

ORIGINAL

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RECORDS AND REPORTING

BEFORE THE PUBLIC SERVICE COMMISSION

In Re: Petition for Determination of Need of Hines Unit 2 Power Plant.))))

DOCKET NO.: 001064-EI

Submitted for Filing: October 26th, 2000

NOTICE OF FILING ORIGINAL AFFIDAVIT IN SUPPORT OF FPC'S OPPOSITION TO PANDA'S MOTION FOR CONTINUANCE

Florida Power Corporation hereby gives notice of filing the original affidavit of Patrica West in opposition to Panda's Motion for Continuance.

Respectfully submitted,

FLORIDA POWER CORPORATION

[Handwritten Signature]

Gary L. Sasso
J. Michael Walls
Jill H. Bowman
Carlton Fields
P. O. Box 2861
St. Petersburg, Florida 33731-2861
Telephone: (727) 821-7000
Facsimile: (727) 822-3768

and

Robert A. Glenn
Director, Regulatory Counsel Group
Florida Power Corporation
P.O. Box 2861
St. Petersburg, FL 33731
Telephone: (727) 820-5184
Facsimile: (727) 820-5519

- APP
- CAF
- CMP 1
- COM 3
- CTR
- EGR 3
- LEG 2
- OPC
- PAI 1
- RGO
- SEC 1
- SER *entrell*
- OTH

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FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

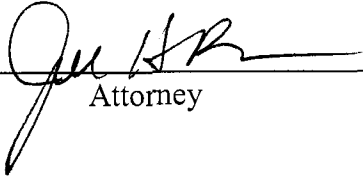
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FPSC-RECORDS/REPORTING

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been finished via U.S. Mail to all counsel and other parties of record this ^{26th} day of October, 2000.

and facsimile U.S. Mail only to



Attorney

PARTIES OF RECORD:

Deborah Hart, Esq.
Division of Legal Services
Florida Public Service Commission
Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Scott Goorland
Senior Assistant General Counsel
Department of Environmental Protection
2600 Blairstone Road
Tallahassee, FL 32301

Myron Rollins
Black & Veatch
P.O. Box 8405
Kansas City, MO 64114

Paul Darst
Strategic Planning
Department of Community Affairs
2740 Centerview Drive
Tallahassee, FL 32399-2100

Suzanne Brownless, Esq.
1311-B Paul Russell Road
Suite 201
Tallahassee, FL 32301

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Determination
of Need of Hines Unit 2 Power Plant.**)
)
)

DOCKET NO. 001064-EI

Submitted for Filing: October 25, 2000

**AFFIDAVIT OF PATRICIA WEST
IN OPPOSITION TO PANDA'S MOTION FOR CONTINUANCE**

BEFORE ME, the undersigned authority duly authorized to administer oaths, personally appeared Patricia Quets West, who being first duly sworn, on oath deposes and says that:

1. My name is Patricia Quets West. I am over the age of 18 years old and I have been authorized by Florida Power Corporation (hereinafter referred to as "FPC" or the "Company"), to give this affidavit in the above-styled proceeding in support of FPC's opposition to Panda's Motion for Continuance.

2. I am currently employed by FPC as the Manager of Environmental Programs. In this connection, I have continuing responsibility for overseeing the Supplemental Site Certification process for FPC's Hines Energy Complex (Power Block 2). FPC is working closely with the Florida Department of Environmental Protection ("FDEP") to ensure that FPC's Supplemental Site Application is processed in a timely manner in accord with the requirements of law.

3. FPC filed its Supplemental Site Application in July of this year. On August 1, 2000, the FDEP issued a Notice of Completeness of Power Plant Siting Supplemental Application. A copy of this notice is attached to my affidavit as Exhibit A. It is my understanding that this Notice triggers the statutory time-frames applicable to the Public Service Commission need determination proceeding and the Florida Electrical Power Plant Siting Act certification proceeding.

4. On September 27, 2000, FPC received a Notice of Insufficiency in which the FDEP requested some additional information from FPC within 40 days. This Notice is attached hereto as Exhibit B. FPC has until November 6, 2000 to provide FDEP with the additional

information it has requested and FPC fully intends to meet this deadline. Indeed, I along with my staff at FPC have been working closely with the FDEP to insure that the responses we will provide on or before November 6, 2000 will meet with the FDEP's sufficiency concerns.

5. In my experience, it is not unusual for a utility to receive an initial Notice of Insufficiency from FDEP seeking supplemental information. In fact it is my understanding that this does not trigger any delay in the Site Certification process, but is actually anticipated and built into the time-frame designed by law. That is certainly the case for the Supplemental Site Certification process for Power Block 2. A time period for such notices and the Company's responses was built into the schedule filed by FDEP and adopted by the Administrative Law Judge for the final Site Certification Hearing.

6. In any event, FPC will most assuredly comply with the November 6, 2000 deadline for responding to FDEP's questions and fully expects the process to proceed forward to the final site certification hearing commencing on March 6, 2001 without delay.

7. This concludes my affidavit.

Further affiant sayeth not.

Dated the 25th day of October, 2000.



(Signature)

Patricia Quets West

(Printed Name)

Address:

Manager Environmental

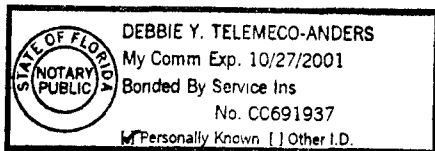
Programs

Florida Power Corporation

263 - 13th Avenue, S.

St. Petersburg, FL 33701-5511

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 25th day of October, 2000 by Patricia Quets West. She is personally known to me, or has produced her N/A driver's license, or her N/A as identification.



(AFFIX NOTARIAL SEAL)

(Commission Expiration Date)

Debbie Y. Telemeco-Anders
(Signature)
Debbie Y. Telemeco-Anders
(Printed Name)
NOTARY PUBLIC, STATE OF _____
Florida

EXHIBIT A

**FDEP Notice of Completeness of
Power Plant Siting Supplemental Application**

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER CORPORATION
HINES ENERGY COMPLEX
(POWER BLOCK 2)
POWER PLANT SITING SUPPLEMENTAL
APPLICATION NO. PA92-33SA1

OGC CASE NO. 00-1490

**NOTICE OF COMPLETENESS OF POWER PLANT SITING SUPPLEMENTAL
APPLICATION**

The STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION,
pursuant to § 403.517, Florida Statutes, and §62-17.231(5), Florida Administrative Code, hereby
gives notice that the application for power plant site supplemental certification from Florida
Power Corporation for the Hines Energy Center is complete.

Respectfully submitted,



SCOTT A. GOORLAND
Florida Bar I.D. No. 0066834
Senior Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION
Douglas Office Building, MS 35
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000
(850) 488-9314 / FAX 921-3000

1. 1. 00

AUG 2 2000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Completeness of Plant Siting Supplemental Application has been sent by mail to the following listed persons this _____ day of August 2000:

Robert A. Glenn, Esq.
Florida Power Corporation
P.O. Box 14042
St. Petersburg, Fl 33733

Frank K. Anderson, Esq.
SWFWMD
2379 Broad Street
Brooksville, FL 34609-6899

Andrew Grayson, Esq.
Department of Community Affairs
2470 Centerview Drive
Tallahassee, Fl 32399-2100

Cathy Bedell, General Counsel
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

James Antista, Esq.
Florida Fish and Wildlife
Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600

Sheauching Yu,
Assistant General Counsel
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

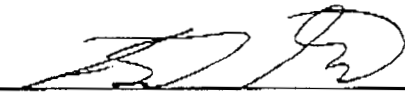
Norman White, Esq.
Central Florida Regional
Planning Council
555 East Church Street
Bartow, Florida 33830

Carolyn S. Raepple, Esq.
Douglas S. Roberts, Esq.
Hopping Green Sams & Smith
P.O. Box 6526
Tallahassee, Florida 32314

Mark Carpanini, Esq.
Office of County Attorney
Post Office Box 60
Bartow, Florida 33830-0060

Served by Inter-office mail:

Hamilton S. Oven
Department of Environmental Protection
Siting Coordination Office
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400



SCOTT A. GOORLAND
Senior Assistant General Counsel

EXHIBIT B

FDEP Notice of Insufficiency

SEP 27 2000

HOPKINSVILLE
KENTUCKY

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER CORPORATION
HINES ENERGY COMPLEX
(POWER BLOCK 2)
POWER PLANT SITING SUPPLEMENTAL
APPLICATION NO. PA92-33SA

DOAH CASE NO 00-3125EPP
OGC CASE NO. 00-1490

NOTICE OF INSUFFICIENCY

Pursuant to section 403.5067, Florida Statutes, the Florida Department of Environmental Protection (Department) hereby finds the application insufficient in the following areas:

- A. Air
See Exhibit "A", attached and incorporated by reference herein.
- B. Water
See Exhibit "B", attached and incorporated by reference herein.
- C. Water Management District
See Exhibit "C", attached and incorporated by reference herein.

NOTICE OF RIGHTS

Pursuant to Section 403.5067, F.S., as a result of the Department's determination of insufficiency, the applicant may withdraw the application or amendment. If the applicant declines to withdraw the application or amendment, the applicant may, at its option:

1. Within 40 days after the department filed its statement of insufficiency or such later date as authorized by department rules, file additional information necessary to make the application or amendment sufficient. If the applicant makes its application or amendment sufficient within this time period, the time schedules under this act shall not be tolled by the department's statement of insufficiency;

2. Advise the department and the administrative law judge that the information necessary to make the application or amendment sufficient cannot be supplied within the time period authorized in paragraph 1. The time schedules under this act shall be tolled from the date of the notice of insufficiency until the application or amendment is determined sufficient; or

3. Contest the statement of insufficiency by filing a request for hearing with the administrative law judge within 15 days after the filing of the statement of insufficiency. If a hearing is requested by the applicant, all time schedules under this act shall be tolled as of the department's statement of insufficiency, pending the administrative law judge's decision concerning the dispute. A hearing shall be held no later than 30 days after the filing of the statement by the department, and a decision shall be rendered within 10 days after the hearing.

Respectfully submitted,



SCOTT A. GOORLAND
Senior Assistant General Counsel
Florida Bar No. 0066834

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION
3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32399-3000
Telephone: (850) 488-9314

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Insufficiency has been sent by mail to the following listed persons this 26 day of august 2000:

Robert A. Glenn, Esq.
Florida Power Corporation
P.O. Box 14042
St. Petersburg, Fl 33733

Frank K. Anderson, Esq.
SWFWMD
2379 Broad Street
Brooksville, FL 34609-6899

Andrew Grayson, Esq.
Department of Community Affairs
2470 Centerview Drive
Tallahassee, Fl 32399-2100

Cathy Bedell, General Counsel
Office of General Counsel
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2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

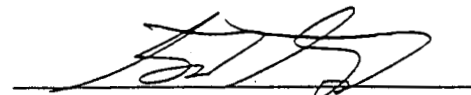
James Antista, Esq.
Florida Fish and Wildlife
Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600

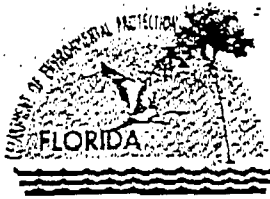
Sheauching Yu,
Assistant General Counsel
Florida Department of Transportation
605 Suwannee Street
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Norman White, Esq.
Central Florida Regional
Planning Council
555 East Church Street
Bartow, Florida 33830

Carolyn S. Raepple, Esq.
Douglas S. Roberts, Esq.
Hopping Green Sams & Smith
P.O. Box 6526
Tallahassee, Florida 32314

Mark Carpanini, Esq.
Office of County Attorney
Post Office Box 9005
Drawer AT01
Bartow, Florida 33831-9005


SCOTT A. GOORLAND
Senior Assistant General Counsel



Jeh Bush
Governor

Department of Environmental Protection

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

AUG 29 2000

CITING COORDINATION

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399 2400

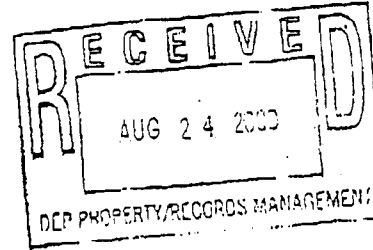
David B. Scrubs
Secretary

August 23, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue
Director Environmental Services Department
Florida Power Corporation
PO Box 14042
St. Petersburg, Florida 33733-4042

Re: Request for Additional Information
DEP File No. 1050234-004 AC (PSD-FL-296)
Hines Energy Complex, Power Block 2



Dear Mr. Pardue,

On July 24, 2000 the Department received your application and complete fee for an air construction/PSD permit for the construction of two combustion turbines to create Power Block 2 at the existing Hines Energy Complex. The application is incomplete. In order to continue processing your application, the Department will need the additional information requested below. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Please provide the air quality impact modeling data files for Department review. The Department may have additional questions related to air quality modeling after review of this information.
2. Please provide the CO concentrations for natural gas firing and fuel oil firing at the outlet of the turbine/Inlet of the HRSG, for conditions of 50% and 60% of full load, or provide curves that cover these operating conditions. Also provide mass emission estimates for these loads.
3. Please provide the vendor's quote used in the cost effectiveness analysis for selective catalytic reduction. This quote must be for this project and not a scaled estimate from another project, or from a turbine of different size or manufacturer.
4. Based upon the hours of operation and load levels requested in the application, the Department is likely to require control of CO with an oxidation catalyst to an expected level of 6 ppmvd @ 15% O₂ or less. Please address, if you wish, any changes to your requested allowable operation given this possibility.
5. Please provide the vendor's quote used in the cost effectiveness analysis for oxidation catalyst for CO control, and provide a cost effectiveness estimate using this quote. This quote must be for this project and not an estimate from another project, or from a turbine of different size or manufacturer.
6. The Department has advised other applicants that it considers SCONOX to be a commercially available technology. Please obtain a vendor quote from Alstom Power for SCONOX with commercial and performance guarantees similar to that of the SCR system with an oxidation catalyst, and provide a cost effectiveness estimate using this quote. This quote must be for this project and not an estimate from another project, or from a turbine of different size or manufacturer.
7. Please provide an updated estimate of HAP emissions for this project and include complete supporting information for any emission factors and assumptions used in the estimate. The application does not indicate whether this project is major for HAPs. Please address.
8. Provide an estimate of the duration and quantity of emissions under expected startup and shutdown scenarios. How many (and what duration) startup and shutdown cycles are anticipated per day, month, and year for each

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Mr. W. Jeffrey Pardue
Request for Additional Information
Page 2 of 2
August 23, 2000

combustion turbine? The Department plans to address excess emissions from startup and shutdown in its BACT determination.

9. The maximum heat input rate at 39°F of 1830 mmBtu/hr, firing gas, and 1932 mmBtu/hr, firing oil, (HHV) is less than the newly increased allowable maximum heat input rate of 1915 mmBtu/hr, firing gas, and 2020 mmBtu/hr, firing oil, (HHV) for the turbines for Power Block 1. Please address and revise the estimated potential mass emissions if the requested maximum heat input rate is revised in this application.
10. What are the actual CO and NOx concentrations at the outlet of the turbines of Power Block 1 over the range of operating conditions requested for Power Block 2?
11. Are there any other proposed emissions units related to this project such as fuel heaters, cooling towers, fuel storage tanks? Will emissions increase at any existing emissions units as a result of this project?
12. Please provide supporting information for the SAM emissions factor.
13. What are cases A, B, C and D in Table A-25?
14. Please provide more information to support the estimate of costs of instrumentation considered in the cost estimate for CO catalyst. Also, provide more detail regarding the estimate for heat rate penalty in your analysis.

The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Material changes to the application should also be accompanied by a new certification statement by the authorized representative or responsible official. Permit applicants are advised that Rule 62-4.050(1), F.A.C. now requires applicants to respond to requests for information within 90 days. If there are any questions, please call me at 850/921-9519. Matters regarding modeling issues should be directed to Cleve Holladay (meteorologist) at 850/921-8986.

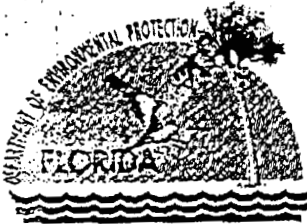
Sincerely,



Joseph Kahn, P.E.
New Source Review Section

jk

cc: Gregg Worley, EPA
John Bunyak, NPS
Bill Thomas, P.E., DEP SWD
Ken Kosky, P.E., Golder Associates, Inc.
Buck Owen, DEP SCO



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

INTEROFFICE MEMO

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

TO: Hamilton S. Oven, Jr., P.E.
Administrator, Power Plant Siting Section

SEP 21 2000

THROUGH: Timothy J. Parker, P.E. *TJP*
Water Facilities Administrator, Southwest District

SITING COORDINATION

Henry B. Dominick, P.E. *HBD*
Manager, Industrial Wastewater Program

09-11-00

FS Mohammed Kader, P.E. *MB*
Supervisor, Industrial Wastewater Permitting

09-11-00

FROM: Kim Barlow *KB*
Engineer, Industrial Wastewater Permitting

SUBJECT: Florida Power Corporation-Hines Energy Complex
Supplemental Site Certification Application to PA 92-33 dated August 7, 2000
Polk County

DATE: September 5, 2000

I have reviewed the two (2) volumes of information submitted with the above-referenced application. Upon review of the submittal and based upon my site visit on August 30, 2000, I have no incompleteness items to request at this time.

The Compliance/Enforcement Section and the Technical Services Ground Water Section have also reviewed the above-referenced application and their comments are attached in memos dated August 11, 2000, and September 1, 2000, respectively.

This staff assessment is preliminary and is designed to assist in the review of the application prior to final agency action. The comments provided herein are not the final position of the Department and may be subject to revision pursuant to additional information and further review.

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EXHIBIT B

813

REVIEW OF SUPPLEMENTAL SITE CERTIFICATION APPLICATION FOR FPC - HINES ENERGY COMPLEX
DATED 8/7/00

BY
CINDY CATHEY
8/11/00

I have the following comments concerning the application:

- On page 2.3.2-7, FPC states that seven consecutive quarters of ground water sampling and analysis have been completed at the facility. Only the analysis for samples collected on 3/13/00, first quarter 2000, were included in Appendix 10.5.2. FPC has made a request for the Department to reduce ground water monitoring parameters. The District requested FPC submit a trend analysis for those parameters that they wish to have removed. The requested information has not been submitted at the time of this review. We recommend that this information be included as part of the supplemental site certification application review.
- FPC indicates in the application that they will be doubling the amount of RO brine discharged to the brine pond. Condition XVII.G.2.e. of the facility's site certification provides details for evaluating the impact of the brine on the disposal pond. This condition specifies pre-operation and operational phase programs. Joe May, FDEP Technical Services, stated that FPC performed pre-operational characterization during the initial site certification process, however, there are no records in the district files that the operational phase program was implemented. The operational phase program requires tests to be taken annually for the first five years after initiation of brine production. On page 5.3-7, FPC states that they are still conducting the brine pond study and will submit the results to the Department. If this study is the same as that required by the site certification, we recommend that it be reviewed as part of the supplemental site certification application.
- A review of district files indicates the following:
 - The comprehensive operation plan required under Condition XVII.G.2.h. of the facility's site certification could not be located in the district files nor could the Departmental letter approving the plan.
 - The waste stream characterizations for the cooling pond and brine pond required under Condition XVIII.A.8. of the facility's site certification could not be located in district files.

We recommend that this information be submitted to both the District and Tallahassee staff.

Review of supplemental site certification application for
FPC - Hines Energy Complex dated 8/7/00
Page 2


- FPC mentions chemical and biocide wastes in section 3.6 of the supplemental site certification application. A characterization of these waste streams should be submitted.
- FPC discusses oil spill prevention in section 3.6.7. of the supplemental site certification application. FPC should provide a discussion of procedure for discharging oil tank secondary containment to the cooling water pond.
- The potential for water quality concerns (i.e.: nutrients, chlorophyll, etc.) associated with the release of water from old clay settling areas to surface waters should be addressed.
- In section 4.2 of the supplemental site certification application, FPC discusses dewatering activities. It should be noted that under NPDES, any dewatering activity, which discharge to surface waters, must obtain approval under Chapter 62-621, F.A.C.

This staff assessment is preliminary and is designed to assist in the review of the application prior to final agency action. The comments provided herein are not the final position of the department and may be subject to revision pursuant to additional information and further review.

State of Florida
Department of Environmental Protection - Southwest District Office

Interoffice Memorandum

TO: Kim Barlow, Engineer
Industrial Wastewater- Permitting

FROM:  Joseph R. May, P.G., Environmental Supervisor
Technical Services - Ground Water Protection

DATE: September 1, 2000

SUBJECT: FPC - Hines Energy Complex
PA No. 92-33
Ground Water Protection - Power Block Two Addition

I have reviewed application and have the following comment:

The monitoring wells that are present were installed with the intention of incorporating the planned addition of Power Block Two. The submittal should address the additional monitoring parameters needed for fuel oil wastewater effluent cooling pond discharge.

Should you have any questions, please contact me at extension 342.

cc: Charles Kravach, TG-SW
John Morris, WM SW

Ronald C. Johnson
Chair, Lake Wales
Monroe "Al" Coogler
Vice Chair, Lecanto
Sally Thompson
Secretary, Tampa
Ronnie E. Duncan
Treasurer, Tarpon Springs
Thomas G. Dohney, II
Bradford
Dorenda L. Fontaine
Lake Wales
John P. Hardee, IV
Bradford
Watson L. Haynes, II
St. Petersburg
John K. Renke, III
New Port Richey

E. D. "Sunny" Vergara
Executive Director
Gene A. Heath
Assistant Executive Director
William S. Blonky
General Counsel

September 20, 2000

SEPTEMBER 20, 2000

SITING COORDINATION

Hamilton Oven
Florida Department of Environmental Protection
Siting Coordination Office
2600 Blair Stone Road, MS48
Tallahassee, FL 32399-2400

Re: SUPPLEMENTAL SITE CERTIFICATION APPLICATION, FLORIDA
POWER CORPORATION, HINES ENERGY COMPLEX, POWER
BLOCK 2, PA92-33SA

Dear Mr. Oven:

The Southwest Florida Water Management District ("District") has reviewed the subject application, and, in accordance with the provisions of Chapter 403.5067, Florida Statutes, recommends the application be determined insufficient. The following additional information is required before a full analysis of the project by the District can go forward:

1. The current Supplemental Site Certification Application (SSCA) No. PA92-33SA refers to and contains documentation of the Water Use Permit (WUP) No. 2011407.000, as the WUP associated with the above-mentioned SSCA. The referenced WUP number is associated with the Florida Power Corporation (FPC)'s Polk City Combined Cycle Facility, whereas the current SSCA relates to the FPC's Hines Energy Complex. The WUP associated with this site is WUP No. 2010944.000. Accordingly, the correct WUP number and documentation associated with the current SSCA needs to be provided. [40D-2.091 F.A.C., 40D-2.101, F.A.C., 40D-2.301, F.A.C., 2.1.1, Basis of Review for Water Use Permit Applications.]
2. It is unclear how the proposed drainage enhancement for Camp Branch (areas N-11A, N-13, N-9B) will reach Tiger Bay or Camp Branch in the post-reclamation condition. The Storage/Release Mode diagram (Figure 3.3.6-2) depicts the temporary water drop system for those areas. Under that system, water from these areas is shown as flowing to water drop areas N-11B and N-16W. A flow

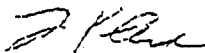
Protecting Your
Water Resources

diagram that depicts the proposed post-reclamation drainage enhancement for Camp Branch must be provided. In addition, an estimate of the expected timing, frequency and volume of the proposed drainage enhancement and provide a comparison with existing or estimated flow data for Camp Branch is necessary. [40D-2.091 F.A.C, 40D-2.101, F.A.C., 40D-2.301, F.A.C., 2.1.1, Basis of Review for Water Use Permit Applications.]

3. The applicant needs to demonstrate that the proposed water crop system will not affect the hydration of wetlands within the Tiger Bay area. [40D-2.091 F.A.C, 40D-2.101, F.A.C., 40D-2.301, F.A.C., 2.1.1, Basis of Review for Water Use Permit Applications.]
4. The expected frequency and volume of the proposed McCullough Creek drainage enhancement must be provided and estimated. The applicant also needs to compare this with any existing or estimated flow data for McCullough Creek. [40D-2.091 F.A.C, 40D-2.101, F.A.C., 40D-2.301, F.A.C., 2.1.1, Basis of Review for Water Use Permit Applications.]
5. Excess water from storm events collected in the water crop areas is proposed to be released to Six Mile Creek, as ultimately a flow enhancement to the Peace River. An estimate of the expected frequency and volume of these discharges to Six Mile Creek needs to be provided along with a comparison with existing and historic flow data for Six Mile Creek. [40D-2.091 F.A.C, 40D-2.101, F.A.C., 40D-2.301, F.A.C., 2.1.1, Basis of Review for Water Use Permit Applications.]

Should you, your staff or the Applicant have any questions regarding this recommendation for a determination of insufficiency, contact either Said Abusada at (863) 534-1448 ext. 6107 (Suncom 572-6200) or myself at (352) 796-7211 ext. 4666 (Suncom 628-4150).

Respectfully,



F. K. Anderson
Senior Attorney

cc: see attached list

James V. Antista, General Counsel
Ross Stafford Burnaman, Asst. General Counsel
FL Fish and Wildlife Conservation Commission
620 South Meridian Street, Room 108
Bryant Building
Tallahassee, FL 32399-1600

Cathy Bedell, Esquire
Florida Public Service Commission
2540 Shumard Oak Boulevard
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Mark Carpanini, Esquire
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