by FPL to inform the final design in order to avoid and to minimize impacts to wetlands and mitigation areas as required herein. To the extent required by law, FPL agrees to abide by the aforementioned approvals, permits and other legal instruments unless such are modified by Miami-Dade County.

2. Within the portions of the Proposed Corridor located within Everglades National Park, Bird Drive Basin, or Pennsuco Wetlands (as depicted on Figure 1 below), FPL shall implement design solutions that maintain levels of sheet flow and limit wetland impacts at the time of preliminary design to the extent practicable. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of access roads where not necessary, and collocation with existing linear features to eliminate avoidable impacts and reduce unavoidable impacts. Such design shall also consider projected levels of sheet flow associated with ecosystem restoration projects in the vicinity of the corridor. Prior to construction of transmission lines within these areas, FPL shall provide a post-certification submittal to Miami-Dade County demonstrating compliance with this condition.

[FPL-MDC Stipulation – 9/22/2026, and Miami-Dade County Code Section 24-48.4]

R. Protected Tree and Vegetation

All tree islands shall be preserved within the Bird Drive Everglades and North Trail Wetland Basins.

[FPL-MDC Stipulation – 9/22/2026]

S. Historic Resources

FPL shall avoid or minimize impacts to County-designated and known historic and archaeological sites and zones, previously recorded archaeological sites, and archaeological resources identified through the CRAS submitted to MDC in accordance with Section B. Condition VI. paragraph I.4. Where impacts to historic or archaeological resources cannot be avoided, FPL shall confer with DHR and Miami-Dade County to identify and implement appropriate minimization and mitigation measures.

[FPL-MDC Stipulation – 9/22/2026]

VII. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services shall be used at certified facilities. Herbicide applications will be in accordance with the pesticide product label and in compliance with all federal and state regulations.

[Chapter 482 and 487, F.S. and Chapters 5E-2, 5E-9, and 5E-14, Florida Administrative Code]

VIII. VARIANCES

FPL is granted a variance from the restrictions in Miami-Dade County Code Chapter 33B, including, but not limited to:

1. the limitation on fill to one-half (1/2) acre or less within Management Areas 1, 2A, 2B, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern; and,

2. The prohibition on excavation within the East Everglades Area of Critical Environmental Concern, for those segments of the corridor located south of US 41/Tamiami Trail and west of the L-31N Canal.

[Sections 403.201, and 403.531(2)(b), F.S., and Chapter 33B, Miami-Dade County Code]

HISTORY

Certification issued November 6, 2026, signed by Secretary Lambert.

ATTACHMENT A: Certified Corridor Map(s) (To be inserted upon receipt)

ATTACHMENT B: Surface Water Management System Operation and Maintenance Requirements (To be inserted as applicable)

ATTACHMENT C: Mitigation Requirements/Plans (To be inserted upon receipt)

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE:	**FLORIDA POWER & LIGHT ANDYTOWN–OASIS 500/230 kV TRANSMISSION LINE SITING APPLICATION TA26-21**	**DOAH CASE No.: 26-2609TL**
		OGC CASE No.: 26-1490

STIPULATION OF FLORIDA POWER & LIGHT COMPANY AND MIAMI-DADE COUNTY

Whereas, Florida Power & Light Company ("FPL") and Miami-Dade County ("MDC") (jointly, the "Parties") desire to enter into this stipulation ("Stipulation") regarding FPL's proposed Andytown-Oasis 500kV and 230kV transmission line project (the "Project");

Whereas, the Project is the subject of the above-captioned transmission line corridor certification proceeding conducted pursuant to the Florida Electric Transmission Line Siting Act ("TLSA"), in Chapter 403, Part II, Florida Statutes ("F.S.");

Whereas, this Stipulation is to be incorporated into the Joint Stipulation and Motion of the Parties to Cancel Certification Hearing and To Relinquish Jurisdiction to the Florida Department of Environmental Protection for Entry of Final Order, as Exhibit B thereto;

Whereas, FPL has agreed with the Department of Environmental Protection that FPL shall comply with Project Agency Report ("PAR") Condition of Certification B.(I)B (entitled Everglades National Park Land Exchange) as issued on September 11, 2026; and

Whereas, FPL further agrees to provide MDC with the opportunity for consultation and input regarding FPL's implementation of PAR Condition of Certification B.(I)(B);

Now, therefore, the Parties agree as follows:

1. **Recitals.** The foregoing recitals are incorporated by reference as if set forth herein.

2. **Conditions of Certification.** FPL agrees to comply with Florida Department of Environmental Protection PAR, Section B, Part VI (Miami-Dade County), dated September 11,

EXHIBIT 3

2026, and the Conditions of Certification set forth herein as Appendix A (together, the "MDC Conditions of Certification").

3. **Withdrawal of Prior Objections.** Upon execution of this Stipulation and subject to the terms hereof, MDC withdraws all objections to certification of the Project. MDC agrees to recommend certification of the Project, as described in FPL's Site Certification Application dated May 22, 2026, and as partially revised in FPL's Notice of Submittal of Responses to Agency Completeness Comments of July 10, 2026, subject to the Conditions of Certification set forth in Appendix A of this Stipulation. In furtherance of this agreement, MDC withdraws its prior recommendation for denial of certification for those portions of the proposed corridor, as set forth in MDC's Agency Report as revised September 1, 2026 (the "Revised Agency Report"), and agrees not to oppose certification of the Project in any proceeding, including before the Division of Administrative Hearings, the Florida Department of Environmental Protection ("Department"), or the Siting Board.

4. **MDC's Agreement to Support Variance.** MDC agrees to support FPL's request for a variance, pursuant to Section 403.201(1)(c), F.S., from restrictions set forth in Miami-Dade County Code Chapter 33B, including, but not limited to: (a) the limitation on fill to one-half (1/2) acre or less within Management Areas 1, 2A, 2B, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern; and (b) the prohibition on excavation within the East Everglades Area of Critical Environmental Concern, for those segments of the corridor located south of US 41/Tamiami Trail and west of the L-31N Canal.

5. **Authority to Execute.** Each signatory to this Stipulation represents that he or she has the authority to execute this Stipulation on behalf of the Party he or she represents and to bind such Party to the terms hereof.

6. **Integration.** This Stipulation constitutes the entire agreement between the Parties with respect to the matters addressed herein as incorporated into the Joint Stipulation and Motion of the Parties to Cancel Certification Hearing and To Relinquish Jurisdiction to the Florida Department of Environmental Protection for Entry of Final Order.

7. **Counterparts.** This Stipulation may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Signatures transmitted by electronic means shall be treated as original signatures.

AGREED TO AND STIPULATED by the undersigned this 22 day of September, 2026.

FLORIDA POWER & LIGHT COMPANY

By: _____
Name: David K. Weda
Title: Director Engineering
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

MIAMI-DADE COUNTY

By: _____
Name: Lourdes M. Gomez
Title: Director, Department of Regulatory
and Economic Resources
Miami-Dade County
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128

APPENDIX A

VI. MIAMI-DADE COUNTY

A. General Conditions

1. Construction and operation of the certified facilities shall be in accordance with all applicable nonprocedural requirements of the laws and ordinances of Miami Dade County in effect, including, but not limited to, Chapters 8, 11C, 14, 18A, 24, and 33B of the Code of Miami Dade County, Florida.

2. Impacts shall be avoided and minimized in all wetland areas. [Miami-Dade County Code Section 24-48.4] Prior to the initiation of any work within wetlands, activities associated with the construction of any portion of the transmission line (including access roadways), FPL shall submit all necessary applicable information that would otherwise be required for a Class IV permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

3. Any filling in the wetlands of Miami-Dade County shall consist of only clean fill as defined in Section 24-5(52), Miami-Dade County Code. [Miami-Dade County Code Section 24-48.3(4)]

4. Licensee shall mitigate adverse environmental impacts in accordance with Miami Dade County Code Section 24-48.4.

5. Licensee and their contractors shall comply with Chapter 556, F.S., relating to underground facility damage prevention and safety. [Applicant Agreement]

6. Licensee shall design the transmission lines to comply with applicable provisions of the Americans with Disabilities Act. [Applicant Agreement]

B. Bird Drive Basin

1. All work performed in the Bird Drive Everglades Wetland Basin shall be consistent with the Bird Drive Everglades Basin Plan and the Bird Drive Everglades Fill Encroachment and Water Management Criteria.

2. Prior to the initiation of any work within the Bird Drive Basin associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all applicable information required to determine compliance with fill encroachment and water management criteria for review by the Miami-Dade County Water

Control Section in accordance with Condition XXI. Procedures for Post-Certification Submittals. [Miami-Dade County Code Section 24-48.21]

C. East Everglades Area of Critical Environmental Concern

1. Road construction is prohibited in Management Areas 2A within the East Everglades Area of Critical Environmental Concern. [Miami-Dade County Code Section 33B-26(c)(1)]

2. Within Management Areas 1, 3A, 3B, and 3C of the East Everglades Area of Critical Environmental Concern (includes Open Land Subarea 4), roads must be designed so that they will not interrupt or divert natural sheet flow. Elevated roads must be sufficiently bridged and culverted to allow the passage of high water flows without causing significant backwater conditions. The roads must also be constructed in accordance with the Miami-Dade County Public Works Manual where applicable. [Miami-Dade County Code Section 33B-26(c)(2)]

3. Tree islands characterized by native vegetation shall be preserved in all management areas within the East Everglades Area of Critical Concern, including agricultural areas. [Miami-Dade County Code Section 33B-26(d)]

4. Wetland impacts shall be minimized in the East Everglades Area of Critical Environmental Concern. Prior to construction of transmission lines within the current boundary of Everglades National Park, FPL shall provide as a post-certification submittal a copy of the preliminary alignment along the L-31N canal right-of-way provided to the SFWMD and confer with MDC.

D. Vegetation Management and Exotic Species

1. There shall be no planting or propagation of prohibited species as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual within the FPL transmission rights-of-way. In addition, planting or propagation of controlled species, as defined by Miami-Dade County Code or Miami-Dade County Landscape Manual, shall be prohibited within FPL transmission right-of-way within 500 feet of a natural forest community or native habitats as defined by Miami-Dade County Code Chapter 18A. [Miami-Dade County Code Sections 18A-12 and 18B-2]

2. During initial construction, Licensee shall use best management practices, such as mechanical methods and selective application of herbicides, to eliminate all plants listed as Prohibited or Controlled by Miami-Dade County pursuant to the Miami-Dade County Code, as well as species contained in the current Florida Invasive Species Council (FISC) List of Invasive Plant Species. Licensee shall limit the broadcast use of non-selective herbicides to control exotic and invasive vegetation. Only aquatic-labelled herbicides approved by the U.S. Environmental Protection Agency (EPA) and the Florida Department of

Agriculture and Consumer Services (FDACS) shall be applied in proximity of wetland habitats. [Miami-Dade County Code Sections 24-7, 24-48 and 24-49]

3. All work to remove exotic and invasive plant species from wetland areas shall be conducted in a manner that avoids adverse environmental impacts, including but not limited to the placement of construction mats to prevent rutting and soil compaction. [Miami-Dade County Code Section 24-48]

E. Wellfield Protection Areas

1. Only herbicides registered by the U.S. Environmental Protection Agency and the Florida Department of Agriculture and Consumer Services, that are not prohibited, to the extent applicable, under section 24-43, shall be used on certified transmission line rights-of-way. Herbicide applications will be in accordance with label directions and will be carried out by a licensed applicator, in compliance with all federal, state and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of herbicide shall not be used unless effects on non-targeted vegetation are minimized.

2. With the exception of herbicides as provided in the paragraph above, the Licensee, its agents and contractors shall not use, generate, handle, dispose of, discharge or store hazardous wastes or hazardous materials as defined pursuant to Section 24-43(5) Miami-Dade County Code within any portion of the transmission lines located within a wellfield protection area in Miami-Dade County following construction. Discharge or disposal of hazardous wastes or hazardous materials along or adjacent to any portion of the transmission lines including outside of wellfield protection areas is also prohibited within Miami-Dade County. [Miami-Dade County Code Section 24-43(5)]

3. Any stormwater disposal associated with construction or operation of the transmission line within a Wellfield Protection Area shall comply with the applicable requirements of Section 24-43, including the allowable stormwater disposal methods established in Section 24-43(4)(c), Table C-1.

F. Work in County Canal ROWs

1. Prior to the initiation of any activities associated with the construction of any portion of the transmission line (including access roadways) within areas of a county canal reservation, county canal maintenance easement, or county canal right-of- way, Licensee shall submit and obtain proprietary approval from Miami-Dade County (RER and Public Works, or successor agencies).

2. Where applicable FPL will obtain any proprietary approval necessary for construction of transmission line structures within county canal reservation, canal maintenance easement,

or canal rights-of-way of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

3. Overhead utility crossings, such as telephone and power lines, over a County canal shall be required to have a minimum vertical clearance of forty (40) feet above ground surface, per Section D4.04, Part 2 – Public Works Manual, of the Code of Miami-Dade County. Construction of transmission line structures within county canal reservation, canal maintenance easement, or canal rights-of-way is prohibited without prior approval by the Miami-Dade County RER and the Public Works and Waste Management Department to determine that the proposed structure will not interfere with the operation and maintenance of the canal.

4. Any work within Miami-Dade County secondary canal features (i.e., canal right-of-way, canal maintenance easements, and canal reservations) must be reviewed and coordinated with the Water Control Section to ensure they are allowable and do not interfere with conveyance, water quality, or maintenance of the secondary canal system, in accordance with Chapter 24 and the Miami-Dade County Public Works Manual. Licensee shall submit to the Water Control Section detailed construction plans and surveys showing the proposed transmission infrastructure within or adjacent to County canal interests, including transmission structures, access and maintenance roads, and any other improvements that may affect canal interests for review in accordance with Condition XXI. Procedures for Post-Certification Submittals.

[Miami-Dade County Code Section 24-48.1(1)(c)]

G. Protected Tree and Vegetation Requirements

1. Existing specimen trees and native vegetation (including canopy, understory, and ground cover) shall be preserved to the maximum extent practicable, and Licensee shall mitigate for impacts to tree canopy in accordance with the requirements of Section 24-49 of the Code of Miami-Dade County. Removal of trees from botanic gardens or state approved nurseries is not subject to the tree or canopy replacement requirements contained herein. For purposes of this condition, state approved nurseries shall mean those nurseries with a valid certificate of registration from the Division of Plant Industry. [Miami-Dade County Code Section 24-49]

2. Prior to construction within each segment of transmission line within uplands on newly established transmission line right-of-way (including site clearing or tree removal), Licensee shall submit to Miami-Dade County for review in accordance with Condition XXI. Procedures

for Post-Certification Submittals, a tree survey for that segment showing all upland trees that need to be removed, as well as a tree mitigation plan to compensate for the tree canopy to be removed for that segment as required by Section 24-49 Miami-Dade County Code.

H. Dewatering

Prior to the initiation of any dewatering activities associated with the construction of any portion of the transmission line (including access roadways), Licensee shall submit all necessary applicable information as otherwise would be required for a Class V permit application to Miami-Dade County for review in accordance with Condition XXI. Procedures for Post-Certification Submittals. [Section 24-48, Code Miami-Dade County]

I. Additional Post-Certification Submittals

Licensee shall provide a copy of the following post-certification submittals to Miami-Dade County:

1. Wildlife surveys required by FWC in Section B. Condition IV., paragraphs A., and B.

2. ERP submittals required by DEP in Section A. Condition XXIX., and Section B. Condition I., paragraph A., including Wetland Mitigation Plans.

3. Preliminary and final designs as required by SFWMD in Section B. Condition III., paragraph A.13. [Applicant Agreement]

4. Cultural resource assessment survey required by DHR in Section B. Condition V, paragraph A.

Rare, Threatened, and Endangered Species

1. Before land clearing and construction activities within the transmission line right-of-way, FPL shall conduct listed faunal species surveys of the transmission line rights-of-way, report locations of evidence of presence of listed species and suitable habitat found, and implement practicable protection measures to avoid, minimize, mitigate, or otherwise address listed species issues. Listed faunal species protection measures shall be in accordance with FWC regulations and FWC conditions of certification. FPL shall provide MDC with a copy of the listed faunal species and habitat survey results along the transmission line rights-of-way and confer with MDC on the proposed protection measures in accordance with Miami-Dade County Code Section 24-48.3(1)(a)].

2. In areas within or immediately adjacent to natural areas including wetlands pinelands or hammocks that are anticipated to be impacted by transmission line construction, FPL shall conduct federal and state listed floral species surveys of the transmission line rights-of-way and report locations of evidence of presence of listed floral species to MDC. Where

practicable FPL shall implement protection measures to avoid and minimize impacts to listed floral species. Where impacts cannot be avoided, FPL shall provide MDC notice and opportunity to salvage or remove any such listed floral species identified in the surveys prior to construction.

Prescribed Burns

1. FPL shall allow MDC or its agents or designees to perform prescribed burns, as approved by the Florida Fire Service (FFS), within the FPL ROW as specified below:

a. Prior to facility construction, in areas where MDC owns or manages property immediately adjacent to or within the FPL ROW (i.e. no FPL facilities) FPL shall allow a prescribed maintenance burn within the FPL ROW, except where it would be incompatible due to existing agricultural uses.

b. FPL acknowledges that Miami-Dade County will manage their lands via control burns adjacent to the corridor.

2. MDC shall meet with FPL staff to discuss controlled burn plans adjacent to the FPL ROW to resolve any issues regarding details of those burn plans, including the timing and schedule for proposed controlled burning and reduction of fuel load to reduce fire intensity and smoke. Where the burn plans involve property not owned by MDC or FPL, MDC shall be responsible for obtaining approval from affected property owners as necessary.

Mitigation for Wetland Impacts

1. Prior to any construction within wetlands along the transmission line rights-of-way, wetlands impact shall be mitigated.

2. Mitigation for impacts to forested wetlands or tree islands shall be mitigated through in-kind mitigation at a mitigation bank or with a project.

3. In FPL's transmission line rights-of-way, FPL must remove cut vegetation from wetland areas. Cut vegetation shall not be dumped in wetlands, should be transported for disposal to an approved facility; all handling shall be in accordance with solid waste disposal regulations.

4. In the final design of the transmission lines, FPL shall avoid and minimize impacts to wetlands to the extent practicable. For unavoidable impacts to wetlands, FPL shall provide mitigation consistent with the conditions herein. Prior to the commencement of construction of the transmission lines, FPL shall provide a post-certification submittal to MDC demonstrating compliance with this requirement.

Andytown-Oasis Transmission Line

1. Post-Certification Review by Miami-Dade County for Transmission Line Placement:

a. Preliminary Design: FPL shall identify the preliminary design and alignment for the transmission line for review by MDC as a post-certification submittal.

b. Final Design: Prior to construction, FPL shall provide to MDC the proposed ROW locations as a post-certification submittal, for review for compliance with these conditions of certification.

2. Public Works Manual Compliance: In the design of the certified transmission line facilities, to the extent practicable, the FPL transmission line alignment shall:

a. In all locations where a new transmission line is installed in or along County ROW, poles shall be sited to ensure safe sight distance triangles for motorists at all appropriate intersections and along all roadways in the immediate vicinity, to the extent practicable, in accordance with Section G5.3 of the MDC Public Works Manual. FPL shall submit drawings to demonstrate compliance with this condition to the County prior to any construction. (This requirement is not applicable where right turn on red is prohibited.) All plans shall be signed and sealed by P.E. registered in Florida. Installation of all Transmission poles shall comply with Stopping Sight Distance and Sight Triangle requirements as defined in The Florida Green Book and FDOT Index 546 as applicable.

b. FPL shall design transmission line and pole placements in accordance with the following provisions of the MDC Public Works Manual as applicable:

i. The utility's work, while in progress, shall be properly protected at all times with suitable barricades, flags, lights, flares or other devices as required by the Manual on Uniform Traffic Control Devices, FDOT Roadway and Traffic Design Standards and/or any requirements of the Public Works Department to protect all members of the public using the portion of the streets involved or adjacent property. The utility shall at all times employ due care and shall install, maintain and use commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries or nuisances to the public. All of the utility's structures and lines, equipment and connection in, over, and upon the public rights-of-way of the County wherever situated or located shall at all times be kept and maintained in a safe, suitable, substantial condition, and in good order and repair. Particular emphasis must be placed on safety devices for vehicular traffic. Any work that may create a hazard at night shall be well lighted from sunset to sunrise with lamps or lanterns visible from all approaches.

ii. Upon completion of the work, FPL shall restore the entire area disturbed or affected by this work (both public and private property) to the same or equal condition that existed prior to the work. The restoration of the area shall include, but is not limited to, the removal of surplus or unused materials, rubbish, and temporary structures. Disposal of such materials shall not be made in a manner that will violate any portion of the County Code.

iii. All transmission poles erected within the County's rights of way shall be so located as to cause minimum interference with the proper use of streets, alleys, and other public ways and places, and to cause minimum interference with the rights and reasonable convenience of property owners who may join any of the said street, alleys or other public ways and places.

iv. Transmission poles located within Miami-Dade County Rights-of-ways will not willfully, or otherwise, obstruct, damage, destroy or interfere in any way with the functioning of any drain or drainage system. Poles will not be installed within the drain field of a drainage system.

v. All poles shall be placed at the right-of-way line whenever possible.

vi. FPL shall furnish, install, and supervise the traffic control and warning devices, including use of Uniformed Police Officer when specified, without cost to County. When traffic detours are used, 24 hours advance notice shall be given to law enforcement and fire protection services. FPL shall provide to Public Works Department detour plans for review at least three (3) days in advance and variable message signs will be used to alert the public.

vii. Overhead crossings of power lines above Miami-Dade County canals must have a 40 ft. minimum clearance above ground surface, per Section D4.04, Part 2 – Public Works Manual.

viii. FPL shall demonstrate in a post-certification submittal that it meets the applicable requirements of Section D4.04, Part 2 – Public Works Manual, and Chapter 24 of the Code of Miami-Dade County (MDC), for work in or over Miami-Dade County canals by submitting drawings that depict the proposed crossing in both plan and profile views and the following information:

1) The canal right-of-way lines;

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

3) The centerline of the levee and its elevation;

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

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

6) The location of any anchors, downguys, or spanguys within the County's right-of-way;

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

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

ix.) Should FPL desire to utilize Miami-Dade County's canal rights-of-way for access during construction of the transmission lines and/or for inspection and maintenance after construction, FPL shall submit to the County a detailed plan identifying the proposed route, type and number of vehicles to be used on County canal rights-of-way, and frequency of such use.

Access Controls:

1. In areas where new transmission access roads provide access to sensitive areas that were previously inaccessible to the public, FPL shall provide gates to manage access. Such newly accessible sensitive areas shall be identified by FPL in consultation with MDC.

2. FPL shall work with MDC to identify new or existing FPL transmission access roads for MDC staff or agents to access adjacent or nearby County-owned or –managed lands and will coordinate with MDC to provide access for MDC staff through such locked gates (double locks, master keys, etc.)

3. Prior to construction of the transmission access roads, FPL will inspect the final ROW to identify where vandalism to FPL gates has occurred, and prepare and implement a plan to repair, improve, or maintain such gates.

4. Within 6 months of certification, FPL and MDC shall exchange appropriate contact information for notification and access coordination. The contact information will be updated as needed to address staffing changes. Coordination shall occur no less often than annually.

Public Uses of Transmission Line Rights-of-Way:

Following construction of the transmission lines, FPL will work with the County to discuss the ability to co-locate public recreational trails and the provision for bicycle and pedestrian access or the allowance of other public uses within the transmission line rights-of-way.

Access to Transmission ROW

FPL shall utilize adjacent existing public roads for access to the transmission line ROW before using non-public roads or building new roads for construction, operation, and/or maintenance purposes, to the extent practicable. FPL shall provide a post-certification submittal to MDC for review for compliance with this condition.

Wetland Protection and Mitigation Requirements:

1. Prior to final design, FPL shall request from MDC all records of permit documents and legal instruments including but not limited to Miami-Dade County Zoning Approvals and/or Permits relating to wetlands located in the certified corridor including Class IV Permits, Restrictive Covenants, wetland determinations and platting and zoning comments. Any information provided by MDC within thirty (30) days of FPL's request shall be used by FPL to inform the final design in order to avoid and to minimize impacts to wetlands and mitigation areas as required herein. To the extent required by law, FPL agrees to abide by the aforementioned approvals, permits and other legal instruments unless such are modified by Miami-Dade County.

2. Within the portions of the Proposed Corridor located within Everglades National Park, Bird Drive Basin, or Pennsuco Wetlands (as depicted on Figure 1 below), FPL shall implement design solutions that maintain levels of sheet flow and limit wetland impacts at the time of preliminary design to the extent practicable. This may include but is not limited to selective placement of transmission line infrastructure, varying the transmission line structure span length as appropriate, use of reduced fill pad size, elimination of access roads where not necessary, and collocation with existing linear features to eliminate avoidable impacts and reduce unavoidable impacts. Such design shall also consider projected levels of sheet flow associated with ecosystem restoration projects in the vicinity of the corridor. Prior to construction of transmission lines within these areas, FPL shall provide a post-certification submittal to Miami-Dade County demonstrating compliance with this condition. (County Code Section 24-48.4)

Protected Tree and Vegetation

All tree islands shall be preserved within the Bird Drive Everglades and North Trail Wetland Basins.

Historic Resources

FPL shall avoid or minimize impacts to County-designated and known historic and archaeological sites and zones, previously recorded archaeological sites, and archaeological resources identified through the CRAS submitted to MDC in accordance with

Condition VI(I)4. Where impacts to historic or archaeological resources cannot be avoided, FPL shall confer with DHR and Miami-Dade County to identify and implement appropriate minimization and mitigation measures.