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From: Brendan Moroney
To: Leigh, Kimberly; Masnik, Michael; Wilson, James
Date: 6/13/01 2:38PM
Subject: St. Lucie Biological Opinion

> NAR

The St. Lucie licensing and environmental staff had a meeting yesterday to discuss the BO. I received feedback from them today that the clarifications we obtained from Bob Hoffman and documented in my letter to him were very helpful and alleviated many of their concerns regarding the new ITS.

They had a few questions:

1. The BO is ambiguous regarding reinitiation of consultation. Section VII (page 44) says it is required if limits are "met or exceeded", but on page 46 it says "exceeded." Section X (page 47) says it both ways. Which applies?

My recollection from the phone call is that Hoffman intends it to be "meet or exceed" We specifically addressed this regarding the hawksbill and leatherbacks, but not the greens and loggerheads. What is your recollection?

Obviously, the most conservative interpretation is "meet or exceed."

2. FPL would like the severe weather exception for ITS condition 4 (page 45) to also be applied to condition 6 (page 46).

This sounds reasonable, but I guess we need NMFS to agree. Can we do this with a phone call or do they have to modify the BO?

Brendan

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