

Jackson County TIMES

2866 Madison Street | Marianna, Florida
32448

(850) 526-1501 Office | (866) 307-1639
Fax

Legal Notice – Proof of Publication

Gulf Power Company

Before the undersigned authority personally appeared MARY WALTER who on oath says that (s)he is **BILLING ADVISOR** of the Jackson County Times, a weekly newspaper published in Marianna, in Jackson County, Florida: that the attached copy of advertisement, in the matter mentioned, was published in said newspaper in the issues shown.

Affiant further states that the said Jackson County Times is a newspaper published at Marianna, in said Jackson County, Florida, and that the said newspaper has heretofore been continuously published in said Jackson County, Florida, each week (Thursday) and has been entered as a periodical matter at the post office in Marianna, in said Jackson County, Florida, for the period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Walter

Mary Walter, Jackson County Times

Sworn to and subscribed before me this
7-18 A.D. 2020

Steve Miller

Notary Public, State of Florida at Large



Legal #

L4486

Run Times

Per Run

1

@

\$144.50

Total Amount

\$144.50

Legal Size

\$5 Per Column Inch (PCI)

Column(s)

by

Height

2

X

14.45

Description

Notice of intent to issue permit

Legal #

L4486

Publication Dates:

7/16/2020

LEGAL NOTICE

NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an Environmental Resource Permit (ERP) in accordance with Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.)

The Department also gives notice of its intent to grant an easement to use sovereign submerged lands for the proposed activity, under Article X, Section 11 of the Florida Constitution, Chapter(s) 253, Title 18, F.A.C., and the policies of the Board of Trustees.

The applicant, Gulf Power Company (GPC), applied on July 29, 2019, to the Department for a permit, water quality certification, and authorization to use sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to construct a 176-mile, 161-kilovolt overhead aerial transmission line in northern Florida. Generally, the North Florida Resiliency Connection (NFR) Transmission Line will follow existing linear facilities including FDOT (I-75, I-10, US90 and US41), local, rural roads, and other utility corridors (Clay Electric Co-Op, City of Tallahassee and FGT). Generally, a 15-foot-wide easement will be required where the line is adjacent to non-limited access rights-of-way. Generally, a 60-foot-wide easement will be needed where the line is overland or adjacent to limited access rights-of-way. Total easement width varies along the transmission line corridor. The activity is located between two terminal substations in northern Florida. The transmission line will traverse from the existing Florida Power and Light (FPL) Raven substation in Columbia County at Latitude 30° 39' 53.43" north / Longitude 84° 54' 6.32" west, through portions of Suwannee, Madison, Jefferson, Leon, and Gadsden counties, to the existing GPC Sinal Cemetery substation in Jackson County at Latitude 30° 9' 45.88" north Longitude 82° 34' 20.22" west. The overhead aerial transmission line is proposed within and over wetlands and tributaries associated with several Class III waterbodies (some of which are Outstanding Florida Waters). The activity includes consideration of an application for 12 public easements containing 350,611 square feet.

This project is often referred by the general public as NextEra Resiliency project or Florida Power & Light Resiliency Transmission Line project. The project spans seven counties within north Florida, encompassing both the Northeast (NED) and Northwest Districts (NWD).

The Department will issue the environmental resource permit and lease, unless a timely petition for an administrative proceeding is filed pursuant to the provisions of Sections 120.569 and 120.57, F.S. The actual terms of the lease will be formally executed at a later date and shall include provisions for rents and such other provisions as normally are included in such lease. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

The application file is available online and can be accessed through the Department's Information Portal at: <https://www.fdeportal.com/go/home/>. If you have any questions or are experiencing difficulty viewing the electronic application, please call Tom Kallemeyn, Florida Department of Environmental Protection, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256, thomas.kallemeyn@floridadep.gov, or 904-256-1616.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35 Tallahassee, Florida 32399-3000. Also, a copy of the

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- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
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- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

The applicant, or any party within the meaning of Section 373.114(1) (a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

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