

Rick Scott
GOVERNOR



Cissy Proctor
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April 11, 2016

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

RE: Florida Power & Light Company Duval-Raven 230kV Transmission Line
Site Certification Application TA16-17

Dear Ms. Mulkey:

Please find enclosed the Department of Economic Opportunity's "Agency Report," prepared and submitted pursuant to Section 403.526, Florida Statutes, for the Florida Power & Light Company Duval-Raven 230kV Transmission Line Site Certification Application TA16-17. On January 12, 2016, Florida Power & Light Company filed its site certification application for the Duval-Raven 230kV Transmission Line under the Florida Electrical Power Plant Siting Act, Chapter 403, Part II, Florida Statutes. If you have any questions concerning this Agency Report, please contact Scott Rogers, Planning Analyst, at (850) 717-8510, or email at Scott.Rogers@deo.myflorida.com.

Sincerely,

Taylor Teepell, Director
Division of Community Development

TT/sr

Enclosure: Agency Report

cc: Daniel Hronec, Project Manager, Florida Power & Light Company

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FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

AGENCY REPORT

ON

FLORIDA POWER & LIGHT COMPANY

DUVAL-RAVEN 230KV TRANSMISSION LINE

CERTIFICATION APPLICATION NO. TA16-17

April 11, 2016

Agency Report pursuant to Section 403.526, F.S.

**AGENCY REPORT
ON
FLORIDA POWER & LIGHT COMPANY
DUVAL-RAVEN 230KV TRANSMISSION LINE
CERTIFICATION APPLICATION NO. TA16-17**

On January 12, 2016, Florida Power & Light Company (FPL) filed its Certification Application (Application No. TA16-17) for the Duval-Raven 230kV Transmission Line (Project) under the Florida Electric Transmission Line Siting Act (Sections 403.52 through 403.5365, Florida Statutes (F.S.)). Under the Act, the Florida Department of Environmental Protection (FDEP) coordinates the certification process with input from various state, regional, and local agencies, along with interested citizens. The Florida Department of Economic Opportunity "Agency Report" on the FPL Duval-Raven 230kV Transmission Line (Certification Application TA16-17) is pursuant to Section 403.526, F.S., of the Florida Electric Transmission Line Siting Act and Rule Chapter 62-17.590, Florida Administrative Code.

I. Project Summary

FPL proposes the construction, operation, and maintenance of the Duval-Raven 230 kilovolt (kV) Transmission Line. The proposed electric transmission line extends approximately 39 miles within a transmission line corridor located in four counties (Duval, Nassau, Baker, and Columbia) and three municipalities (City of Jacksonville, City of Macclenny, and Town of Glen St. Mary). The termination points of the proposed transmission line are FPL's existing Duval Substation in southwest Duval County/City of Jacksonville and FPL's planned Raven Substation near Lake City in Columbia County. The Raven Substation will be located adjacent to the existing FPL Price Substation, and the Raven Substation will not be part of the subject Duval-Raven 230kV Transmission Line Siting Act certification application, but it will be addressed through a separate application.

Approximately 96% of the proposed transmission line will be located within existing FPL right-of-way (existing 115kV transmission line). The typical right-of-way width to be utilized for the Duval-Raven transmission line is 100 feet, and the typical FPL existing right-of-way width along the length of the project area is either 100 feet or 170 feet. Additional right-of-way for the transmission line will be needed in: (1) the City of Macclenny (length of 0.75 mile); (2) the area adjacent to the planned Raven Substation (length of approximately 0.1 mile); and (3) locations where the Duval-Raven transmission line would have a new angle or corner structure along the existing 115kV transmission line right-of-way, including the crossings of the CSX railroad, US 301, Interstate-10, and State Road 100. FPL proposes that the transmission line be in service by December 2018.

The typical structures to be used for the Duval-Raven transmission line project will be single-pole double-circuit 230-115kV structures, generally co-locating the transmission line with

the existing 115kV line in the existing FPL right-of-way. The typical aboveground structure heights will range from approximately 87 feet to 95 feet. The typical span lengths between structures will range from approximately 550 feet to 850 feet along the existing FPL right-of-way and approximately 250 feet to 350 feet along the proposed new right-of-way within the City of Macclenny. Unpaved access roads are in place within the existing right-of-way and will be used for construction and long-term maintenance of the transmission line. Where adequate access roads do not exist, new unpaved roads would be constructed.

According to the Certification Application, the proposed transmission line corridor encompasses approximately 894.21 acres. The existing land uses within the corridor include silviculture, mining, agriculture, roadways and utilities, residential, and commercial. Vegetative communities within and adjacent to the corridor are dominated by areas of planted pines and forest regeneration, upland forest, pasture, shrub and brushland, forested wetlands, ditches, and herbaceous/shrub wetlands.

According to the Certification Application, the Duval-Raven 230kV Transmission Line project is needed in December 2018 in order to: (1) serve the increasing load and customer base in the north region, which includes Brevard, Volusia, Flagler, St. Johns, Putnam, Bradford, Union, Columbia, and Baker Counties, and in particular the area west of the existing Bradford and Baldwin substations and east of the planned Raven substation; (2) increase the capacity of the existing 230kV transmission network between the Duval, Baldwin, and Bradford substations and relieve the loading on the existing 115kV transmission network between the Baldwin, Bradford, and Columbia substations in a reliable manner consistent with the North American Electric Reliability Corporation standards; and (3) provide another electrical feed from the Duval Substation in Duval County to the Lake City area in Columbia County.

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

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

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

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

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

The new transmission line enhances the existing and future electric power system and will serve residents in a timely, orderly, and efficient manner (further Goal 17).

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

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

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

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

Columbia County: Within Columbia County, the Duval-Raven Project will traverse the following Comprehensive Plan Future Land Use Map categories: (1) Agriculture 1; and (2) Agriculture 3. Comprehensive Plan Future Land Use Element Objective 1.17 states, in part, *"All other essential services, which are hereby defined to include and be limited to electrical transmission and distribution lines, water distribution lines and mains, sanitary sewer collection lines, force mains and lift stations, natural gas transmission and distribution lines and mains, telephone lines and substations and cable television lines shall be exempt from any county approval and shall be permitted in any land use category."* Article 4, Zoning Regulations, Part I, Subsection 4.2.34 Supplementary District Regulations, of the Columbia County Land

Development Regulations, states that poles, wires, and other similar structures are permitted by right in any zone district and are also exempt from district setback requirements.

Baker County: Within Baker County, the Duval-Raven Project will traverse the following Comprehensive Plan Future Land Use Map categories: (1) Agriculture Zone A; (2) Agriculture Zone B; (3) Industrial; (4) High Density Residential Zone C; (5) Residential Zone D; (6) Residential Zone E; (7) Residential Zone F; and (8) Conservation. Baker County Comprehensive Plan Future Land Use Element Policy A.1.9.1 (Adopt LDRs to Enforce the Future Land Use Map) states that the County shall adopt Land Development Regulations (LDRs) that contain the specific and detailed provisions required to implement the adopted Comprehensive Plan. Within Baker County, the Duval-Raven Project will traverse the following zoning districts: (1) Agricultural 10; (2) Agricultural 7.5; (3) Residential Conventional RC 1; and (4) Residential Conventional-Mobile Home RCMH .5 and 2.5. Article III, Zoning, Subsection 3.05.02(A)(1), Special Use Permit, of the Baker County Land Development Regulations, states that essential public and private utility installations are permitted in any zoning district, and essential utility services are defined to include installations for the transmission of electricity. Article III, Zoning, Subsection 3.05.02(A)(2), of the Baker County Land Development Regulations, states that major utility installations are permitted in all zoning districts, and major utility installations are defined to include electric transmission lines exceeding 115 kilovolts and electric transmissions towers.

Nassau County: Within Nassau County, the Duval-Raven Project will traverse the Comprehensive Plan Future Land Use Map category of "Agricultural" and the zoning district of "Open Rural." Within the future land use category of Agricultural, the Nassau County Comprehensive Plan Future Land Use Element allows a variety of agricultural activities, residential use, and states that Agricultural land uses shall be protected from the intrusion of land uses that are incompatible with the conduct of agriculture. Article 28 Supplementary Regulations, Subsection 28.13 Essential Public Services, of the Nassau County Land Development Code, states that essential public services may be permitted in any zoning district, and essential public services are defined to include installations of electrical systems.

Duval County/City of Jacksonville: Duval County and the City of Jacksonville have adopted a joint comprehensive plan. Within Duval County/City of Jacksonville, the Duval-Raven Project will traverse the following Comprehensive Plan Future Land Use Map categories: (1) Agriculture (I, II, III, and IV); and (2) Heavy Industrial. Within Duval County/City of Jacksonville, the Duval-Raven Project will traverse the following zoning districts: (1) Agricultural; (2) Heavy Industrial; and (3) Planned Unit Development.

Within the Agriculture future land use category, the Comprehensive Plan Future Land Use Element identifies allowed principal land uses, including: single-family dwellings; farming; horticulture; forestry and logging; storage; processing and wholesale distribution of farm supplies and products; raising of farm animals and poultry; dude ranches; riding academies; game preserves; bird sanctuaries; fish hatcheries and refuges; watersheds; reservoirs; control structures and wells; retail outlets for live plants, fruit and vegetables, feed, fertilizer and farm supplies; animal hospitals; veterinary clinics; animal boarding places; dog kennels; resource

based activities such as conservation, recreation, and mining activities; renewable energy facilities and uses, such as wind and solar farms; and marinas. Secondary uses include: race tracks; sawmills; bait and tackle shops; commercial hunting and fishing camps; truck stops and similar other supporting commercial uses; sale and service of alcoholic beverages in conjunction with a permitted activity; churches and places of worship; public facilities including schools; and home occupations. Within Agriculture parcels of land are placed in categories (I, II, III, and IV) based on the size of the parcel.

Within the Heavy Industrial future land use category, the Comprehensive Plan Future Land Use Element allows a variety of intensive land uses, including: mining, heavy manufacturing, repair, fabrication, assembly, packaging, processing, distribution, transportation operations, railroad switching yards, solid waste management facilities, and utility plants.

Title XVII-Land Use, Zoning Section, Chapter 655-Concurrency and Mobility Management Section, Part I General Provisions, Subsection 655.105(k)(2) (Definitions) of the Duval County/City of Jacksonville Code of Ordinances, states that “The following operations or uses shall not be taken to involve development as defined herein: (2) Work by any utility and other persons engaged in the distribution or transmission of utilities, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.”

Town of Glen St. Mary: Within the Town of Glen St. Mary, the Duval-Raven Project will traverse the following Comprehensive Plan Future Land Use Map categories: (1) Low Density Residential; and (2) Conservation. The Town’s Comprehensive Plan does not expressly prohibit electric transmission lines within these two Future Land Use Map categories, and Future Land Use Element Policy A.1.3.1(3) states that the Town’s land development regulations will ensure that all future land uses are in accordance with the Town’s Future Land Use Map. Part I. Zoning, Article V. Special Provisions Subsection 5.531 (Public, Semi-Public Uses and Special Uses) of the Town’s Land Development Code, states that essential public and private utility services, such as electrical lines, are permitted in any zoning district.

City of Macclenny: Within the City of Macclenny, the Duval-Raven Project will traverse the following Comprehensive Plan Future Land Use Map categories: (1) Commercial Low Intensity; (2) Commercial Medium Intensity; (3) Commercial High Intensity; (4) Industrial; (5) Mobile Home; (6) Low Density Residential; (7) Medium Density Residential; and (8) Public/Semi-Public. The City of Macclenny Comprehensive Plan Future Land Use Element Policy 1.06.05 establishes the general types of land uses that are allowed within each of these future land use categories as follows:

(a) Low Density Residential: Primarily “single family residential units on individual lots,” with a density ranging from 0 to 5 dwelling units per acre.

(b) Medium Density Residential: Primarily “duplex units and multi-family dwelling units. Single family dwellings, group homes, elementary, junior and senior high schools, housing for the elderly and similar uses ...” Has a density range of 5.1 to 12 dwelling units per acre.

(c) Mobile Home: Primarily “mobile homes on individual lots, mobile home parks, mobile home subdivisions and accessory uses.” Has a density range of 0 to 8 dwelling units per acre.

(d) Commercial, Low Intensity: Primarily “business, professional medical and dental offices, home occupations, single family, duplex and multi-family dwellings and accessory uses.”

(e) Commercial, Medium Intensity: Primarily “retail and service establishments, medical and dental offices and clinics including animal hospitals, and clinics, shopping centers and commercial parking lots. Auto service stations, repair garages, auto sales lots, nightclubs, hospitals, hotels and motels, and multi-family dwellings with accessory uses ...”

(f) Commercial, High Intensity: “A wide array of commercial, civic, public, recreational and residential uses.”

(g) Industrial: Primarily “storage, warehousing and light industrial activities. Manufacturing, railroad switching facilities, truck terminals and outdoor storage yards with accessories ...”

(h) Public and Semi-Public: “This category consists of civic, cultural, government, religious, recreation, utilities and other public necessity uses.”

The City of Macclenny Comprehensive Plan does not expressly address electric transmission lines, but Future Land Use Element Policy 1.12.02 states that electric distribution substations shall be a permissible use in all future land use categories listed in Policy 1.06.05 except Conservation. Chapter 10, Utilities, Section 10-12(a)(1), Placement of electric utilities underground, of the City of Macclenny Unified Land Development Regulations, states that utility lines, such as electric transmission lines that transmit electricity between generating stations and substations, are not required to be installed underground.

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

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

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

Pursuant to Section 403.526(2)(b)2., F.S., the Agency Report shall contain “A recommendation for approval or denial of the site certification application.” The Department of Economic Opportunity concludes that the proposed Duval-Raven 230kV Transmission Line furthers goals of the State Comprehensive Plan and is an efficient use of an existing electric power transmission line right-of-way. Therefore, the Department recommends approval of the Certification Application (Application No. TA16-17) for the FPL Duval-Raven 230kV Transmission Line contingent on the Project meeting all applicable certification requirements.

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

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