

DICKSTEINSHAPIRO_{LLP}

1825 Eye Street NW | Washington, DC 20006-5403
TEL (202) 420-2200 | FAX (202) 420-2201 | dicksteinshapiro.com

Contains Critical Energy
Infrastructure Information
Do Not Release

Via Electronic Filing

March 21, 2008

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Supplemental Material re: Resource Reports 2 and 9
Application of Floridian Natural Gas Storage Company, LLC for Certificate
of Public Convenience and Necessity for a New Natural Gas Storage Facility
Docket No. CP08-13-000

Dear Ms. Bose:

In connection with the Application of Floridian Natural Gas Storage Company, LLC ("FGS") for a certificate of public convenience and necessity to construct, own and operate a new natural gas storage facility filed on October 31, 2007 (the "Application") in the above-referenced docket, FGS hereby files the following supplemental material:

- 1) March 7, 2008 Water Use Permit (No. 43-021150-W) issued to FGS by the South Florida Water Management District relating to the Water Use Permit Application included in Appendix 2-D to Resource Report 2 (in Volume II-A of the Application).
- 2) March 12, 2008 Notice of Air Pollution Permit (Number 0850147-0001-A) issued to FGS by the Florida Department of Environmental Protection relating to the Minor Source Air Construction Permit Application included in Appendix 9-A to Resource Report 9 (in Volume II-F of the Application).

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Ms. Kimberly D. Bose
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- 3) March 19, 2008 Environmental Resource Permit (No. EI 43-0280459-001) issued to FGS by the Florida Department of Environmental Protection relating to the Environmental Resource Permit Application for the storage facility included in Appendix 2-E to Resource Report 2 (in Volume II-B of the Application).

FGS's filing consists of two parts. The first part is Public material. The second part is comprised of certain attachments to items 1) and 3) above that contain Critical Energy Infrastructure Information and it is marked "Critical Energy Infrastructure Information – Do Not Release." Consistent with the requirements of the Commission Regulations, FGS submits the information labeled CEII consists of detailed schematics of the site and planned facilities. Thus, these items labeled CEII contain specific engineering, vulnerability, or design information about proposed critical infrastructure that: (1) relates details about the transportation of energy; (2) could be useful to a person in planning an attack on critical infrastructure; and (3) would be exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552 (2000). This document does not simply give the general location of the critical infrastructure.

All Parties to this proceeding, as well as the persons identified below, are being served by email with a copy of the Public part of this filing.

If you have any questions about any of these submissions, please do not hesitate to contact me at (202) 420-2745 or Beth Webb at (202) 420-4782.

Sincerely,



Joan M. Darby

Enclosures

cc: All Parties
Charles Brown, FERC
Barbara Mohrman, ERM
Tim Gray, Florida Department of Environmental Protection
John Wrublik, US Fish and Wildlife Service
Ted Walden, US Environmental Protection Agency, Region 4
Eric Reusch, U.S. Army Corps of Engineers
Tom Colios, South Florida Water Management District
Joseph Walsh, Florida Fish and Wildlife Conservation Commission

March 19, 2008 Environmental Resource Permit (No. EI 43-0280459-001)
issued to FGS by the Florida Department of Environmental Protection



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

MAR 19 2008

Floridian Natural Gas Storage Company, Inc.
c/o Mr. J. Bradley Williams
1000 Louisiana Street, Suite 4361
Houston, Texas 77002

Dear Mr. Williams:

Enclosed is Individual Environmental Resource Permit No.: EI 43-0280459-001 for the Floridian Natural Gas Storage project issued pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.).

Appeal rights for you as the permittee and for any affected third party are described in the text of the permit along with conditions which must be met when permitted activities are undertaken. Please review this document carefully to ensure compliance with both the general and specific conditions contained herein. As the permittee, you are responsible for compliance with these conditions. **Please ensure all construction personnel associated with your activity review and understand the approved drawings and conditions.** Failure to comply with this permit may result in liability for damages and restoration, and the imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

In addition please ensure the construction commencement notice and all other reporting conditions are forwarded to the appropriate office as indicated in the specific conditions.

Please note that our new address is 400 N. Congress Ave., Suite. 200, West Palm Beach, FL 33401. If you have any questions about this document, please contact me at 561/681-6640 or e-mail Indarjit.Jagnarine@DEP.State.FL.US.

Sincerely,

Indar Jagnarine
Professional Engineer III
Submerged Lands & Environmental
Resources Program



Florida Department of Environmental Protection

Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida 33401-2913

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ENVIRONMENTAL RESOURCE PERMIT

PERMITTEE:

c/o Mr. J. Bradley Williams
Floridian Natural Gas Storage Company, Inc.
1000 Louisiana Street, Suite 4361
Houston, Texas 77002

Permit Number: EI 43-0280459-001

Date of Issue:

Expiration Date of **MAR 19 2008**

Construction Phase: **MAR 18 2013**

County: Martin

Project: Floridian Natural Gas Storage

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an Environmental Resource Permit (ERP). Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity.

ACTIVITY DESCRIPTION: The project involves the construction of the Florida Natural Gas (FNG) storage facility on approximately 74 acres of a 154-acre facility formerly known as the Florida Steel Corporation (FSC). The activity entails the construction of two natural gas storage tanks, liquefaction and vaporization process facilities, buildings, parking, ancillary support and the construction and operation of a stormwater management system designed to meet State water quality and quantity criteria. The proposed project will avoid impact to onsite wetlands and will not adversely impact ground water contamination remedial and monitoring activities currently ongoing at the facility.

ACTIVITY LOCATION: The Site is located at 18300 SW Warfield Blvd., Sections 26 & 34, Township 39 South, Range 38 East, Latitude: 27° 2' 33.689", and Longitude: -80° 30' 25.967", Martin County, Florida.

This permit also constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Federal authorization for the proposed project is reviewed by DEP pursuant to an agreement between the Department and the U.S. Army Corps of Engineers (Corps). The agreement is outlined in a document titled *Coordination Agreement Between the U.S. Army Corps of Engineers and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.*

Your project has been reviewed for compliance with a State Programmatic General Permit (SPGP) and determined to be consistent with the SPGP program. No further permitting for this activity is required by the Corps.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached 19 General Conditions and 16 Specific Conditions, which are a binding part of this permit. You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit, as specifically described below:

Background

The FNG site is an approximately 154-acre facility located on SR 710 approximately 35 miles northwest of West Palm Beach and was formerly a steel processing facility. It was purchased by Floridian Natural Gas Storage Company for use as a natural gas storage and processing facility. The facility has been inactive since 1982. On December 20, 1982, the site was included on the National Priorities List (NPL) under the provision of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund. In 1984, the facility began contamination cleanup activities including soil excavation, removal and incineration, solidification/fixation and ground water remediation. Under Florida Department of Environmental Protection (FDEP) and Environmental Protection Agency (EPA) purview, operation and maintenance of the groundwater remediation system is currently ongoing at the facility.

On July 31st, 2007, the applicant, Floridian Natural Gas Storage Company, applied to the FDEP for an Environmental Resource Permit for the construction and operation of a surface water management system to serve the proposed natural gas storage facility. In addition, a series of inter-agency meetings that included FDEP's Environmental Resource Program staff participation was held by Federal Regulatory Energy Commission (FERC) at the DEP Southeast District on March 8th 2007, July 11th 2007 and on December 6th 2007 as part of the FERC Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS). The ERP application was deemed complete on December 24th 2007. This application is separate from a concurrent application for the construction of the associated FNG gas pipeline corridor which is addressed under a separate application, DEP File No: 43-0280459-002.

SURFACE WATER SYSTEM DESIGN:

Existing Drainage Systems: The site currently is configured into three distinct drainage basins. The first basin is comprised of approximately 33 acres on the northwestern portion of the site which discharges through an existing control structure into an existing ditch that ultimately discharges into the St. Lucie Canal. Second, approximately 108 acres discharges into a marshy area in the southwestern portion of the site via a control structure ultimately discharging into the St. Lucie Canal. Third, approximately 13 acres of the southeastern portion of the site discharges into a marshy area ultimately discharging into the St. Lucie Canal via a series of ditches and tributaries.

Proposed Facilities: Approximately 74 acres of the existing site is proposed for development and is configured into eight (8) sub-basins namely, B200, B210, B220, B230, B235, B240, B250 and the FNG Administrative area basin. The developed portion of the site is located within the 108 acre basin that discharges to the southwest outfall at the site and the 13-acre basin in the southeastern portion of the site. The proposed surface water management system is designed for the 25-year, 3-day storm event and will consist of a network of dry retention/detention ponds, ditches and lakes that will provide for treatment and attenuation prior to offsite discharge. Offsite discharge of stormwater runoff rates for the developed portion of the site will be maintained as it occurred in the pre-existing offsite discharge rates.

As previously mentioned, ground water remedial activities are currently ongoing at the site. Due to the inherent complexities, ground water contamination and remedial activities are beyond the scope of review of this application. However, the proposed surface water management system is not anticipated to significantly alter the ground water flow regime at the site and therefore should not adversely impact ongoing remedial activities.

Total Applicant Area Contiguous to the Project: 154 acres.

Total Drainage Area: Approx. 121 acres.

Drainage Basin: St. Lucie Canal (C-44) Basin.

Water Quality: A summary of the water quality and quantity volumes are summarized in Table 1 below.

TABLE 1

Basin Name*	Acreage, ac.	Water Quality Dry Pre-Treatment Provided, ac-ft.	Retention/Detention Volume Provided, ac-ft.
B200	8.33	0.39	0.39
B210	18.41	0.76	0.76
B220	9.58	0.64	0.64
B230	2.07	0.07	0.07
B235	1.52	0.06	0.06
B240	4.38	0.18	0.18
B250	1.67	0.06	0.06
B095,B100,B110,B115B120 B130,B260,B270,B280,B290, B295	56.52	n/a	34.6**
B080 (land vault)	5.9	***	***
Administration Area	12.46	0.519	5.15 (@ elev. 36.24ft. NGVD)
Undeveloped Basin*	33	n/a	n/a
Total	153.84	2.679	41.19

*Undeveloped Basin is located in the NW portion of the site and will remain unaltered. This area discharges to a separate outfall and was not included in the drainage analysis state.

**The three wet stormwater ponds in Basins B110, B290, and B295 will provide approximately 4.34, 10.00, and 20.21 acre-feet respectively (total of 34.6 acre-feet) of retention storage between the seasonal high water elevation and the control elevation of the southwest outfall, which is approximately elevation 32.6 feet.

***Water quality volume of 0.24 acre-feet for Basin B080 is accounted for in dry retention pond in Basin B220.

Basin Information: The ground water table generally slopes to the south. Average seasonally high ground water table elevation ranges from 29 to 32 ft. NGVD.

Basin	Drainage Area (ac.)	WSWT Elev. (ft. NGVD)	Method of Determination
Site	121	29 - 32	Soil Borings

Design Storm Freq.: 25-yr, 3-day

Design Rainfall: 9.5 inches

Basin	Pre-Developed Peak Discharge Rate, (cfs)	Post Developed Peak Discharge Rate, (cfs)
Southwest Basin (108-acre basin)	11.42	11.96

Offsite Discharge Structure Information:

Str. #	Description	Crest Elev. (ft. NGVD)	Discharge Culvert
Southwest Outfall	1-132"(span) by 113"(rise) horizontal weir	32.6	42 lf of 18-inch CMP To SW Wetlands

Biological Review:

The land use in the general area is rural, industrial and agricultural. Soil surveys suggest that historically the area was broad flatwoods with depressional herbaceous wetlands and forested sloughs. The site is presently under groundwater remediation as a result of previous use of the property for processing steel. Treated groundwater pumped from the below-ground contamination plume is sprayed onto grassy "sprayfields." Prominent features on the site currently include remnants of the steel mill facilities, as well as the landfill of contaminated soil ("soil vault"), recovery, injection, production, and monitoring wells, grassy spray fields, borrow pits, drainage ditches, and 7 distinct isolated wetland areas. The site is not within or adjacent to Outstanding Florida Waters or an Aquatic Preserve.

Standing water remains over lower areas of the site following heavy rains. Most of the cleared area on the property is grassy fields where contaminated groundwater is pumped out and sprayed to facilitate filtering and cleansing. The wetlands in the southeast corner and adjacent to the center of the southern property boundary are associated with the borrow areas and stormwater ponds and are characterized by their communities of invasive or opportunistic species. Napier grass (*Pennisetum purpureum*), Brazilian pepper (*Schinus terebinthifolius*), *Melaleuca quinquinervia*, climbing fern (*Lygodium* sp.), cattails (*Typha* spp.), wax myrtle (*Myrica cerifera*), water primrose (*Ludwigia* spp.), and torpedo grass (*Panicum repens*) are species typical of most of the wetlands and the drainage ditches. A large isolated wetland on the northwest is dominated by *Melaleuca* with a ground cover of herbaceous species including beakrushes (*Rhynchospora* spp.) and dog fennel (*Eupatorium* spp.). A smaller wetland on the east is a remnant of a swamp dominated by red maple (*Acer rubrum*) and *Ludwigia* spp., all carpeted with climbing fern. Immediately west of an existing stormwater pond on the south side of the property is a remnant of the pine flatwoods that once dominated the landscape. The slash pine (*Pinus elliottii*) canopy and saw palmetto (*Serenoa repens*) understory is infested with climbing fern. Burrows of gopher tortoises (*Gopherus polyphemus*), listed as a Threatened Species according to 68A-27.004, F.A.C., have been found in this community during previous inspections by the consultant. Wildlife species observed during the site visit include a kingfisher, red-shouldered hawk, ground dove, frogs, and a corn snake.

The environmental report submitted by the applicant indicated observations of several other wildlife species including American alligator, several species of wading birds, and woodstorks (flying over the site). According to the USFWS, the site is within the core foraging area of woodstork breeding colonies.

Wetlands on site currently provide some degree of water recharge and filtering, flood attenuation, and wildlife habitat. However, all the wetlands are infested with invasive species which reduces the number of native species and diminishes their habitat value, particularly for foraging. The shallow water within the drainage ditches was occluded by dense vegetation such as torpedo grass, which would make it difficult for wading birds to forage in. With an aggressive long-term invasive plant removal program, the habitat value of the wetlands could significantly increase. The melaleuca-infested wetland on the north could benefit from rehydration and invasive species removal.

EXPECTED IMPACT OF PROJECT/ACTIVITY: Existing drainage ditches will be filled and relocated, but for the remaining wetlands, the project has been designed to avoid impacts. A 50' wide upland buffer is provided around all of the wetlands to isolate the wetlands from project activities. It appears as if there will be minor impacts to the disturbed wetlands fringe along the edge of the southern stormwater pond that will be expanded westward. Expansion of that stormwater pond will destroy the pine flatwoods remnant where the gopher tortoises burrows were found. Specific conditions in the permit will require authorization by the Florida Fish and Wildlife Commission prior to construction. A berm around the storage tank area is intended to prevent discharge of any materials from the processing facility.

System Operation: FNG Land Company, LLC.

Water Use Permit Status: A SFWMD Water Use Permit, Application No: 070731-10, has been applied for this project.

Water and Wastewater Supplier: Indiantown Company Inc.

Save Our Rivers: This project is not within or adjacent to lands under consideration by the Save Our Rivers program.

Swim Basin: This project is not located within a SWIM basin.

Right-of-way permit Status: A right-of-way permit is not required

Well Field Zone of Influence: This project is not located within the zone of influence of a well-field.

GENERAL CONDITIONS:

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility

of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. The permittee shall notify the Department of the anticipated construction start date within 30 days of the date that this permit is issued. **At least 48 hours prior to commencement** of activity authorized by this permit, the permittee shall submit to the Department an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form" (Form No. 62-343.900(4), F.A.C.). Status Report Forms shall be submitted the following June of each year.
6. **Within 30 days after completion of construction** of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.). The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above, has submitted a **"Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase"** (Form No. 62-343.900(7), F.A.C.); the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.
8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents required by sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other

documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C.
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water Management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to subsection 40E-20.302(4), F.A.C., also known as the "No Notice" rule.
14. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.
19. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIFIC CONDITIONS:

1. **Surface Water Management System.** The surface water management system shall be constructed as depicted in the attached exhibits. The existing stormwater discharge structure located in the southwest basin shall be replaced with a new structure as described below and equipped with a pollutant retardant baffle.

Discharge Structure Information:

Structure.	Description (inches)	Crest Elevation (ft. NGVD)	Discharge Culvert
Southwest Outfall	1-132"(span) by 113"(rise) horizontal weir	32.6	41.7 lf of 18-inch CMP.

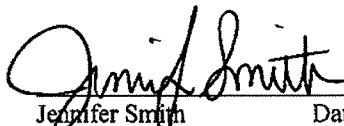
To contain run-off from the 25-year, 3-day storm event, a storage volume of approximately 5.15 ac-ft at elevation 36.24 feet NGVD shall be provide for the 12.46-acre administration area.

2. Minimum finished floor elevation shall be set at or above the 100-year, 3-day rainfall event.
3. **Sedimentation and Erosion Controls.** At all times during construction, the permittee shall use best management techniques for erosion and sedimentation control. Turbidity curtains, entrenched silt screens, hay bales or other sediment control measures shall be properly deployed and maintained throughout the construction period to prevent erosion and escape of sediments from the work area to adjacent surfaces and waters. As an initial precaution, prior to construction, sediment control measures shall be installed around the perimeter of the area to be developed, with additional devices and measures deployed in specific work areas. All areas disturbed by construction shall be stabilized and vegetated immediately after construction to prevent erosion.
4. **Gopher Tortoises.** Prior to any site preparation or construction activities on the site, the permittee shall obtain the appropriate authorization from the Florida Fish and Wildlife Conservation Commission regarding protection of gopher tortoises on the site. A copy of the authorization should be forwarded to this office within 30 days of issuance.
5. **Lake Construction.** The proposed on-site lake shall be constructed with littoral shelves that have slopes of 4H:1V (or shallower) and that extend for at least 2 feet below the ordinary high water line. Dry retention ponds shall be stabilized, sodded and maintained on a regular basis.
6. **Ditch relocation.** Filling of the ditch to be relocated shall be conducted in a manner to minimize burial or suffocation of live aquatic organisms. Prior to filling, diligent efforts shall be made to net as many aquatic insects, fish, reptiles, and amphibians as possible from the ditch, and to release them live into remaining existing ponds onsite.
7. **Wetland Protection and Buffer.** Prior to any filling or other activities that could result in impacts to wetlands, the landward limit of the upland buffer for each wetland shall be clearly marked on the site as necessary in areas where construction or other activities will occur adjacent to wetlands. Stakes, fencing or other clearly visible devices to mark the buffer shall be maintained during construction in order to provide a distinct visible reference and barrier. The buffers are shown on the attached exhibits.
8. **Dewatering.** A Water-Use Permit from the SFWMD has been applied for. Ground water dewatering is currently conducted at the site as a result of on-going remedial activities. Any additional dewatering or irrigation activity for the proposed will require FDEP and/or SFWMD approval and coordination with the EPA. The permittee shall submit a copy of any dewatering permit application to the Department's West Palm Beach Office (ATTN: ERP/Stormwater Section).

9. **Surface Water Operation and Maintenance.** Perpetual operation of the proposed surface water management system shall be responsibility of FNG Land Company, LLC.
10. **Monitoring Wells.** Groundwater monitoring and production wells within the limits of construction that may be abandoned or relocated during the construction activities shall be properly abandoned, or replaced in accordance with Chapter 62-532, Florida Administrative Code (F.A.C.) and with prior approval from EPA and DEP Waste Cleanup Section/TLH.
11. The applicant shall develop specific procedures and practices to be followed in the event drums, wastes, tanks or potentially contaminated soils are encountered during construction.
12. In the event contamination is detected during construction, the Department and the EPA shall be notified.
13. Any land clearing or construction debris shall be characterized for proper disposal. Potentially hazardous materials shall be properly managed in accordance with Chapter 62-730, F.A.C. In addition, any solid wastes or other non-hazardous debris must be managed in accordance with Chapter 62-701, F.A.C.
14. Storage tanks that hold regulated substances shall be constructed, operated and maintained in accordance with Chapter 62-761, or 62-762, F.A.C., as appropriate. An internet link for Waste Program rules may be found at: http://www.dep.state.fl.us/waste/quick_topics/rules/default.htm,
15. Staging areas, with controlled access, shall be planned in order to safely store raw material paints, adhesives, fuels, solvents, lubricating oils, etc. that will be used during construction. All containers shall be properly labeled. The permittee or designee shall develop written construction Contingency Plans in the event of a natural disaster, spill, fire or environmental release of hazardous materials stored / handled for the project construction.
16. **Drawings and Attachments.** Drawing exhibits 1 through 20, and DEP forms: 62-343.900(3), (4), (5), (7), and (8) F.A.C., are hereby attached to and become part of this permit. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

 3/19/08
Jennifer Smith Date
Program Administrator
Submerged Lands & Environmental Resources Program

Copies furnished to:

FERC, charles.brown@ferc.gov
DEP/WPB, paul.wierzbicki@dep.state.fl.us
DEP/TLH, Jennifer.A.farrell@dep.state.fl.us

Permittee: FNG Land Company, LLC.
Project: Floridian Natural Gas Storage

ERP Permit No.: EI-43-0280459-001

FNG, bwilliams@floridiangasstorage.com
Golder and Associates, kesin@golder.com
ERM, david.blaha@erm.com
SFWMD, sbell@sfwmd.gov

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on **MAR 19 2008** to the above listed persons.

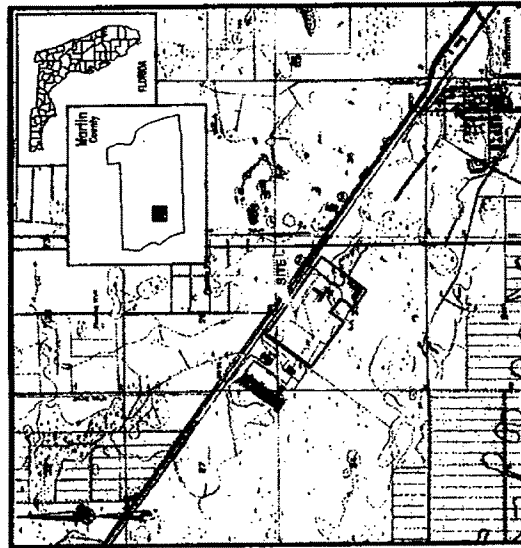
FILING AND ACKNOWLEDGMENT

FILED, on this date with the designated Department Clerk, pursuant to 120.52(9), Florida Statutes, receipt of which is hereby acknowledged.

Rachel Osborne 3/19/08
Clerk Date

FLORIDIAN NATURAL GAS STORAGE PROJECT GRADING AND STORMWATER PLANS

INDIANTOWN, MARTIN COUNTY, FLORIDA



SITE LOCATION MAP

SCALE: 1" = 100' (AS SHOWN ON SHEET)

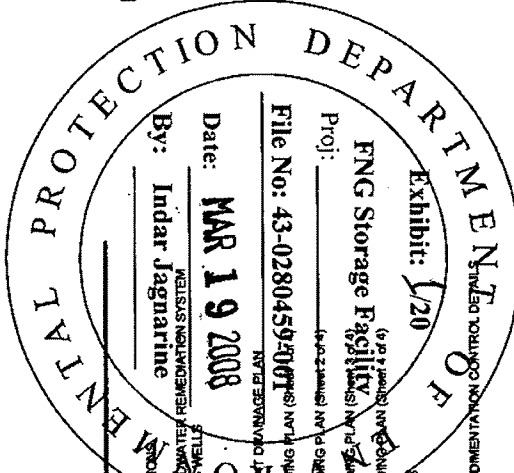
Prepared for:
Floridian Natural Gas Storage, Inc.
 1000 Louisiana Street
 Suite 4361
 Houston, TX 77002
 (800) 621-6843
 www.floridiangasstorage.com

Prepared by:



JULY 2007

Drawing No.	Drawing Title
1	COVER SHEET
2	EXISTING CONDITIONS
3	EXISTING GROUNDWATER REMEDIATION SYSTEM AND MONITORING WELLS
4	PLOT PLAN
5	POST DEVELOPMENT DRAINAGE PLAN
6	PROPOSED GRADING PLAN (Sheet 6 of 6)
7	PROPOSED GRADING PLAN (Sheet 7 of 7)
8	PROPOSED GRADING PLAN (Sheet 8 of 8)
9	PROPOSED GRADING PLAN (Sheet 9 of 9)
10	CROSS SECTIONS
11	DETAILS
12	EROSION AND SEDIMENTATION CONTROL DETAILS



FLORIDIAN NATURAL GAS STORAGE PROJECT INDIANTOWN, MARTIN COUNTY, FLORIDA		COVER SHEET	
PROJECT NO. 07-001 SHEET NO. 1 DATE 07/20/07 DRAWN BY CHECKED BY APPROVED BY	PROJECT NO. 07-001 SHEET NO. 1 DATE 07/20/07 DRAWN BY CHECKED BY APPROVED BY	PROJECT NO. 07-001 SHEET NO. 1 DATE 07/20/07 DRAWN BY CHECKED BY APPROVED BY	PROJECT NO. 07-001 SHEET NO. 1 DATE 07/20/07 DRAWN BY CHECKED BY APPROVED BY

Plot Plan
Drawing 4

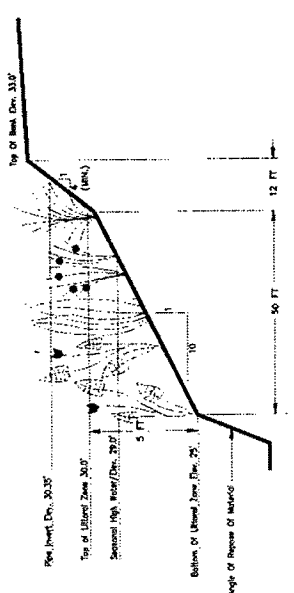
Post Development Drainage Plan
Drawing 5

Proposed Grading Plan
Sheets 1-4

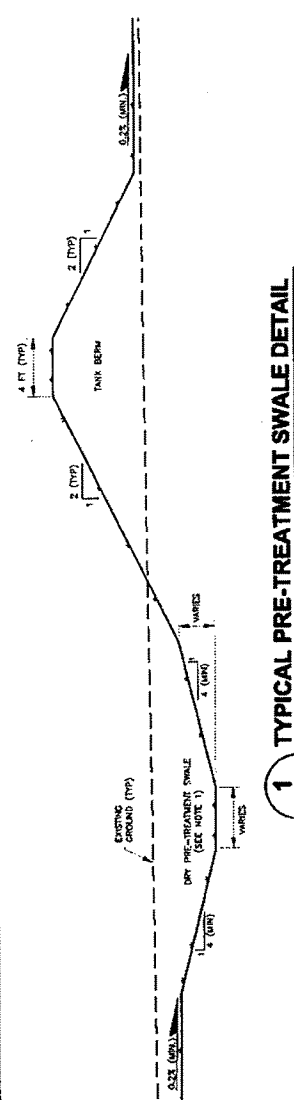
appended to

March 19, 2008 Environmental Resource Permit (No. EI 43-0280459-001)
issued to FGS by the Florida Department of Environmental Protection

***Contains Critical Energy Infrastructure Information
Do Not Release***



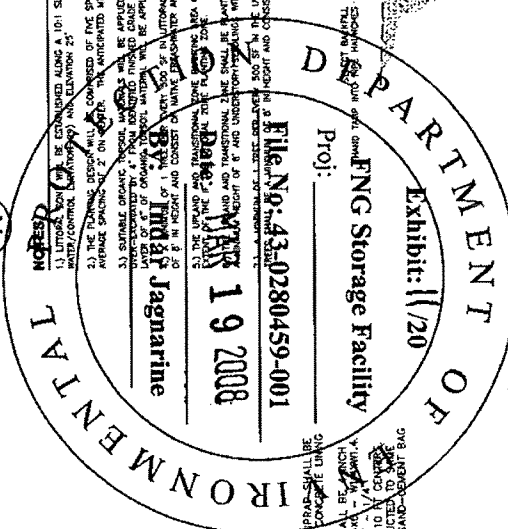
3 TYPICAL SECTION THROUGH LITTORAL ZONE OF WET DETENTION



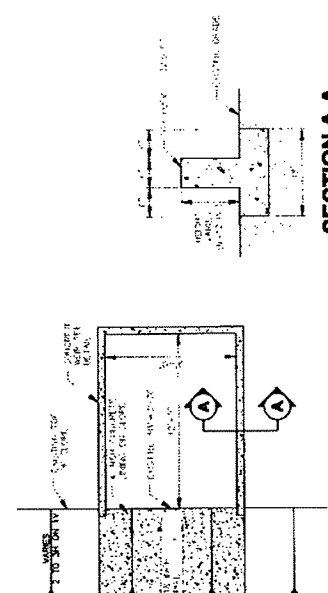
1 TYPICAL PRE-TREATMENT SWALE DETAIL

NOTES
1) PRE-TREATMENT SWALE WILL BE STABILIZED WITH SOG.

NOTES
1) LITTORAL ZONE SHALL BE CONSIDERED ALONG A 10:1 SLOPE BETWEEN ELEVATION 30.0' (ONE FOOT ABOVE SEASONAL HIGH WATER) AND ELEVATION 25'.
2) THE TONING DESIGN SHALL BE CONSIDERED AS PART OF THE DESIGN OF APPROXIMATE WETLAND VEGETATION WITH AN AVERAGE SPACING OF 10' ON CENTER.
3) SUITABLE ORNAMENTAL TREES AND SHRUBS SHALL BE PLANTED IN THE LITTORAL ZONE. TREES SHALL BE PLANTED WITH A MINIMUM HOIST OF 18'.
4) THE TONING DESIGN SHALL BE CONSIDERED AS PART OF THE DESIGN OF APPROXIMATE WETLAND VEGETATION WITH AN AVERAGE SPACING OF 10' ON CENTER.
5) SUITABLE ORNAMENTAL TREES AND SHRUBS SHALL BE PLANTED IN THE LITTORAL ZONE. TREES SHALL BE PLANTED WITH A MINIMUM HOIST OF 18'.
6) THE TONING DESIGN SHALL BE CONSIDERED AS PART OF THE DESIGN OF APPROXIMATE WETLAND VEGETATION WITH AN AVERAGE SPACING OF 10' ON CENTER.
7) SUITABLE ORNAMENTAL TREES AND SHRUBS SHALL BE PLANTED IN THE LITTORAL ZONE. TREES SHALL BE PLANTED WITH A MINIMUM HOIST OF 18'.



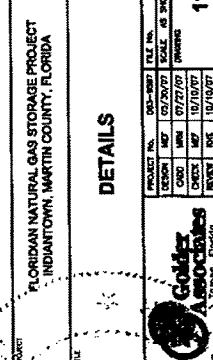
- NOTES**
- EXISTING SAND-CEMENT BAG REPAIR SHALL BE REMOVED AND REPLACED WITH CONCRETE USING ON SLOPE AND OVER WALL.
 - THICK REINFORCED WITH WIRE BARS - WITH A MINIMUM OF 4 BARS PER FOOT.
 - CONTRACTION JOINTS AT MAX. 10' ON CENTER.
 - DIMENSIONS AS THE EXISTING SAND-CEMENT BAG RIP RAP.



SECTION A-A
TYPICAL DETAIL
SCALE: 1/2" = 1'-0"

4 SOUTHWEST OUTFALL RECONSTRUCTION
SCALE: 1/4" = 1'-0"

2 TYPICAL PIPE BEDDING DETAIL



FLORIDIAN NATURAL GAS STORAGE PROJECT
INDIAN TOWN, MARTIN COUNTY, FLORIDA

NOT FOR CONSTRUCTION
INITIAL DRAWINGS

Project: _____
FNG Storage Facility

DATE: _____
BY: _____
CHECKED: _____
DATE: _____

DATE: _____
BY: _____
CHECKED: _____
DATE: _____

DATE: _____
BY: _____
CHECKED: _____
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DATE: _____
BY: _____
CHECKED: _____
DATE: _____

NO.	REVISION DESCRIPTION	DATE	BY	CHKD	APPROV	PRINT ISSUE RECORD
1	INITIAL DESIGN FOR FLORIDIAN NATURAL GAS STORAGE PROJECT	07/11/07	MS	MS	MS	
2	ADDED DETAIL & ISSUED FOR RESPONSE TO COMMENTS	07/17/07	MS	MS	MS	
3	ISSUED FOR RESPONSE TO COMMENTS	07/27/07	MS	MS	MS	
4	ISSUED FOR RESPONSE TO COMMENTS	07/27/07	MS	MS	MS	
5	INITIAL DESIGN FOR FLORIDIAN NATURAL GAS STORAGE PROJECT	07/11/07	MS	MS	MS	

PROJECT NO. 000-0007 FILE NO. 00000000
SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
CHECKED BY MS DATE 07/27/07
DESIGNED BY MS DATE 07/27/07
APPROVED BY MS DATE 07/27/07

PROJECT NO. 000-0007 FILE NO. 00000000
SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
CHECKED BY MS DATE 07/27/07
DESIGNED BY MS DATE 07/27/07
APPROVED BY MS DATE 07/27/07

PROJECT NO. 000-0007 FILE NO. 00000000
SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
CHECKED BY MS DATE 07/27/07
DESIGNED BY MS DATE 07/27/07
APPROVED BY MS DATE 07/27/07

PROJECT NO. 000-0007 FILE NO. 00000000
SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
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SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
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DESIGNED BY MS DATE 07/27/07
APPROVED BY MS DATE 07/27/07

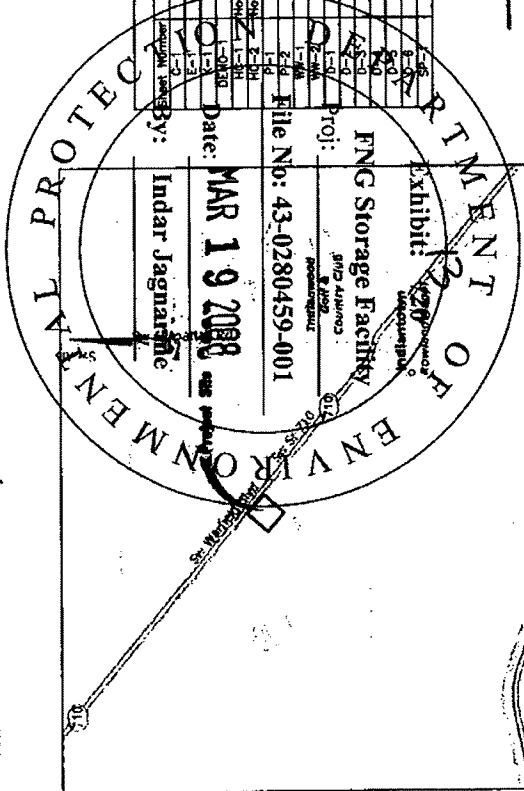
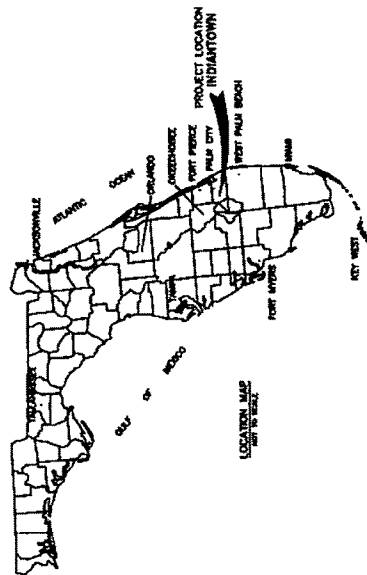
PROJECT NO. 000-0007 FILE NO. 00000000
SECTION 107 DATE 02/20/07 SCALE AS SHOWN NO. C
DRAWN BY MS DATE 07/27/07
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**CONSTRUCTION PLANS AND SPECIFICATIONS
FOR
FLORIDIAN NATURAL GAS STORAGE
ADMINISTRATION AREA
SECTION 35, TOWNSHIP 39 S, RANGE 38 E
MARTIN COUNTY, FLORIDA**



Sheet No.	Sheet Title
1	Cover
2	Existing Conditions
3	Key Sheet
4	Demolition Plan
5	Horizontal Control and Signage & Pavement Marking Plan
6	Vertical Control and Signage & Pavement Marking Plan
7	Paving Grading and Drainage Plan
8	Water and Wastewater Plans
9	Water and Wastewater Plans
10	Water and Wastewater Plans
11	Water and Wastewater Plans
12	Water and Wastewater Plans
13	Water and Wastewater Plans
14	Water and Wastewater Plans
15	Water and Wastewater Plans
16	Water and Wastewater Plans
17	Water and Wastewater Plans
18	Water and Wastewater Plans
19	Water and Wastewater Plans
20	Water and Wastewater Plans

ADMINISTRATION AREA
PROJECT NO. 15735
Patrick J. LaCompte, P.E.
No. 41070
OCT 09 2007
Boyle Engineering Corp. No. 2005
3550 S.W. Corporate Parkway
Palm City, FL 34980

ibfh
INC.
CONSULTING CIVIL ENGINEERS,
SURVEYORS & MAPPERS
"Partners For Results,
Value By Design."
3550 S.W. Corporate Parkway, Palm City, Florida 34990
(772) 286-3883 Fax: (772) 286-3925
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