



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

Siting Coordination Office

## NOTICE OF FILING CERTIFICATION APPLICATION FOR NATURAL GAS PIPELINE CORRIDOR(S) TO BE LOCATED IN \_\_\_\_\_ AND \_\_\_\_\_ COUNTIES

### (Utility Name) (Name of Natural Gas Pipeline) (length in miles of line) Natural Gas Pipeline

Application No. \_\_\_\_\_ for certification to authorize location of a natural gas pipeline corridor, construction, operation and maintenance of a \_\_\_\_ natural gas pipeline(s) commonly referred to as \_\_\_\_ - \_\_\_\_ and maintenance of the pipeline right-of-way from, \_\_\_\_ Florida to \_\_\_\_, Florida was received by the Department of Environmental Protection on \_\_\_\_, 2\_\_\_\_. The case is pending before the Division of Administrative Hearings, Case No. \_\_\_\_, prior to action by the Governor and Cabinet (sitting as the Siting Board), pursuant to the Florida Natural Gas Transmission Pipeline Siting Act, Chapter 403.9401 - 403.9425, F.S. The proposed corridor(s) passes through the following local government jurisdictions \_\_\_\_\_ and \_\_\_\_\_ (see accompanying map).

State agencies, water management districts, regional planning councils, and local governments will be reviewing the application and preparing reports regarding the compliance of the proposal with applicable laws, and any needed conditions of certification to assure such compliance. It is recommended that interested individuals review the application and bring matters of concern to the appropriate agency's attention as soon as possible. Information regarding the appropriate contact persons in the agencies may be obtained from the Department of Environmental Protection's Siting Coordination Office (provide address and phone number). The application for certification which more specifically depicts the proposed pipeline corridor is available for public inspection at the following locations: [Here list the addresses of the main and appropriate district offices of the Department serving the area of the corridors, the general business office and appropriate local business offices (if any) of the applicant, the general business office of the alternate proponent, any other appropriate locations as specified by the Department, and the Department's designated internet address for this information.]

A certification hearing will be conducted by the administrative law judge pursuant to Section 120.569 and 120.57, F.S., at a central location in proximity to the proposed corridor(s). Notice of the date and location of the certification hearing will be published in this publication at least 80 days before the date set for the hearing.

The Natural Gas Transmission Pipeline Siting Act provides, among other things, that:

- (1) Subject to the conditions set forth therein, certification shall constitute the sole license of the state and any agency as to the approval of the location of pipeline corridors and the construction, operation, and maintenance of pipelines. The certification is valid for the life of the pipeline if, construction on, or condemnation or acquisition of, the right-of-way is commenced within 5 years after the date of certification or such later date as may be authorized by the board.

(2) The certification authorizes the licensee to locate the pipeline corridor and to construct and maintain the pipelines subject only to the conditions set forth in the certification. (3) The certification may include conditions that constitute variances and exemptions from nonprocedural standards or rules of the department or any other agency which were expressly considered during the certification review unless waived by the agency as provided in s. 403.9416 and which otherwise would be applicable to the location of the proposed pipeline corridor or the construction, operation, and maintenance of the pipelines.

Any person wishing to participate in the proceedings, as a party, must file an appropriate pleading with the Division of Administrative Hearings following the procedures in Chapter 28-106, F.A.C., and Section 403.9411(4)(c), F.S., which provides that:

(1) Parties to the proceeding shall be: \_\_\_\_\_ [list appropriate parties from 403.9411(4)(a), F.S.]. Any of these parties, other than the Department of Environmental Protection and [name of applicant], may waive its right to participate in this proceeding if the listed party fails to file a notice of intent to be a party on or before the 30<sup>th</sup> day before the certification hearing.

(2) Notwithstanding the provisions of Chapter 120, F.S., to the contrary, upon the filing with the administrative law judge of a notice of intent to be a party by an agency, corporation, or association described in subparagraphs (a) and (b) below or a petition for intervention by a person described in subparagraph (c) below no later than 30 days before the date set for the certification hearing, the following shall also be parties to the proceeding:

(a) Any agency not listed in subparagraph (1) above as to matters within its jurisdiction.

(b) Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation of natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed pipeline or corridor is to be located.

(c) Any person whose substantial interests are affected and being determined by the proceeding.

(d) Any agencies whose properties or works might be affected, upon the request of the agency or any party to this proceeding.

For further information about the certification process please see:

[http://www.dep.state.fl.us/siting/rules\\_statutes.htm](http://www.dep.state.fl.us/siting/rules_statutes.htm)

Any notice of intent to be a party or motion to intervene must be sent to; Re: DOAH Case No. \_\_\_\_\_, Division of Administrative Hearings, \_\_\_\_\_ [current address], Tallahassee, Florida, \_\_\_\_\_, and must contain the following: reference to the application number; the name, address, and telephone number of the agency or person; and, allegations sufficient to demonstrate the agency or person is

entitled to participate in the proceeding. The notice or motion must be sent by mail to the applicant and to all parties. (A list of parties may be obtained from the Department's Siting Coordination Office at the physical address above or by phone 850-245-2002 or email [SCO@dep.state.fl.us](mailto:SCO@dep.state.fl.us).)

Persons other than the applicant may propose alternate corridors for portions of or all of the corridor(s) proposed by the applicant. To propose an alternate corridor, non-parties must request to become a party to the proceedings, and then must file a notice of proposed alternate corridor pursuant to Section 403.9412(1), F.S. Such filing shall be made with the administrative law judge, all parties, and any local governments in the jurisdiction of which the alternate is proposed, by no later than 50 days prior to the originally scheduled certification hearing. The filing must include the most recent United States Geological Survey 1:24000 quadrangle maps with the alternate corridor boundaries specifically delineated on it, a description of the proposed alternate corridor, and a statement of the reasons the proposed alternate should be certified. Each party proposing an alternate corridor shall have the burden to provide the data necessary for the agencies listed in Section 403.941, F.S., to prepare a supplementary report, to provide public notice in accordance with Section 403.5363(2), F.S., and the burden of proof on the certifiability of the alternate corridor at the certification hearing. See Section 403.5271, F.S., and Florida Administrative Code Rule 62-807.530 for further information and requirements. [http://www.dep.state.fl.us/siting/rules\\_statutes.htm](http://www.dep.state.fl.us/siting/rules_statutes.htm)

Issues relating to the use of, connection to, or the crossing of properties and works of the following agencies [List of affected agencies whose properties or works may be affected] may be addressed in this certification proceeding.

MAP of the proposed corridor(s).