

M E M O R A N D U M

TO: Governing Board Members

FROM: Rich Virgil, P.E., Field Operations Division

DATE: February 12, 2026

SUBJECT: Right of Way Occupancy Permit and Waiver - Buried Parallel Run with Waiver of Criteria in Support of CEPP South - L-29 Canal, Florida Power & Light Company

Agenda Item Background:

Florida Power & Light Company (Applicant or FPL) requests a Standard Right of Way Occupancy Permit Number 17404-R (ROW Permit) to install a buried parallel run within the south right of way of the L-29 Canal beginning approximately 300 feet east of Structure S-333 and continuing east for approximately 840 feet. The proposed buried parallel run requires a waiver to the requirement that the installation be located within 10 feet of the right of way line. Granting of the waiver will allow for the future removal of FPL's existing aerial parallel line on the north side of L-29 in support of the Central Everglades Planning Project South (CEPP South).

FPL has an existing 11-mile aerial parallel run on the north side of the L-29 Canal within the levee. Utility poles within levees are no longer authorized by the U.S. Army Corps of Engineers because they may impact the levee performance. To address this concern, the CEPP South recommends removal of the existing aerial line from the levee. FPL is working with the District to remove the existing aerial line and replace/relocate it with a buried parallel run on the south side of the canal and U.S. 41/Tamiami Trail.

The work proposed by this application will allow FPL to connect existing buried service near S-333 with existing conduit FPL installed on the south side of the roadway and attached to the new Tamiami Trail bridges. Once the new work is completed, service on the south side of the roadway will be activated, allowing for removal of the aerial parallel run on the north side of the L-29 Canal.

According to District criteria, parallel run installations (all types) must be located within 10 feet of the right of way line. As proposed, the new utility installation will vary in distance from the south right of way line. The proposed buried parallel run will be located 29 feet from the right of way line at the east end of the project and 208 feet at the west end.

Applicant has demonstrated a substantial hardship that supports granting of the requested waiver of the rule to allow the utility to be installed more than 10 feet from the right of way line. The hardship results from the need to install a connection between existing buried service near S-333 and the conduit installed on the south side of the roadway outside of the District's right of way. Without the waiver, it would not be possible to make the connection which is necessary to allow for removal of the existing aerial parallel run within the levee. This component of CEPP South cannot be completed without granting of the requested waiver.

The application has been reviewed by District Field Operations and the U.S. Army Corps of Engineers, which has granted Section 408 authorization. Granting of the waiver will not adversely impact the District's ability to perform routine or emergency operations, maintenance, or future construction activities.

Staff Contact and/or Presenter:

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ATTACHMENTS:

[Backup Presentation](#)