

**Debary-Winter Springs 230-Kv Transmission Line
Conditions of Certification**

Final Order (accepted Recommended Order)

4/7/1993

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DEBARY-WINTER SPRINGS 230-kV TRANSMISSION LINE

CONDITIONS OF CERTIFICATION

GENERAL CONDITIONS

G-1 Definitions

The meaning of terms used herein shall be governed by the definitions contained in Chapters 403, 373, and 253, F.S. (1991), and any regulation adopted pursuant thereto and the statutes and regulations of any agency. 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 the use of the commonly accepted meaning as determined by law. As used herein:

A. "Application" shall mean the Application for Corridor Certification for the Florida Power Corporation DeBary-Winter Springs 230-kV transmission line, as supplemented by the Sufficiency Response.

B. "DEP" shall mean the Florida Department of Environmental Protection.

C. "DHR" shall mean the Florida Department of State, Division of Historical Resources.

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

E. "FPC" shall mean Florida Power Corporation.

F. "GFWFC" shall mean the Florida Game and Fresh Water Fish Commission.

G. "Hazardous substances" shall mean any substance which is defined as a hazardous substance 42 U. S. C. S 9601, (14), and which is designated as a hazardous substance in 40 C.F.R. 302.4 (1987).

H. "Listed species" shall mean the species listed in Table 2.3-2 or Table 2.3-3 of the Application as endangered, threatened or species of special concern by GFWFC, the Florida Department of Agriculture and Consumer Services, or the U.S. Fish and Wildlife Service.

I. "Post-certification submittal" shall mean a submittal made by FPC pursuant to a Specific Condition.

J. "ROW" shall mean the transmission line right-of-way to be selected by FPC within the certified corridor in accordance with the conditions of certification.

K. "SJRWMD" shall mean the St. Johns River Water Management District.

L. "State water quality standards" shall mean the numerical and narrative criteria applied to specific water uses or classifications set forth in F.A.C. Chapter 17-302, as revised through October 22, 1992.

M. "Transmission line" shall mean the Florida Power Corporation DeBary-Winter Springs 230-kV transmission line.

N. "Wetlands" shall mean those wetlands subject to the regulatory jurisdiction of the Department of Environmental Regulation or the St. Johns River Water Management District.

G-1 Citation: Section 403.531, F.S. (1991).

G-2 Design and Performance Criteria

Certification, including conditions of certification, is predicated upon preliminary design ranges and performance criteria. Final engineering design will be within the range described in the Application and explained at the certification hearing. Conformance to those criteria, unless specifically modified in accordance with F.A.C. Rule 17-17.680, is binding upon FPC in the preparation, construction, and maintenance of the certified project. In any instance where a conflict occurs between the Application's design criteria and the conditions of certification, the conditions shall prevail.

G-2 Citation: Section 403.531, F.S. (1991).

G-3 Right of Entry/Monitoring

A. Upon the presentation of credentials, FPC shall allow authorized representatives of DEP or other agencies with jurisdiction over a portion of the ROW:

- (1) To enter upon the ROW in order to monitor activities within their respective jurisdictions for purposes of assessing compliance with this certification; or
- (2) During business hours, to enter FPC'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 DEP, on its own behalf or on behalf of another agency with regulatory jurisdiction, FPC shall within a reasonable time furnish any information required by law which is needed to determine compliance with the certification. If FPC becomes aware that relevant facts were not submitted or were incorrect in the Application or in any report to DEP or other agencies, such facts or information shall be corrected promptly.

G-3 Citations: Section 403.091 and 403.531, F.S. (1991).

G-4 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.

G-4 Citations: Section 403.529 and 403.531, F.S. (1991).

G-5 Emergency-Reporting

Replacement of ROW access roads or transmission lines constructed under this certification necessitated by the emergency conditions described in General Condition G-9.A. (3) below shall not be considered a modification pursuant to Section 403.5315, F.S. (1991). An oral report of the emergency shall be made to DEP as soon as Possible. Within 14 calendar days after correction of an emergency which would require FPC to perform an activity not in accordance with the conditions of certification, a report to DEP shall be made outlining the details of the emergency and the steps taken for its temporary relief. The report shall be a written description of all of the work performed and shall set forth any pollution control measures or mitigative measures which were utilized or are being utilized to prevent pollution of waters, harm to sensitive areas, or alteration of archaeological or historical resources.

G-5 Citations: Sections 403.529 and 403.531, F.S. (1991).

G-6 Certified Corridor

The certified corridor is generally depicted in Appendix 1¹.

G-6 Citation: Section 403.531, F.S. (1991).

G-7 Procedures for Post-Certification Submittals

A. Purpose of Submittals

Conditions of certification which provide for the post- certification submittal of information to DEP by FPC are for the purpose of facilitating DEP's monitoring of the effects arising from the location of the ROW and the construction and maintenance of the transmission line. This monitoring is for DEP to assure, in consultation with other agencies with applicable regulatory jurisdiction, continued compliance with the conditions of certification, without any further agency action.

B. Filings

All post-certification submittals of information by FPC are to be filed with DEP. Copies of each submittal shall be simultaneously submitted to any other agency indicated in the Specific Condition requiring the post-certification submittal.

C. Completeness

DEP shall promptly review each post-certification submittal for completeness. This review shall include consultation with the other agencies receiving the post-certification submittal.

¹ An index to the appendices is attached to these Conditions of Certification.

For the purposes of this condition, completeness shall mean that the information submitted is both complete and sufficient. If found to be incomplete, FPC shall be so notified. Failure to issue such a notice within 45 days after filing of the submittal shall constitute a finding of completeness.

D. *Interagency Meetings*

Within 60 days of the filing of a complete post-certification submittal, DEP may conduct an interagency meeting with other agencies which received copies of the 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 reasonable assurance of compliance with the conditions of certification has been provided. Failure of any agency to attend an interagency meeting shall not be grounds for DER to withhold a determination of compliance with these conditions nor to delay the timeframes for review established by these conditions.

E. *Reasonable Assurances of Compliance*

Within 90 days of the filing of a complete post-certification submittal, DEP shall give written notification to FPC and the agencies to which the post-certification information was submitted of its determination whether there is reasonable assurance of compliance with the conditions of certification. If it is determined that reasonable assurance has not been provided, FPC shall be notified with particularity and possible corrective measures suggested. Failure to notify FPC in writing within 90 days of receipt of a complete post-certification submittal shall constitute a compliance determination.

F. *Commencement of Construction*

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

G. *Water Quality Certification*

For each Post-certification submittal which addresses matters within DEP's dredge and fill jurisdiction, DEP shall provide to the Corps of Engineers a letter indicating that the full requirements of this condition have been met and that water quality certification for the purposes of 33 U.S.C. 51341 is hereby conveyed. This letter shall be sent concurrently with a determination of compliance pursuant to paragraph E. above, or immediately upon request by FPC more than 90 days after the filing of a complete post-certification submittal addressing matters within DEP's dredge and fill jurisdiction.

H. *Disputes*

Any agency which received a copy of a post-certification submittal pursuant to paragraph A. above and a specific Condition may dispute a determination by DEP that a post-

certification submittal provides reasonable assurances of compliance with the condition of certification by following the procedures set forth in General Condition G-8 within 30 days after receiving notice DEP's determination.

G-7 Citation: Section 403.531, F.S. (1991), F.A.C. Rules 17-17.600 and 17-17.665; Sections 373.413 and 373.416, F.S. (1991): F.A.C. Rules 40C-4.301 and 40C-4.381.

G-8 Dispute Resolution

If a situation arises in which mutual agreement cannot be reached between DEP and another agency receiving a post-certification submittal or between DEP and FPC regarding compliance with the conditions of certification, then the matter shall be immediately referred to the Division of Administrative Hearings (DOAH) for disposition in accordance with the provisions of Chapter 120, F.S. An expedited hearing under Section 120.57(l), F.S., shall be held within 30 days after its referral to DOAH. The hearing officer shall issue the decision 30 days after the termination of such hearing. All exceptions to the hearing officer's order shall be filed with the Governor and Cabinet within 10 days of the issuance such order. The Governor and Cabinet shall issue a decision within 30 days of the filing of the exceptions. The time requirements under this condition may be altered by agreement of DEP and the other party to the dispute.

G-8 Citations: Sections 403.531 and 120.57, F.S.

G-9 Modification of Certification

A. The Secretary of DEP is delegated the authority, pursuant to Section 403.5315(l), F.S. (1991), to modify conditions of certification relating to:

(1) Modification of the transmission line that would not cause any significant additional adverse environmental impact.

(2) Modifications necessary to meet licensing conditions or requirements imposed on the applicant by any federal regulatory agency. FPC shall notify DEP at least 30 days prior to the issuance of the federal license that would require such a modification, if known, or in any event, as soon as the federal agency notifies FPC.

(3) Reconstruction of the ROW or transmission line necessary to avoid or mitigate an emergency involving the loss of human life or property resulting from any natural or man-made calamitous event when new transmission line structures or access facilities are necessary. Such a modification shall be obtained only when an emergency replacement of a transmission line pursuant to F.A.C. Rule 17-17.695 is not required or when an emergency replacement must be further modified after the emergency conditions requiring the original reconstruction are no longer present.

(4) Relocation of the ROW or the transmission line within the originally certified corridor to accommodate a public road project.

B. DEP shall give written notice to the parties to the original certification, at their last address of record, of any requests for modification filed by FPC.

G-9 Citations: Section 403.5315, F.S. (1991); F.A.C. Ruin 17-17.600 and 17-17.680.

G-10 Submittals and Notices Required by Conditions

A. Post-certification submittals and notices shall be sent to the agencies specified in these conditions at the following addresses, unless FPC and DEP are notified in writing of an agency's change in address for such submittals and notices:

Florida Department of Environmental Protection
Office of Siting Coordination
2600 Blair Stone Road, MS 48
Tallahassee, FL 32399-2400

Florida Department of Community Affairs
Office of the Secretary
2740 Centerview Drive
Tallahassee, FL 32399-2100

Florida Department of Natural Resources
Office of the Executive Director
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Florida Game & Fresh Water Fish Commission
Division of Environmental Services
620 South Meridian Street
Tallahassee, FL 32399-1600

Florida Department of Transportation
Director of Planning, District 5
5151 Adanson Street
Orlando, FL 32804

Department of State
Division of Historical Resources R. A. Grave Building
500 South Bronough
Tallahassee, FL 32399-0250

St. Johns River Water Management
District Highway 100 West
Palatka, FL 32178-1429

East Central Florida Regional Planning council
Director-- Project Review
1011 Wymore Road

Orlando, FL 32789

Seminole County
Director of Planning & Development
1101 East First Street
Sanford, FL 32771

Volusia County
Director of Growth Management
123 West Indiana Avenue
DeLand, FL 32720-4604

City of Casselberry
Community Development Director
95 Lake Triplet Drive
Casselberry, FL 32707

City Lake Mary
City Planner
100 West Lake Mary Blvd.
Lake Mary, FL 32795-0700

City of Longwood
City Administrator
175 West Warren Avenue
Longwood, FL 32750

City of Sanford
City Planner
300 North Park Avenue
Sanford, FL 32772-1778

City of Winter Springs
City Planner
1126 East State Road 434
Winter Springs, FL 32708

B. Notices required by these conditions to be given to FPC by an agency shall be in writing and sent to the following address, unless the agency is notified in writing of FPC's change of address for such notices:

Florida Power Corporation
Environmental Services Department
P.O. Box 14042 (M.A.C. H-2-G)
St.-Petersburg, FL 33733-4042

SPECIFIC CONDITIONS

S-1 ROW Delineation and Compliance Verification

A. To the extent feasible, FPC shall locate the transmission line ROW so as to avoid the taking of homes and, as described in the application, utilize existing ROWs for those portions of the corridor which include such existing ROWs.

S-1.A. Citation: Section 403.531, F.S. (1991).

B. In agricultural areas, where the transmission line ROW is not located within or immediately adjacent to an existing or planned linear facility, FPC shall, to the extent feasible, locate the ROW along field, property, or section lines.

S-1.B. Citation: See Agency report of DCA

C. The transmission line ROW shall not be located west of an alignment immediately adjacent to the western boundary of the CSX Railroad right-of-way north of High Banks Road in Volusia County. (See Appendix 5 for map showing exclusion area.)

S-1.C. Citations: F.A.C. Rule 29F-19.001 (Regional Issues 43.1 and 43.6); See also, Agency report of DCA and Volusia County.

D. In the area of the DeBary Community Park on the north side of High Banks Road in Volusia County, the transmission line shall be located immediately adjacent to either the CSX Railroad right-of-way or the existing FPC transmission line ROW in the western portion of the corridor. (See Appendix 5 for map showing exclusion area.)

S-1.D Citation: At request of Volusia County.

E. The transmission line shall be located outside the Orlandia Heights subdivision. (See Appendix 5 for map showing exclusion area.)

S-1-E Citation: See Agency report of DCA and Volusia County

F. Adjacent to the Lake Villa Estates Mobile Home Park, the transmission line ROW shall not be located immediately adjacent to the east side of the CSX railroad right-of-way if the transmission line parallels the railroad right-of-way. This limitation shall not preclude the location of the transmission line ROW immediately adjacent to the west side of the CSX railroad right-of-way in this area or to other linear facilities within the corridor. (See Appendix 5 for map showing exclusion area.)

S-1.F. Citation: See Agency reports of DCA and Volusia County.

G. In Volusia County, if the transmission line is located east of U.S. 17/92, no additional ROW shall be located east of the existing FPC-transmission line ROW. (See Appendix 5 for map showing exclusion area.)

S-1.G. Citation: At request of Volusia County

H. The transmission line shall not be located outside the existing FPC transmission line ROW in the corridor at the crossing of the St. Johns River and at the crossing of the wetlands of the Soldier Creek drainage area near the North Longwood Substation. (See Appendix 5 for map showing exclusion area.)

S-I.H. Citations: F.A.C. Rule 29F-19.001 (Regional Issues 43.1 and 43.6); See also, Agency reports of DCA and Volusia County.

I. Between the SR 46/1-4 interchange and the CR 46A/1-4 interchange, FPC shall coordinate with the Department of Transportation and the Seminole County Expressway Authority in an effort to locate the transmission line ROW to the extent feasible:

(1) outside the planned expansion and interchange construction of 1-4;
and

(2) in such a manner so as to not conflict with the planned interchange of the Central Florida GreeneWay (a/k/a the Seminole County Expressway) with I-4.

S-1.I. Citation: See Agency report of DOT, and at the request of Seminole County.

J. Where the corridor borders the Spring Hammock CARL property through the City of Longwood and where the corridor is within the Cities of Casselberry and Winter Springs or within the Spring Hammock CARL property, the transmission line shall not be located outside the existing North Longwood-Rio Pinar transmission line ROW. (See Appendix 5 for map showing exclusion area.)

S-I.J. Citations: See Agency reports of GFWFC, DCA, CITY OF Casselberry and City of Winter Springs.

K. Prior to finalization of the ROW location, three copies of blue-line reproductions of the aerial photographs from the Application at a scale of 1"= 400' with wetland locations generally identified (see Appendix 2) shall be submitted to DEP, and one copy each to SJRWMD, DOT, DCA, Seminole County, Volusia County and the City of Winter Springs, delineating the certified corridor, and the designated transmission line ROW, structure locations and access road locations. In addition, FPC shall note on the aerial photographs new development in the corridor. FPC shall notify all parties of such filing. This information may be submitted in segments. The agencies receiving copies of the aerial photographs from FPC shall have 30 days from receipt of the photographs to review the photographs and to notify DER of any apparent conflicts with the requirements of the conditions of certification. However, this paragraph shall not operate to avoid the need for post-certification submittals and compliance reviews otherwise required by the conditions of certification.

S-I.K. Citation: Section 403.531, F.S. (1991).

L. After review of the aerial photographs and comments from the other reviewing agencies, if DEP has reason to believe that the construction of the transmission line, access roads or pads within FPC's designated ROW cannot be accomplished in compliance with the conditions of certification, FPC shall be so notified in writing within 45 days from receipt of the aerial photographs. Such notice shall specify with particularity the basis for DEP's conclusion, and possible corrective measures shall be suggested. If such notice is provided, FPC may relocate the ROW within the certified corridor to address the specified concern, or FPC may proceed with design of the transmission line on the noticed

ROW at its own risk that construction can be accomplished in compliance with the conditions of certification.

S-1.L. Citation: Section 403.531, F.S. (1991)

M. The acquisition of a particular ROW or the expenditure of funds toward acquisition of a particular ROW prior to the parties, review pursuant to this condition will be at FPC'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.

S-1.M. Citation: Section 403.531, F.S. (1991). FA.C. Rule 17-17.600(4)(d).

N. After FPC has acquired the entire transmission line ROW, FPC shall 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.

S-1.N. Citation: Section 403.5312, F.S. (1991).

S-2 Access Road, Transmission Line Structures & Water Control Structure Locations

A. Where the ROW crosses wetlands and open water, FPC shall utilize adjacent existing FPC access roads and public roads for access to the transmission line ROW for construction, operation and maintenance purposes to the greatest extent feasible. Finger roads, connecting the existing roads to the structure pads and access roads, which must be constructed in areas where an existing FPC access road or public road is not available, shall be constructed in a manner which does not impede natural drainage flows and minimizes adverse impacts to on-site and adjacent wetlands to the extent feasible.

S-2.A. Citations: Section 403.531 and 403.918, F.S. (1991); F.A.C. Rule 17-312.080; Section 373.413 and 373.414, F.S. (1991); F.A.C. Rules 40C-4.091, 40C.4.301, and 40C4.381.

B. To the extent practicable and utilizing the typical structures shown in the Application, access roads and structures shall be located:

- (1) to avoid or reduce wetland impacts from the project; and
- (2) to avoid conflict with existing underground water and sewer facilities.

Where existing underground water and sewer facilities must be relocated to accommodate construction of the transmission line, such relocation shall be at the expense of FPC.

S-2-B. Citation: Section 403-531 and 403.918. F.S. (1991); F.A.C. Rule 17-312.080; Section 373.413. F.S. (1991). F.A.C. Rule 40C-4.091,40C-4.301. and 40C-4.381; and at the request of the City of Lake Mary and Volusia County.

C. Where feasible FPC shall avoid the use of guyed transmission line tangent structures in residential areas.

S-2.D. Citation: See Agency report of DCA.

D. New access roads shall terminate at the landward limit of wetlands wherever feasible.

S-2.D. Citations: Sections 373.413 and 373.414, F.S.; F.A.C. Rules 40C-4.301, and 40C-4.381.

E. If the transmission line structures are located within the Rinehart Road right-of-way in Seminole County, the centerline of the transmission line structures shall not be located further into the road right-of-way than 3 feet of the west of the eastern road right-of-way boundary. In this area, when FPC removes the Turner-North Longwood transmission line to accommodate the DeBary- Winter Springs transmission line construction, the removal shall be at FPC's own expense.

S-2.E. Citation: At request of City of Lake Mary.

F. At the request of FPC, DEP shall conduct an interagency meeting for FPC to consult with the wetlands resource permitting staffs of DEP and SJRWMD, and the GFWFC's staff, prior to the finalization of possible access road locations, transmission line structure locations, and the establishment of water control structure types and general locations in wetlands which are to be reflected on any post-certification submittals. At DEP's request, FPC shall conduct a field inspection with the agencies' staff representatives in conjunction with the interagency meeting.

S-2-F. Citations: Section 403.531, F.S. (1991); F.A.C. Rule 17-17.600(4)(d).

S-3 Post-Certification Submittals

A. Endangered Species

Prior to any clearing activities within the proposed ROW, an ecological survey shall be conducted in areas characterized by appropriate habitat features to identify listed species likely to occur in the ROW based on range and habitat. This survey shall also identify the location of any wading bird colonies. Results of this survey shall be submitted to DEP, GFWFC, U.S. Fish and Wildlife Service, Seminole County and Volusia County for review.

(1) If it is determined that any of these species is present and will be adversely affected by the construction O.L. the transmission line, FPC shall consult with DEP, together with the GRWFC and, if possible, the U.S. Fish and Wildlife Service, to determine the steps appropriate for the species involved which are to be taken to avoid, minimize, mitigate, or otherwise appropriately address impacts within each agency's respective jurisdiction.

(2) If a bald eagle nest is found to occur within 3000 feet from the centerline of the proposed transmission line, FPC shall consult with DEP, together with the GFWFC and, if possible, the U.S. Fish and Wildlife Service to identify appropriate steps to avoid impacts to the nesting bald eagles during construction.

(3) If an active scrub jay nest is found within the proposed transmission line ROW, the nest shall not be disturbed.

S-3.A. Citations: Sections 372.072 and 403.531, F.S. (1991); F.A.C. Rule 39-27.

B. Archaeological Survey

After the ROW has been selected, following certification of the corridor and prior to construction in an area, FPC shall conduct a survey of archaeologically sensitive areas, as depicted on the map provided by the Department of State, Division of Historical Resources (DHR) and attached as Appendix 3 to these conditions, where such archaeologically sensitive areas are crossed by the ROW. A report of this survey shall be submitted to DEP, with a copy to DHR, Seminole County and Volusia County. If practicable, sites considered to be eligible for the National Register shall be avoided during construction of the transmission line, and subsequently during maintenance of the ROWS. For any other significant site, FPC shall consult with DER and DHR to determine appropriate action. If avoidance is not practicable, impact shall be mitigated through archaeological salvage operations or other methods acceptable to DEP and DHR.
S-3.B. Citations: Sections 403.531 and 267.061, F.S. (1991).

C. *Dredge and Fill Activities Within Waters of the State*

(1) For all dredge and fill construction activities in waters of the state where DEP has wetlands resource jurisdiction pursuant to Chapter 403, F.S. (1991), within the areas shown on Appendix 2 to these conditions, FPC shall file with DER the information requested in F.A.C. Rule 17- 17.665 and DER Form 17-1.212(I), Section 3.2.2. A copy of this submittal shall be sent to Seminole County, Volusia County and the City of Winter Springs.

(2) Generic data on dredge and fill construction activities shall be acceptable in the types of areas specified in F.A.C. Rule 17-17.665(2) (a). Generic data shall consist of the information specified in DEP Form 17- 1.212(I), Section 3.2.2.2.

(3) Specific data on dredge and fill construction activities shall be submitted in the types of areas specified in F.A.C. Rule 17-17.665(2) (b). Specific data shall consist of the information specified in DEP Form 17-1.212(1), Section 3.2.2.2.

(4) FPC, at its option, may submit information for dredge and fill construction activities different times. Each submittal by FPC shall be processed by DEP separately.

(5) All fill materials used for any purpose related to the construction of the transmission line shall come from sources in compliance with applicable local ordinances. No fill materials shall be obtained from excavated wetlands within the transmission line ROW unless in accordance with a mitigation plan, if any, submitted in compliance with the conditions this certification.

(6) Where appropriate FPC shall submit the data required above with the data required by Condition S-3.D. for any given segment of the transmission line ROW.
S-3-C. Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rules 17-17.600, 17-17-665 and 17.312.080; Volusia County and Article XI Wetland Alteration Permit (Ordinance 88-3) and at the request of the City of Winters Springs.

D. *Surface Water Management and Consumptive Use*

(1) At least 90 days prior to the commencement of construction of any portion of the transmission line, the information specified below for all construction activities for that portion of the transmission line must be submitted to DER, SJRWMD, Seminole County, Volusia County and the City of Winter Springs, for a determination of compliance with F.A.C. Chapters 4OC-4 and 4OC-42, (as amended through October 22, 1992). "Construction activities" in this situation shall include land clearing, excavation, the placement of structure pads, access roads, culverts, fill materials, and related activities. Construction activities shall not include the stringing of conductors on existing transmission line structures. Prior to the consumptive use of water in excess of the permitting thresholds set forth in F.A.C. Rule 4OC-2.041², that proposed consumptive use must be reviewed by DEP, in consultation with the SJRWMD, for a determination of compliance with F.A.C. Chapter 4OC-2. For any such consumptive use of water, the information set forth- in (h) below shall be submitted. For all construction activities, the following information shall be submitted to DEP with copies to SJRWMD, Seminole County, Volusia County and the City of Winter Springs:

- (a) A centerline profile of existing topographic features along the proposed access roads and pads sufficient to show contours of drainage features.
- (b) A profile and typical cross-sections of the proposed access and finger road(s) with elevations marked.
- (c) A plan view, with wetlands delineated and cross-section of the proposed access and finger roads.
- (d) A plan view, with wetlands delineated and cross-section of each stream or creek at the points to be crossed by the access and finger road(s) or other construction.
- (e) Drawings, including engineering specifications. These drawings shall show the- location of each transmission structure, finger and access road, and culvert to be constructed, including all areas to be filled or excavated.

² Unless expressly exempted by law, SJRWMD requires a consumptive use permit for consumptive uses of water which exceed:

- (a) Average annual daily withdrawals of one hundred thousand (100,000) gallons average per day on an annual basis;
- (b) Use of withdrawal equipment or other facility having a capacity of one million (1,000,000) gallons per day;
- (c) Withdrawals from a combination of wells or other facilities or both, having a combined capacity of one million (1,000,000) gallons per day
- (d) Withdrawals from a well in which the outside diameter of the largest permanent water bearing casing is six inches or more elevations marked, drainage areas identified and design capacity verified.

- (f) Specifications, including supporting assumptions and calculations, showing the type and size of water control structures (pipe, culvert, equalizer, etc.) to be used, with proposed flowline
1. For culverts in delineated streams, FPC shall design the culverts based on the "standard step" method using Manning's equation to compile water surface profiles. Factors such as type of structure, area and shape of waterway opening, approximate length and slope of culvert barrel, various velocity heads (hydraulic gradient), and treatment of inlet and outlet ends, where applicable, will be considered in the design of culverts. In calculating a water surface profile for any culvert, existing downstream structures that affect the proposed conditions will be taken into account. The effect of backwater from an inadequate downstream structure will be assessed by performing necessary calculation of water surface profile between the downstream structure and the proposed culvert. The "standard step" is a typically accepted methodology under gradually-varied flow. If other flow regimes are found during the final design, other methodologies, which may be more appropriate, shall be used.
 2. For culverts in non-delineated ungauged streams or streams with inadequate gauge data, FPC shall design culverts using the United States Department of Agriculture Soil Conservation Service method as prescribed in Technical Release No. 55.

$$q = q_p (D.A.) (Q)$$

Where, q = Hydrograph coordinate discharge in c.f.s

q_p = cms/in (cubic feet per second per square miles per inch of run off)

D.A. = Drainage area in square miles

Q = Depth of run-off in inches

Hydrologic soil groups that exist within the drainage basin may be obtained from a Soil Survey Map published by the Soil Conservation Service. The other required data such as time of concentration (TC), curve

number (CN) values for various soil groups will be obtained as prescribed in the TR-55 manual. Then, the composite hydrograph at the point in question for the entire watershed will be developed by summing the hydrographs from each sub-area. Rainfall intensity for a 100-year storm frequency, 24-hour rainfall in inches will be considered unless the local criteria dictates otherwise.

- (g) A plan view, with wetlands delineated, and cross-section of all proposed excavation areas showing the proposed depth of excavation.
- (h) Calculations and supporting documentation which demonstrate any dewatering activity is an exempted activity under F.A.C. Rule 40C-2.051(3), is an activity meeting the conditions for a general permit--in F.A.C. Rule 40C-2.061(l)(a)-(e) & (g)-(h), or is an activity meeting the criteria in F.A.C. Rule 40C-2.301(2).
- (i) Specific acreage figures and locations of all wetlands which would be impacted by excavation or filling construction activities. In no instance shall such acreage figures extend to wetlands further than 50 feet beyond the edge of the ROW.
- (j) The location of any aquatic or wetland dependent, threatened or endangered species, as specified in Tables 2.3-2 and 2.3-3 of the Application, and wading bird colonies occurring in the ROW.

S-3-D. Citations: Sections 373.413 and 373.416, F.S. (1991); F.A.C. Rules 40C-s.051, 40C-s.061, 40C-2.301, 40C-4.091, 40C-4.301, 40C-4.381, 40C-42.025 and 40C-42.026; and at the request of the City of Winter Springs.

E. *Operation and Maintenance of Surface Water Management System*

The operation phase of the surface water management system authorized under this certification shall not become effective until a Florida Registered Professional Engineer or an engineer practicing in the State of Florida in compliance with Section 471.003(2)(d), F.S. (1991), with the appropriate experience in surface water management design, certifies that all facilities have been constructed in accordance with the design approved by the conditions of this certification and determined to be in compliance with the conditions of certification pursuant to the post-certification process. Within 30 days after completion of construction of each phase of the surface water system, FPC shall submit the following to DEP, with copies to the SJRWMD, Seminole County, Volusia County, and the City of Winter Springs: completion certification report signed and sealed by the P.E. or engineer; and when the completed system substantially differs from permitted plans, two sets of record (as built) plans which reflect the surface water management system as

actually constructed. This submittal will serve to notify the agencies' staffs that the facilities are ready for inspection.

S-3.E. Citations: Sections 373.117 and 373.416, F.S. (1991); F.A.C. Rules 40C-4.301, 40C-4.381, 40C-42.028 and 40C-42.029; and at the request of Seminole County, Volusia County and the City of Winter Springs.

F. *Modifications to Post Certification Submittals*

Modifications to the drawings and supporting calculations originally submitted to DEP, which may materially alter the quantity or quality of waters discharged or impacts to wetlands,, shall be submitted to DEP for a determination that the modifications are in compliance with these conditions of certification of certification prior to the commencement of construction. Such determination shall be made by DEP in consultation with the other agencies receiving copies of the original submittals.

S-3.F. Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rule Rules 17-17.600; 17-302, and 17-312; Sections 373.219, 373.233, 373.413, and 373.416, F.S. (1991); F.A.C. Rules 40C-2.101, 40C-2.301, 40C2.381, 40C-4.091, 40C-4.301, 40C-4.381,and 40C-42.025.

G. *Variation to Submittals Requirements*

DEP, in consultation with the appropriate agencies, and FPC 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 the conditions of certification.

S-3.G. Citations: Sections 403.531 and 403.918, F.S.(1991); F.A.C. Rules 17-17.600, 17-302, and 17-312; Sections 373.219, 373.233, 373.413, and 373.416, F.S. (1991); F.A.C. Rules 40C-2.101, 40C-2.301, 40C-2.381, 40C-4.091, 40C-4.301, 40C-4.381, and 40C42.025.

S-4 Construction and Activities

A. *Maintenance of Drainage/Hydroperiod*

FPC shall employ construction techniques and proper culverting pursuant to Specific Condition S-3. D. (1) (f) in order to maintain existing drainage patterns along the transmission line ROW. Within all wetland areas which may be affected, wetland control elevations shall be established and maintained. This condition shall not preclude FPC from improving preconstruction hydroperiods provided such improvement can be achieved in compliance with the other conditions of certification.

S-4.A. Citations: Sections 403.531 and 403.918, F.S.(1991); F.A.C. Rule 17-312.080; Sections 373.413 and 373.416, F.S. (1991); F.A.C. Rules 40C-4.09; 40C-4.301 and 40C-381.

B. *Erosion/Runoff Control*

(1) FPC shall compact or otherwise stabilize any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters.

(2) Grass seed and mulch or sod must be installed and maintained on exposed slopes within 48 hours of completing final grade, and at any other time as necessary, to prevent erosion, sedimentation or turbid discharges into waters of the state.

(3) FPC shall take additional measures when necessary to prevent turbid discharges in violation of state water quality standards and to minimize off-site damage associated with shoaling. These measures may include but are not limited to the installation of turbidity barriers at all locations where the possibility of transferring suspended solids into the receiving water body exists due to the proposed construction. Turbidity barriers must be maintained in effective condition at all locations until construction is completed and disturbed soil areas are stabilized. FPC shall be responsible for implementing practical measures to address any sedimentation, turbidity, erosion, or shoaling problems that result from the construction, operation or maintenance of the works authorized under this certification. After fill material has been stabilized, FPC will be responsible for the removal of the barriers.

S-4.B. Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rule 17-312.080; SECTIONS 373.413 and 373.416, F.S. (1991); F.A.C. Rule 40C-4.091, 40C-4.301, 40C-4.381 and 40C-42.025.

C. *Wetland and Scrub Clearing*

(1) FPC shall use only restrictive clearing practices during construction and maintenance of the transmission line where it crosses wetlands. Restrictive clearing, as used in this condition, is the removal of vegetation by hand, usually with chain saws, or with low-ground-pressure shear or rotary machines to reduce soil compaction and damage to ground cover. These methods may be used alone or in combination, as may be appropriate for specific sites. Restrictive clearing includes the removal of vegetation from areas extending from the transmission line centerline to 15 feet on each side of the outer conductors and in work areas approximately 100 feet by 150 feet around structure sites. Also, in areas where FPC may need to create access to particular structure sites via finger roads rather than a continuous access road, a path approximately 20 to 25 feet wide may be cleared to reach the site from an existing access road. Removable construction matting may be used in these areas to support equipment. The remainder of the ROW in wetland areas, beyond 15 feet on either side of the outer conductors, shall not be cleared; however, vegetation that has an expected mature height greater than 15 feet may be removed.

(2) In scrub habitat, clearing shall extend from the transmission line centerline to 15 feet on each side of the outer conductors and in areas of approximately 100 feet by 150 feet around structure sites. The remainder of the ROW in scrub habitat, beyond 15 feet on either side of the outside conductors, shall not be cleared except for the cutting at the ground line of sand pines and other trees having an expected mature height exceeding 15 feet.

(3) Stump removal may occur in scrub habitat and wetlands in the area where a structure is to be placed (typically a 10-foot by 10-foot area within the cleared work area). Tree stumps under the conductors and in the 100-foot by 150-foot cleared work areas at the structure sites may be removed, sheared, or ground to 6 inches below the ground line to allow for travel and construction activities. Tree stumps in the area beyond 15 feet on either side of the outer conductors shall be left in place to preserve the root mat.

S-4.C. Citations: Sections 403.531 and 403.918, F.S.; F.A.C. Rule 17-312.080, Section 373.413, F.S. (1991), F.A.C. Rule 40C-4.091, 40C-4.301, and 40C-4.381.

D. *Water Quality Treatment*

FPC may be required to incorporate additional water quality treatment methods into the surface water management system over those shown in FPC's original post-certification submittals if such measures are shown to be necessary to maintain compliance with state water quality standards. FPC shall be responsible for implementing practical methods to address any water quality problems that may result from the construction, operation or maintenance of works authorized under this certification.

S4.D. Citations: Sections 403.531 and 403.918, F.S.(1991); F.A.C. Rule 17-302.500, 17-302.560, and 17-312.080; Sections 373.413 and 373.416, F.S. (1991). F.A.C. Rule 40C-4-091, 40C-4.301, 40C-4.381 and 40C-42.025.

E. *Foundation Construction*

Spoil from any augered foundations in wetlands shall be removed to an upland disposal site. In addition, drilling fluid to be used in wet holes shall be biodegradable.

S-4.E. Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rules 17-302.500, 17-302.560 and 17-312.080, Sections 373.413 and 373.416, F.S. (1991); F.A.C. Rules 40C-4.091, AND 40C-4.301, 40C-4.381 and 40C-42.025.

F. *Off-Site Impacts*

(1) It is the responsibility of FPC to ensure that adverse off-site water resource related impacts do not occur during construction. All wetland areas or water bodies that are outside of the specific limits of construction authorized by this certification shall be protected from erosion, siltation, scouring or excess turbidity, and dewatering. FPC shall prevent adverse off-site water resource related impacts during construction through the compaction of fill, the use of hay bales or turbidity screens, or by another method if acceptable to DEP. In determining the acceptability of other methods of control, DER shall consult with STRWMD. off-site discharges during construction and development shall be made only through the discharge structures authorized by this certification and shall not violate state water quality standards. Discharge structures, where appropriate shall include a baffle, skimmer, or other mechanism suitable for

preventing oil, grease, or other floatable materials from discharging to or from retention/detention areas.

(2) Prior to construction, FPC shall designate on- site the limits of construction in wetlands.

S-4, F. Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rules 17-302.500, 17-302.560, and 17-312.080, Sections 373.413, 373.414 and 373.416, F.S. (1991); F.A.C. Rules 40C-4.091, 40C-4.301, and 40C-4.381.

G. *Removal of Specimen Trees in Volusia County*

FPC shall replace any of the following specimen trees removed from the transmission line ROW in Volusia County:

Common Name':	Botanical Name:	Diameter (breast height):
Turkey Oak	(<i>Quercus leavis</i>)	12" and larger
Other Oak species	(<i>Quercus spp.</i>)	12" and larger
Maple	(<i>Acer spp.</i>)	12" and larger
Sweet Gum	(<i>Liquidambar styraciflua</i>)	12" and larger
Hickory	(<i>Carya spp.</i>)	12" and larger
Eim	(<i>Ulmus spp.</i>)	12" and larger
Loblolly Bay	(<i>Gordonia lasianthus</i>)	12" and larger
Sweet Bay	(<i>Magnolia virginiana</i>)	12" and larger
Red Bay	(<i>Persea borbonia</i>)	12" and larger
Swamp Bay	(<i>Persea palustris</i>)	12" and larger
Sycamore	(<i>Platanus occidentails</i>)	12" and larger
Magnolia	(<i>Magnolia grandiflora</i>)	12" and larger

Replacement shall be based on the replacement of one-tenth (1/10) of the total of the cross-sectional area of the trunk(s) of the tree(s) removed. Cross-sectional area shall be taken at the breast height of the tree. Single trees may be replaced with 2 or more trees provided the cross-sectional requirements are met. In no event shall replacement stock be less than 6 feet in height nor have a diameter at breast height of less than one and 1 1/2 inches. Replacement species shall be the same general species as the tree removed or an alternative species acceptable to the Volusia County forester. Replacement trees may be planted on Volusia County property, at a location acceptable to the Volusia County forester. In lieu of replacement of specimen trees, FPC may remit to the Volusia County Tree Nursery \$16.17 per square inch of the cross- sectional area of the removed specimen trees (diameter at breast height).

S-4.G. Citation: Volusia County Land Development Code, Appendix A. Article X.

H. *Impacts on Waters of the State*

(1) FPC shall not expand the crown of the existing access road south of the St. Johns River and north of Oregon Road to a width in excess of 16 feet. In this area,

FPC shall not construct structure pads with top dimensions in excess of 75' X 100', except for the two structure pads closest to the open channel of the St. Johns River. For the two structure pads closest to the open channel on the south side of the St. Johns River, the structure pads shall not exceed 100' X 150' top dimensions, and shall be constructed by removing existing muck and replacing it with suitable stabilizing fill material. The top elevation of these two structure pads shall be at existing grade.

(2) When improving the existing access road within the FPC transmission line ROW on the south side of the St. Johns River, FPC shall, to the extent feasible, install sufficient culverts to enhance the hydroperiod in the vicinity of the existing access road (see Conditions S- 3.D(f) and S-4.A) and shall remove wetland nuisance species (e.g., primrose willow) from the ditches adjacent to the road.

(3) If the activities in waters of the state are limited in accordance with Conditions S-I.H. & J. and S- 4.H(l) and (2), no further mitigation shall be required for activities within waters of the state.

(4) In the event that activities in waters of the state are not limited in accordance with Conditions S-I.H. & J. and S-4.H(l) and (2), and mitigation is determined to be necessary, then:

(a) FPC shall propose a mitigation plan as a post-certification submittal providing the following information to the DEP Bureau of Wetland Resource Management to allow DEP to review the proposed mitigation plan:

1. detailed description of each wetland impact area;
2. acreage of the type and quality of wetland being impacted at each site;
3. narrative, drawings and aerial photographs showing and explaining the proposed mitigation;
4. detailed description of the existing conditions at the mitigation area;
5. acreage of the proposed mitigation by mitigation and wetland type; and
6. documentation providing reasonable assurance that the proposed mitigation will be successful.

(b) If the mitigation submittal is deemed by DEP to provide insufficient information for review, additional information requested by DEP shall be submitted.

(c) If DEP, upon review of the proposed mitigation, determines that the proposed mitigation is inadequate to offset the wetland loss and habitat degradation from this project, FPC shall propose additional or alternative mitigation.

(d) If the proposed mitigation plan is deemed acceptable by DEP, DEP shall establish construction conditions, success criteria and a monitoring plan to be carried out for the approved mitigation. These conditions, criteria and monitoring plan shall be incorporated into the certification conditions as a minor modification.

(e) No construct on within wetlands subject to the regulatory jurisdiction of DEP shall commence until DEP approves a mitigation plan, and mitigation

construction conditions, success criteria and a monitoring plan are incorporated into the certification conditions.

S-4.h. Citations: Sections 403.531 and 403.918, F.S.;F.A.C. Rule 17-312.080.

S-5 Hazardous Substances

If hazardous substances are used in the construction or maintenance of the transmission line, FPC shall provide reasonable assurances that such hazardous substances will not enter the surface water management system for the transmission line.

S-5 Citation Sections 403.531 and 373.413, F.S.(1991); F.A.C. Rule 40C-4.

S-6 Potential Effects on Bee Hives

FPC shall advise known beekeepers having bee hives within or near the transmission line ROW of the potential effect of the transmission line on bee hives

S-6 Citations: Sections 403.523 and 403.531, F.S. (1991)

S-7 Radio and Television Interference

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

S-7 CITATIONS: Sections 403.523 and 403.531, F.S. (1991)

S-8 Electric and Magnetic Fields

The DeBary-Winter Springs 230-kV transmission line shall comply with the applicable electric and magnetic field standards adopted by the Environmental Regulation Commission in F.A.C. Chapter 17- 274. The electric and magnetic fields associated with any configuration developed during the final design of this project that is not shown in the Application will be provided to DEP on DEP Form 17-274.901 at least 90 days prior to the start of construction, as required by the applicable provisions of F.A.C. Chapter 17-274. As shown in the Application, the DeBary-Winter Springs transmission line shall be reverse phased. In addition, the existing DeBary-North Longwood transmission line shall also be maintained in reverse phase, as shown in the Application, to match the phasing of the DeBary-Winter Springs transmission line.

S-8 Citations: Sections 403.523 and 403.531, F.S. (1991); F.A.C. Rule 17-274.

S-9 Herbicides

Herbicides will include only those registered by the U.S. Environmental Protection Agency and which have state approval. Herbicide application rates and concentrations will be in accordance with label directions and will be carried out by a licensed applicator, meeting all federal, state, and local regulations. Herbicide applications shall be selectively applied to targeted vegetation. Broadcast application of an herbicide shall not be used in the ROW unless effects on non-targeted vegetation are minimized.

S-9 Citations: Sections 403.061, 403.088, 403.531, and 487.021, F.S. (1991); F.A.C. Rule 17-302.500.

S-10 Operation and Maintenance Of Facilities

FPC shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by FPC to achieve compliance with the conditions of this certification. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of certification.

S-10 Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rules 17-302.500, 17-302.560, and 17-312.080; Sections 373.416, F.S. (1991); F.A.C.

S-11 Compliance

All construction, operation and maintenance shall be as set forth in the plans, specifications and performance criteria approved by this certification and determined in the post-certification process to provide reasonable assurances that the construction, operation and maintenance of the transmission line will comply with the conditions of certification.

S-11 Citations: Sections 403.531 and 403.918, F.S. (1991); F.A.C. Rule 17-17.600, 17-302, and Sections 373.413, 373.416 and 373.443, F.S. (1991); F.A.C. Rules 40C-4.381, and 40c-4.461.

S-12 Applicable Rules and Regulations

Rules and regulations applicable to the transmission line shall be those in effect on October 22, 1992. Those regulations shall apply unless a variance, exemption, exception or waiver was obtained pursuant to Section 403.531, F.S. An index to the applicable regulations is contained in Appendix 4.

S-12 Citations: Sections 403.526 and 403.531, F.S. (1991).

INDEX TO APPENDICES

Appendix 1 - Map of the Certified corridor

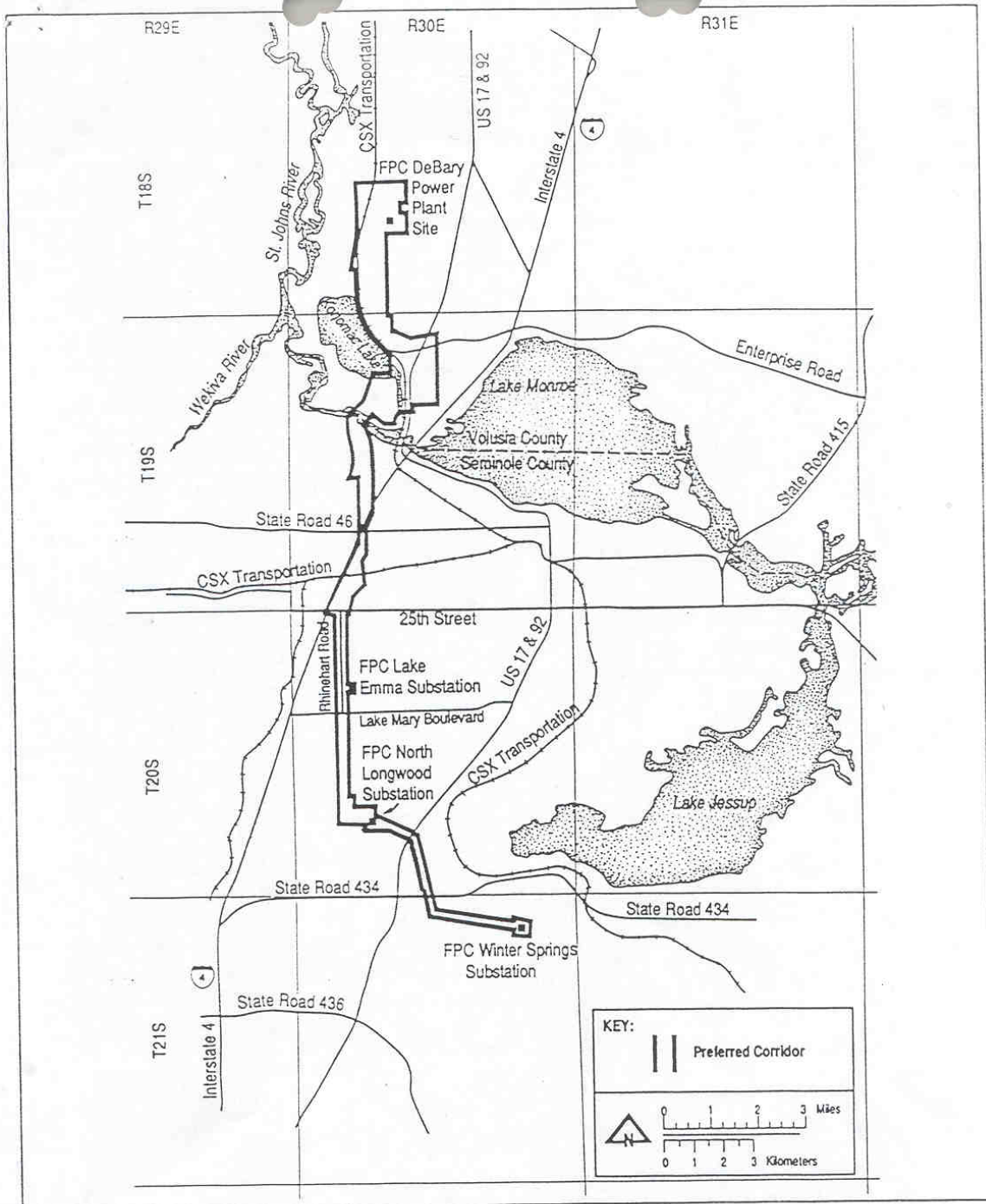
Appendix 2 - Map Generally Identifying Wetland Locations Within the corridor

Appendix 3 - Map of Archaeologically Sensitive Areas Within the Corridor

Appendix 4 - Index of Regulations Applicable to the DeBary- Winter Springs
230kV Transmission Line

Appendix 5 - Map of Exclusion Areas Described in Conditions S-1

Appendix 1: Map Of The Certified Corridor



Appendix 4: Index Of Regulations Applicable To The Debary-Winter Springs 230-Kv Transmission Line

STATUTES

<u>Citation</u>	<u>Title</u>
Section 267.061, F.S.	Historic Properties, State Policy
Section 335.18-.188, F.S.	State Highway Access Management
Section 337.401-.404, F.S.	Utility Permits
Section 372.072, F.S.	Endangered and Threatened Species Act
Chapter 373, Part II, F.S.	Permitting of Consumptive Uses of Water
Chapter 373, Part IV, F.S.	Management and Storage of Surface Waters
Section 403.121, F.S.	Enforcement Procedures
Section 403.141, F.S.	Civil Liability
Section 403.161, F.S.	Prohibitions
Chapter 403, Part VIII, F.S.	Transmission Line Siting Act
Chapter 403, Part VIII, F.S.	Permitting Activities in Wetlands
Section 487.031, F.S.	Pesticides, Prohibited Acts

All references to applicable regulations are to those in effect October 22, 1992. With the exception of the references to Section 403.121, F.S., Chapter 403 - Part II, F.S., and Rule Chapter 17-17, Part II, F.A.C., all references to applicable regulations are to the nonprocedural standards in the listed statutes, rules and regulations.

FLORIDA ADMINISTRATIVE CODE RULES

<u>Citation</u>	<u>Title</u>
Rule 14-15.010, F.A.C. (Including the Manual on Uniform Traffic Control Devices)	Traffic Control
Chapter 14-46, F.A.C. (Including the May 1990 FDOT Utility Accommodation Guide)	Utility Permits
Chapter 14-94, F.A.C.	Access Management
Chapter 14-96, F.A.C.	Access Management
Chapter 17-17, Part II, F.A.C.	Transmission Line Siting Act
Chapter 17-256, F.A.C.	Open Burning and Frost Protection Fires
Chapter 17-274, F.A.C.	Electric and Magnetic Fields
Chapter 17-302, F.A.C.	Surface Water Quality
Chapter 17-312, F.A.C.	Dredge and Fill Activities
Other provisions of Title 17, F.A.C., to the extent activities of FPC during the construction, operation and maintenance of the transmission line come within the ambit of those regulations.	
Rule 25-6.0345, F.A.C. Including the 1990 Edition of the National Electrical Safety Standard)	Safety Standards
Chapter 40C-2, F.A.C.	Consumptive Uses of Water
Chapter 40C-4, F.A.C., Including the MSSW Applicant's Handbook)	Management and Storage of Surface Waters
Chapter 40C-42, F.A.C.	Stormwater Management Systems 2

January 20, 1993

LOCAL GOVERNMENT REGULATIONS

Seminole County

Seminole County Comprehensive Plan	Comprehensive Plan
Seminole County Future Land Use Map	Future Land Use Map
Articles VI, X, XX, XXVIII, xxx, xxxi, xxxii, xxxv, XXXVI, Chapter 5, Unified Land Development code	Zoning Regulations (classifications)
Article XLI, Chapter 5, Unified Land Development Code	Zoning Regulations(Wetland Overlay Standard)
Article XLII, Chapter 5, Unified Land Development Code	Lake Mary Boulevard Gateway Corridor Overlay Standards
Chapter 8, Unified Land Development Code	Arbor Code
Appendix B, Unified Land Development Code	Surface Water Management
Ordinance 92-5	Endangered and Threatened Species

Volusia County

Volusia County Comprehensive Plan	Comprehensive Plan
Section 201, Volusia County Zoning Ordinance	Definitions
Section 808, Volusia County Zoning Ordinance	Landscaping Requirements

Section 824, Volusia
County Zoning Ordinance

Natural Resource Management
Areas

Section 827, Volusia
County Zoning Ordinance

Environmental Buffers

Article VI, Volusia County
Land Development Code

Utilities

Article VII, Volusia County
Land Development Code

Flood Hazards

Article X, Volusia County
Land Development Code

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Article XI, Volusia County
Land Development Code

Wetlands

City of Casselberry

City of Casselberry
Comprehensive Plan

Comprehensive Plan

Chapter 151, Code of
Ordinances

Flood Hazard Regulations

Chapter 153, Code of
Ordinances

Landing Clearing

Chapter 157, Code of
Ordinances

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Chapter 159, Code of
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City of Lake Mary

City of Lake Mary
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Chapter 152, Code of
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Flood Hazard Reduction

Chapter 154, Code of

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Chapter 155, Appendix C,
Code of Ordinances

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Chapter 155, Appendix D,
Code of Ordinances

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Chapter 157, Code of
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Chapter 158, Code of
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City of Longwood
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Comprehensive Plan (2
volumes)

City of Longwood
Future Land Use Map

Future Land Use Map

Section 605,
Ordinance No. 495

Utility services

Section 616,
Ordinance No. 495

Performance Standards (Noise)

Section 703,
Ordinance No. 495

Design Standards

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City of Sanford
Comprehensive Plan

Comprehensive Plan

City of Sanford
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Future Land Use Map

Schedule A, Land
Development Regulations

Land Use Classifications

Schedule B, Land
Development Regulations

Permitted Uses

Schedule E, Land
Development Regulations

Noise

Schedule J, Land
Development Regulations

Landscape, Buffer and Tree
Requirements

Schedule M, Land
Development Regulations

Environmentally Sensitive
Lands

City of Winter Springs

City of Winter Springs
Comprehensive Plan

Comprehensive Plan

Chapter 5, Code of
Ordinances

Arbor

Chapter 9, Article III,
Land Development Code

Design Standards

Chapter 9, Article IV,
Land Development Code

Required Improvements

Chapter 20, Code of
Ordinances

Zoning

NOTE: The nonprocedural requirements of the above statutes, rules and regulations apply to the DeBary-Winter Springs transmission line. except to the extent a variance, exception, exemption or other relief is needed from the following regulations:

Seminole County

Wetland Overlay Standards
Land Development Code,
Chapter 5, Zoning Regulations
and Ord. 92-5, Article
XVI

Variance

Setback and Height Limitations
Land Development Code,
Chapter 5, Zoning

Variance

Regulations

Lake Mary Boulevard
Gateway Corridor Overlay
Standards, Land Development
Code, Chapter 5, Zoning
Regulations

Variance

Setbacks from planned rights-
of-way and access locations,
Land Development Code,
Transportation Standards,
App. A

Variance

Dredging and Filling, Land
Development Code, Chapter
10, Ord. 92-5, Article XXXI

Variance

Surface Water Management
Standards, Land Development
Code, App. B

Variance

Arbor Permits, Land
Development Code, Chapter 8

Variance

Endangered Species, Threatened
Species and Species of Special
Concern, Ord. 92-5, Art. XXV

Variance

Volusia County

Ordinance

Type of Exemption

Landscaping - Section 808.02
Zoning ordinance

Waiver

Shoreline and Wetland
Buffer Requirements
Sections 824.02, 824.03(b)
and (d), 827.01 and 827.02,
Zoning ordinance

Variance

Wetlands, Article XI,

Variance

Sections 1106(1) & (2),
Land Development Code

City of Casselberry

Permitted Use in Zoning
Districts, Zoning Code

Conditional Use

City of Lake Mary

Height Restrictions,
Section 154.15, Zoning Code

Conditional Use

Buffering Requirements,
Section 158.06, Gateway
Overlay Standards

Variance

City of Longwood

Permitted Use in I-1
Zoning District, Section
605.2, Zoning Ordinance

Conditional Use

Permitted Use in R-1
Zoning District, Section
605.2, Zoning Ordinance

Special Exception

City of Sanford

Schedule E, Noise, Section
8.G, Land Development Code

Exemption

Schedule J, Landscape, Buffer,
and Tree Requirements, Land
Development Code

Variance

City of Winter Springs

Permitted Use in Zoning
Districts, Zoning Code

Conditional Use

Height Restrictions in
Zoning Districts, Zoning
Code

Variance