

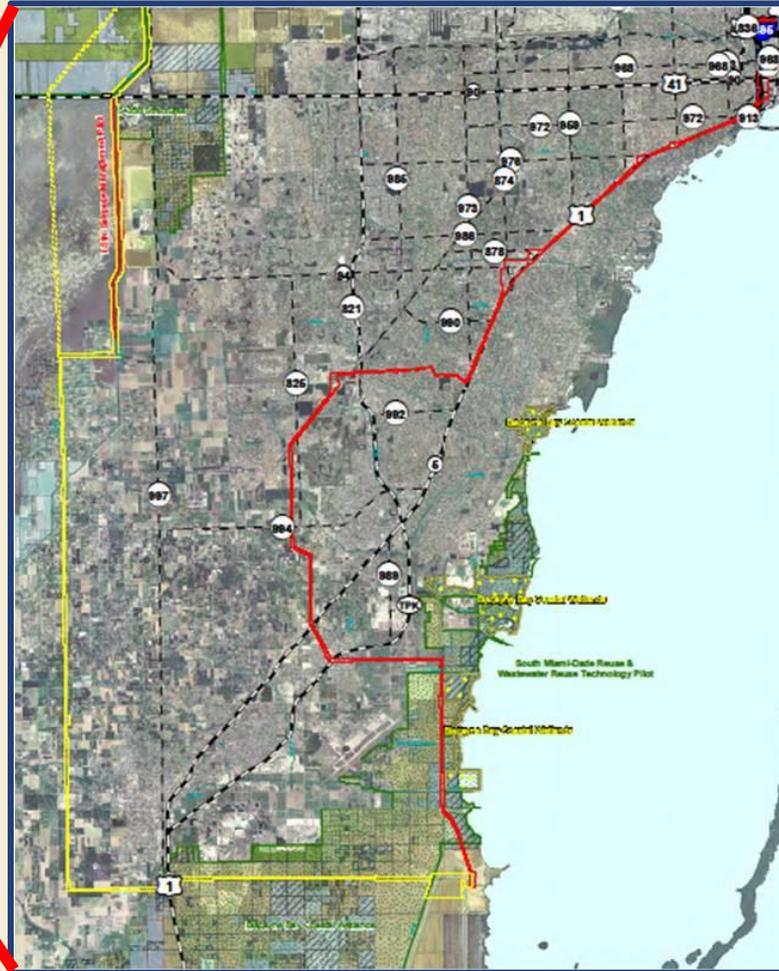


Power Plant and Transmission Line Site Certification

Part II of Chapter 403, Florida Statutes

**Ruth A. Holmes, Senior Attorney, Office of Counsel
May 12, 2011**

Project Location – Miami-Dade County



**Project
Components:**

**2 New Nuclear
Reactors at
Turkey Point**

**Transmission
Lines – 230 KV
and 500 KV**

Legislative Provisions - Chapter 403, F.S.



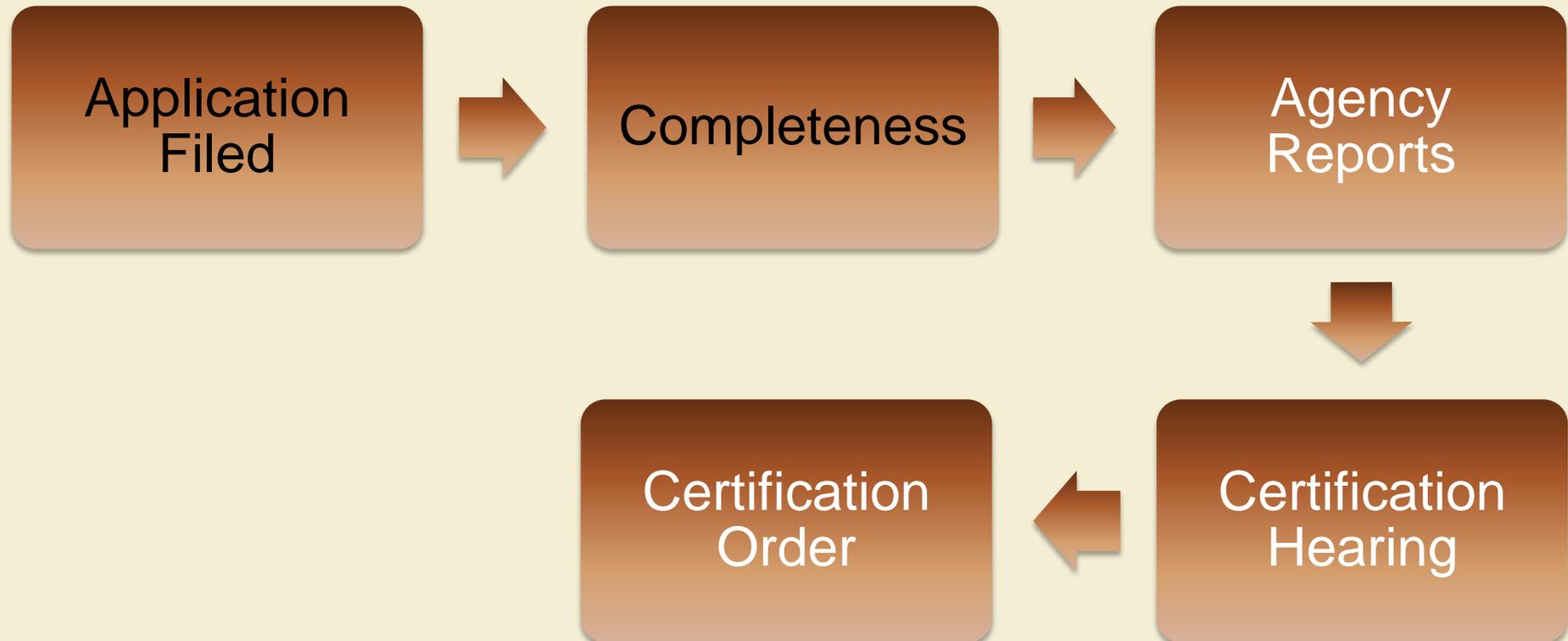
- **Power Plant Siting Act**
- **Transmission Line Siting Act**
- **Legislative Policy**
- **One stop permitting process for the location and operation of electrical power plants and transmission lines.**

Certification Pre-emption

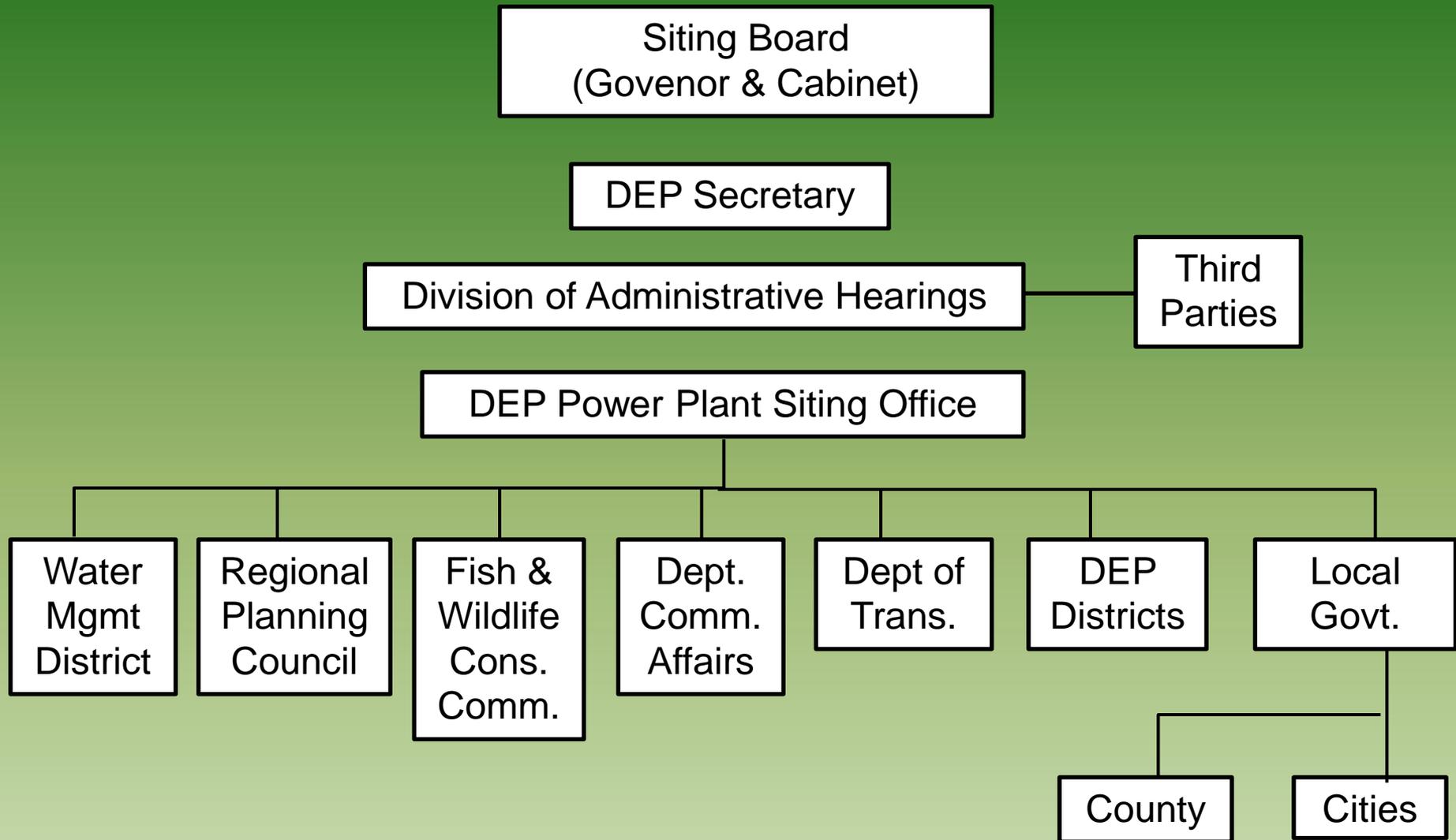
- **Certification supersedes all other state permits, licenses, laws, ordinances, and regulations.**
- **Excluding federal permits and licenses, a Siting Act Certification is the only permit or license for the location, construction and operation of the transmission lines.**



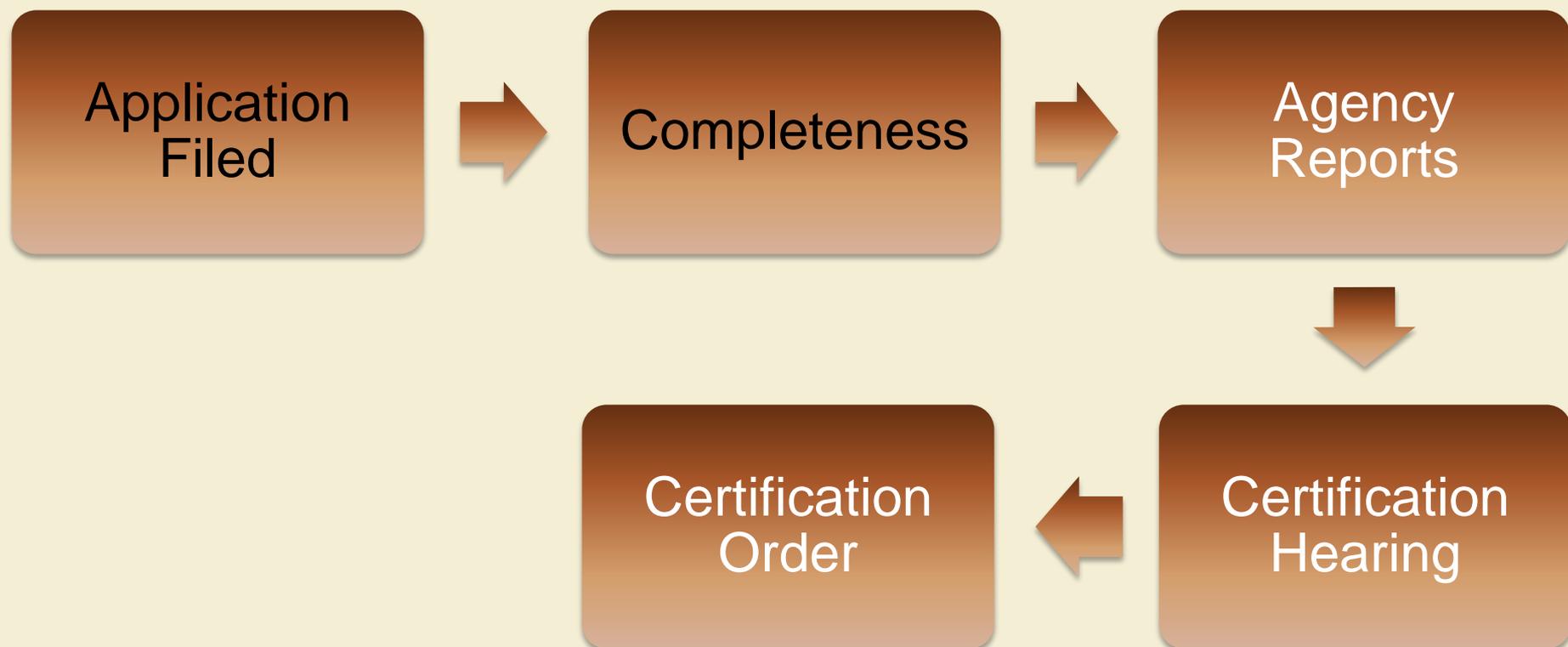
Certification Process



Entities Involved in Certification Process



Certification Process



Certification Hearing

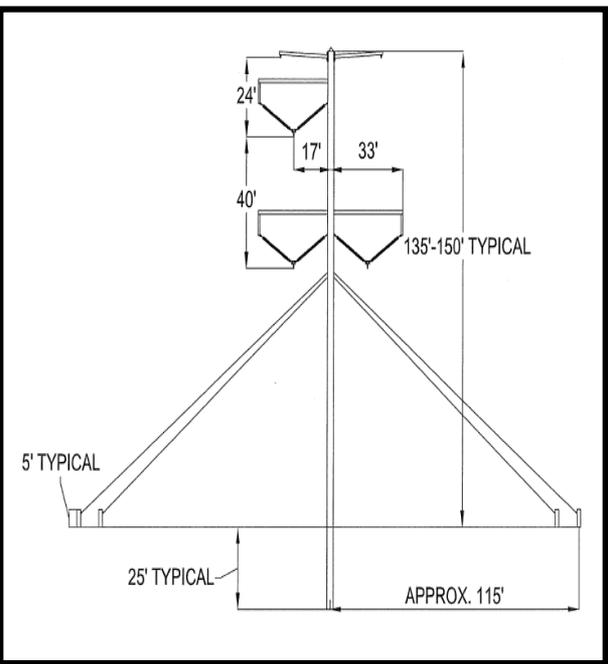
- **Primarily disputes on conditions, alternate corridors, agency recommendations on approval or denials.**
- **Each party, including agencies, present evidence to Administrative Law Judge through witness testimony & reports, etc.**
- **A Recommended Order is submitted to the Siting Board (Governor & Cabinet).**
- **Siting Board makes final determination on Certification and issues Final Order.**



Stipulation in Lieu of Hearing

- **All parties stipulate to the issues presented within their jurisdictions and the utility, DEP & the parties stipulate to the respective conditions of certification**
- **If this occurs, the DEP Secretary has delegated authority to issue the Certification Order**
- **Certification Order is generally valid for the life of the project, subject to the conditions therein.**

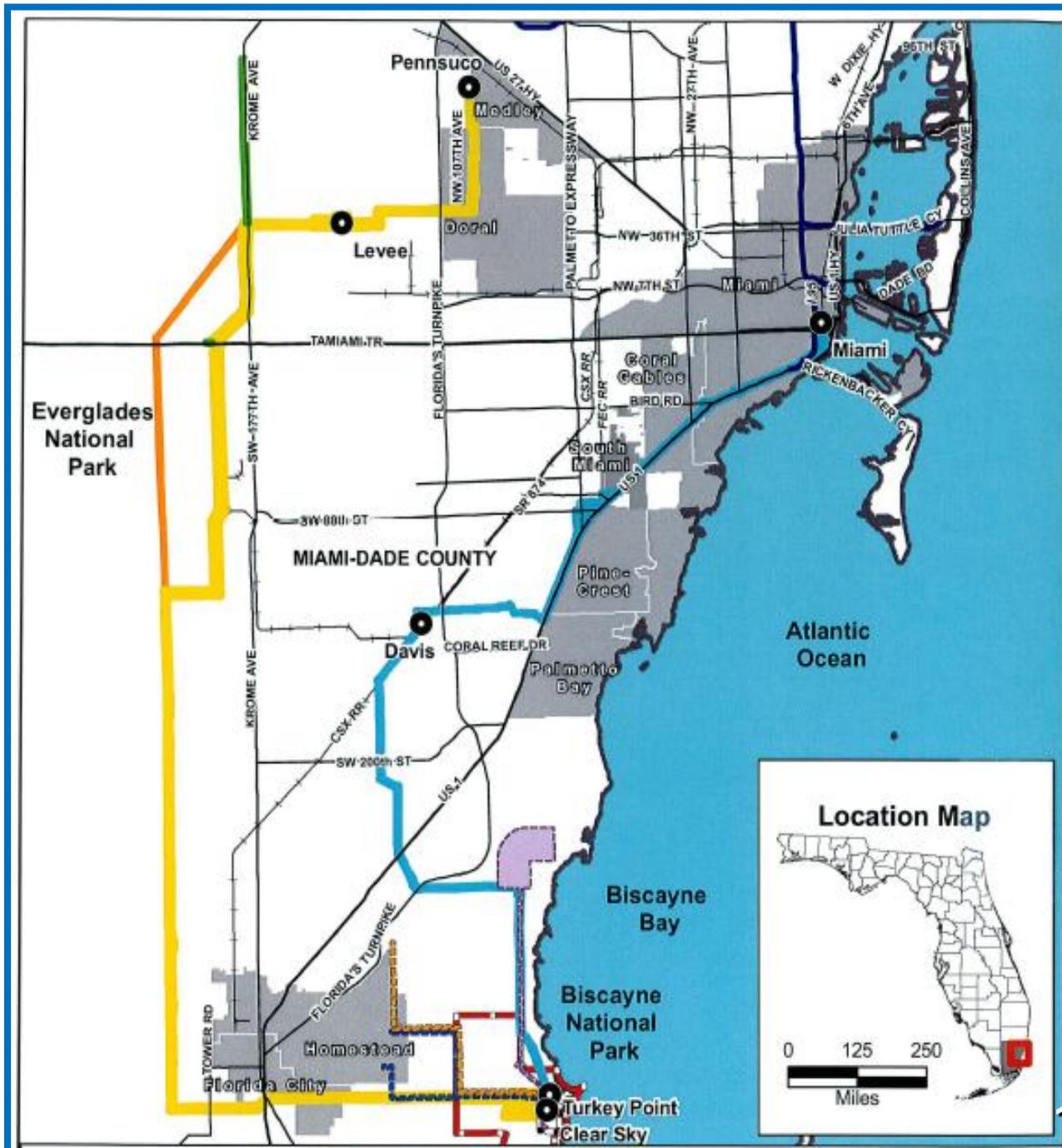




Typical 500 KV Line



Typical 230 KV Line



Turkey Point Units 6 & 7



- **Application Filed June 2009**
- **Transmission Line Completeness Determination Issued Dec 2010**
- **Agency Report due June 13, 2011**
- **DOAH Hearing scheduled May 2012**
- **Power Plant review process is ongoing & expected to continue through December, 2011**

Transmission Line Agency Report



Report will contain SFWMD evaluation of the proposed transmission lines potential impacts on:

- **District Lands**
- **District Works – canals, structures, etc**
- **Water Resources**
- **All other matters within SFWMD jurisdiction; and**

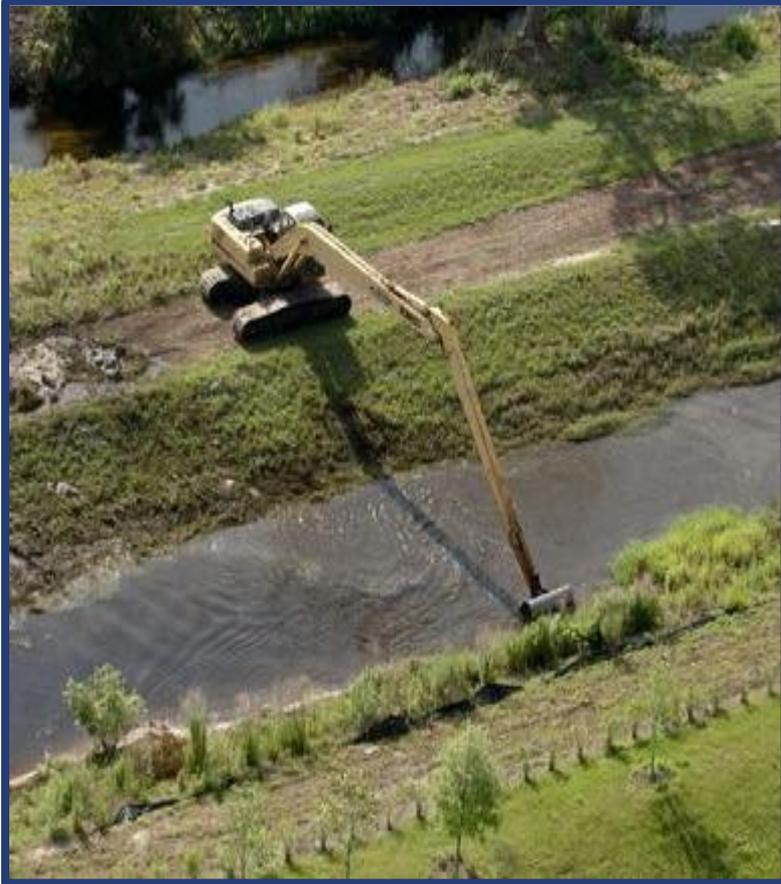
District recommended Conditions of Certification

SFWMD Jurisdiction

- **Operations and Maintenance**
- **Rights-of-Way**
- **Land Management**
- **Everglades Restoration (CERP)**
- **Consumptive Use Permitting**
- **Environmental Resource Permitting***



Operation & Maintenance of the Central & Southern Florida Flood Control System



- **391 miles of canals in Miami-Dade**
- **77 water control structures**
- **Must keep canals and right-of-ways clear to operate, maintain, conduct debris cleanup & manage structures**
- **Extensive Communication System**

Agency Report

- **Must recommend Approval or Denial of each corridor**
- **Must recommend conditions of certification that would ensure the project's compliance with agency criteria – even if the agency recommends denial of a corridor**
- **SFWMD Agency Report scheduled for June 2011 Governing Board**



Alternate Corridors

- **DEP and Utility (FPL) must accept or reject the alternates for review**
- **Agency review of Alternates**
- **Completeness**
- **Agency Report on Alternate Corridors**



SFWMD



Questions?