

NATIONAL MARINE FISHERIES SERVICE



FLNA-08-0288

December 21, 2008

Mr. Bob Hoffman
NOAA Fisheries Services
Southeast Regional Office
263 13th Ave. South
St. Petersburg, FL 33701

SUBJECT: Request for Information on Federal Listed Species in Miami-Dade
County, Florida

Dear Mr. Hoffman:

Florida Power & Light Company (FPL) is preparing permit and license applications to the U.S. Nuclear Regulatory Commission (NRC), the Florida Department of Environmental Protection (FDEP) and the United States Army Corps of Engineers (USACE) to allow construction and operation of two new nuclear units and associated project features at our existing Turkey Point property in Miami-Dade County, Florida (the "proposed action"). As part of the permitting and licensing process, FPL is required to assess impacts of the proposed action, including those on Federal listed species in accordance with the Endangered Species Act. Consistent with 10 CFR Part 51, FPL requests that the U.S. Fish and Wildlife Service ("Service") provide it with information in your possession showing known occurrences of federal listed (or proposed for listing) species that could potentially be affected by the proposed action. FPL will include a copy of this request and your response in both the State of Florida Site Certification Application and the NRC Combined Operating License Application Environmental Report. Information about the property and the proposed action follows.

The Turkey Point property is located in Miami-Dade County Florida, adjacent to Biscayne Bay and Card Sound, about 25 miles south of Miami (Figure 1). The total, non-contiguous property area is approximately 11,000 acres. The developed portion of the property includes a natural gas fueled generating unit; two oil/gas-fired generating units, and two nuclear-powered generating units. The proposed action would further develop approximately 300 acres of the property west and south of these existing units, primarily within an existing cooling canal system. In addition, FPL will construct (1) pipelines to convey dual cooling water supplies (reclaimed and saline) to new cooling towers, (2) power transmission lines to connect the new units with the regional electric grid, and (3) a reclaimed water treatment facility to condition the reclaimed water for cooling water uses. In addition, because fill material is necessary for the unit foundations, FPL is proposing to place fill sourced from a commercial mine and/or from a nearby FPL-owned property approximately 4 miles northwest of the proposed site. These areas are shown in Figures 2 and 3. Figures 2A and 2B include the project features in the vicinity of the proposed plant area. Figure 3 also provides an expanded view of the area showing the proposed transmission corridor.

Thank you for your attention to this request; I will follow-up with you to confirm receipt and to address any information needs or questions you may have. Should you need to talk to me earlier, please reach me by telephone at 561-691-7518.

Sincerely,

A handwritten signature in cursive script, reading "Barbara P. Linkiewicz". The signature is written in dark ink and is positioned above the printed name.

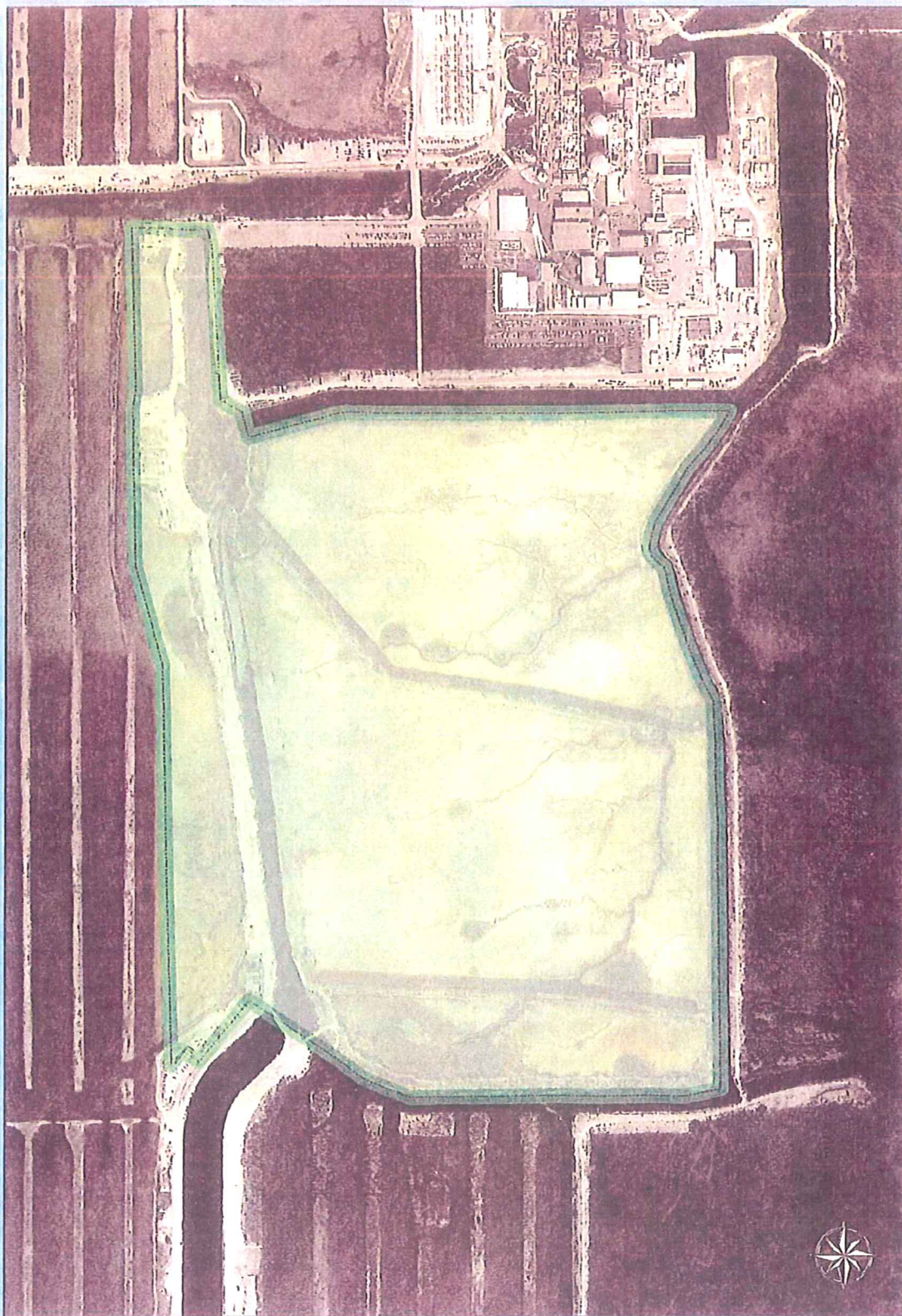
Barbara Linkiewicz

Director, Environmental Licensing

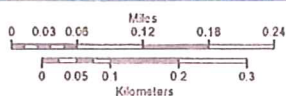
cc: Jocelyn Karazsia, NOAA Fisheries Services

bcc: Florette Braun
Antonio Fernandez
Greg Hall
Bill Maher
Rick Orthen
Matt Raffenberg
Marister Ruiz
Steve Scroggs
Mike Tammaro

Figure 1



Turkey Point Units 6 and 7 Site



GIS Map Code: US-TURK-000052-R000C

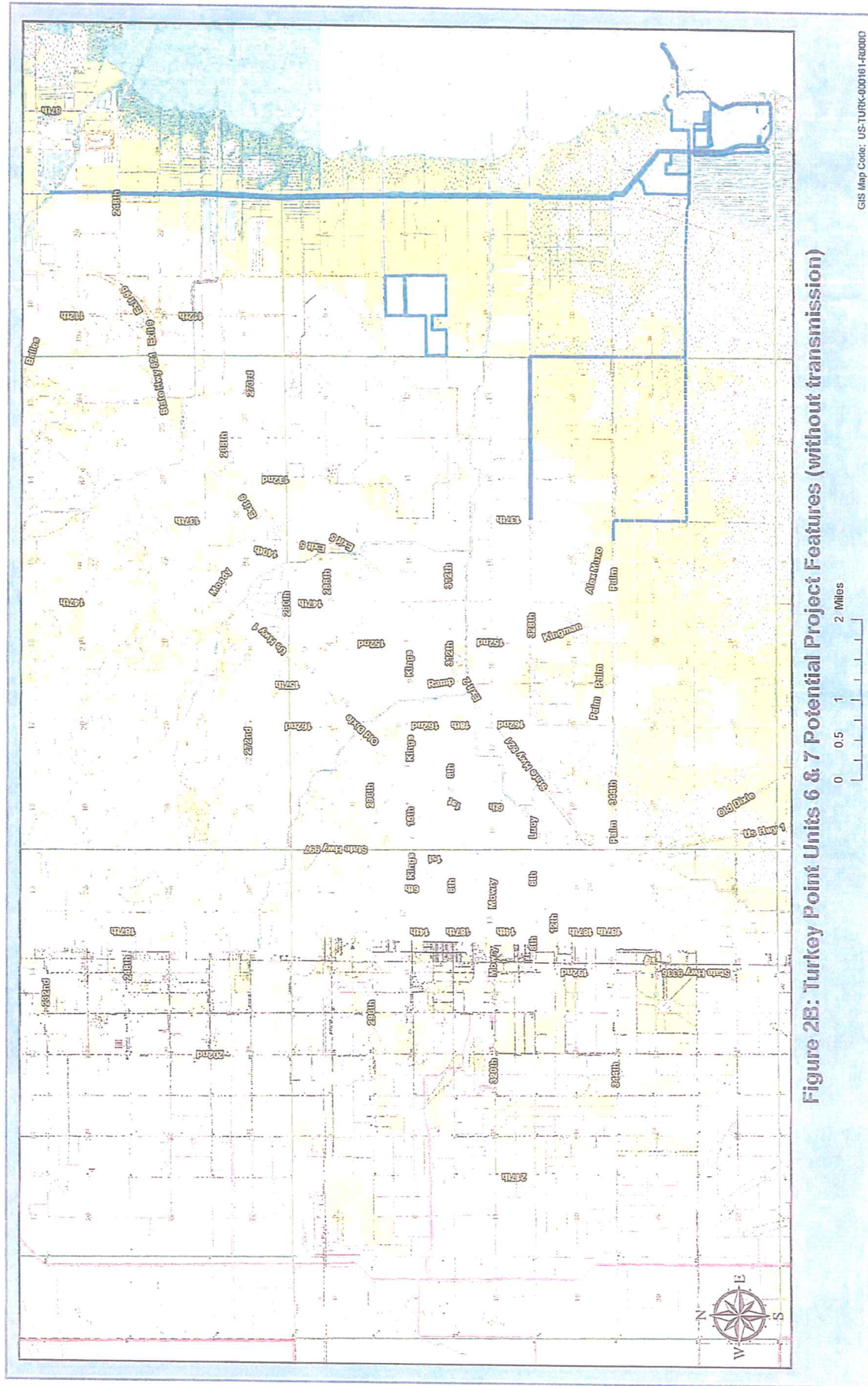
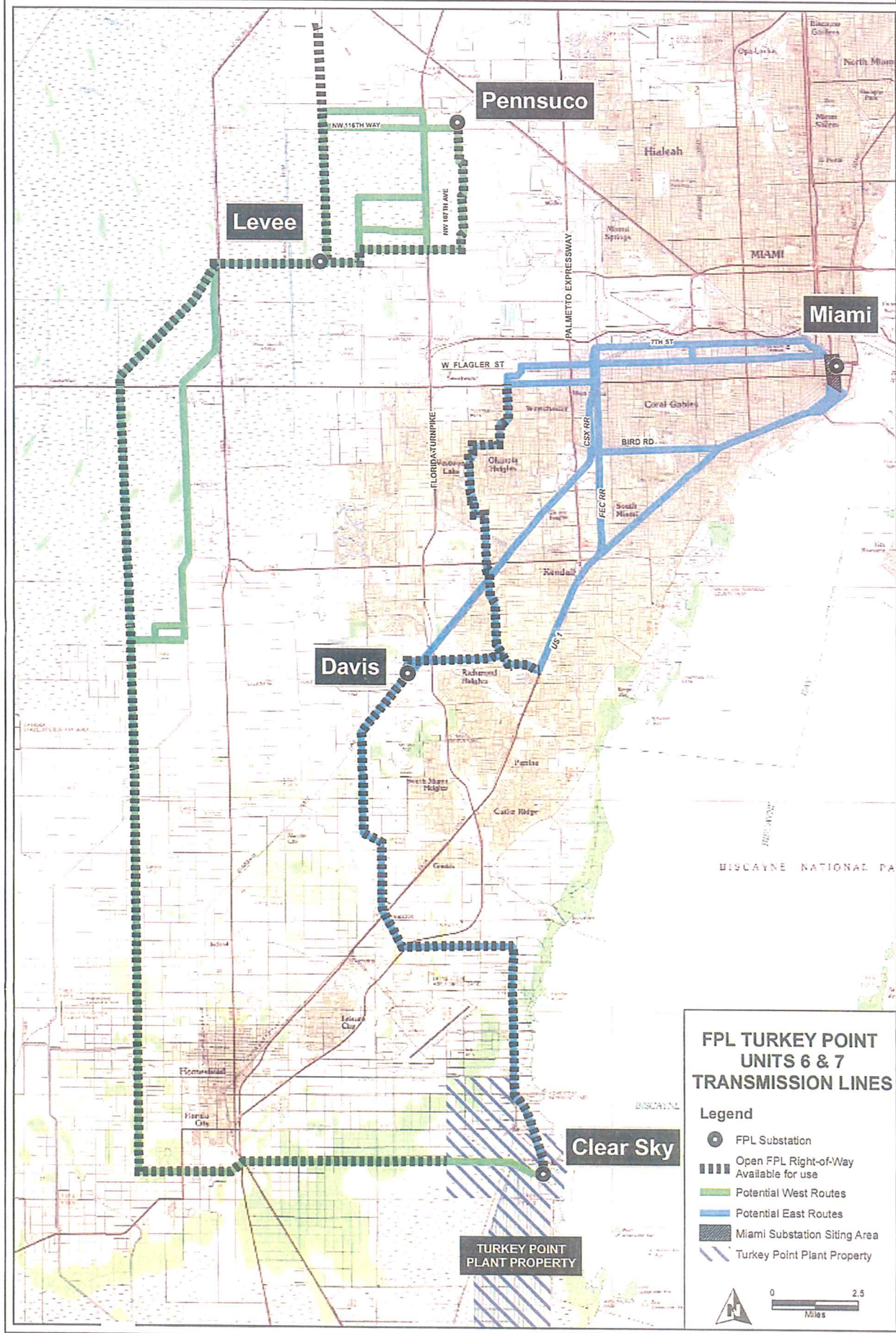


FIGURE 3.
POTENTIAL TRANSMISSION ROUTES BEING STUDIED





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701
(727) 824-5312, Fax 824-5309
<http://sero.nmfs.noaa.gov>

JAN 09 2009

Dear Colleague:

Pursuant to section 7(a)(2) of the Endangered Species Act (ESA), the Protected Resources Division of NOAA's National Marine Fisheries Service (NMFS) has reviewed your letter dated December 21, 2008, requesting information on federal listed species in Miami-Dade County, Florida.

There are no ESA-listed species or designated critical habitat under our purview in the action area.

We cannot determine impacts to threatened or endangered species, or designated critical habitat, under NOAA Fisheries purview because the letter lacks sufficient information to evaluate the project.

Enclosed are guidelines to conduct a proper biological evaluation.

Please provide a letter from the lead federal action agency designating you to conduct ESA section 7 consultation with this office.

X Enclosed is a list of federally-protected species under the jurisdiction of NMFS for the state of Florida. Biological information on federally-protected species and candidate species can be found at the following website addresses: http://www.nmfs.noaa.gov/prot_res/prot_res.html; <http://www.cccturtle.org>; <http://noflorida.fws.gov/SeaTurtles/seaturtle-info.htm>; <http://endangered.fws.gov/wildlife.html#Species>; <http://www.cmc-ocean.org/main.php3>; <http://floridaconservation.org/psm/turtles/turtle.htm>; http://obis.env.duke.edu/data/sp_profiles.php; www.mote.org/~colins/Sawfish/SawfishHomePage.html; www.floridasawfish.com; www.flmnh.ufl.edu/fish/sharks/InNews/sawprop.htm; Gulf sturgeon critical habitat rule and maps (<http://alabama.fws.gov/gsl/>).

It is NMFS' opinion that the project will have no effect on listed species or critical habitat protected by the ESA under NOAA Fisheries purview. No further consultation with NOAA Fisheries pursuant to section 7(a)(2) of the ESA is required unless the project description changes.

Consultation with NMFS' Habitat Conservation Division (HCD), pursuant to the Magnuson-Stevens Fishery Conservation and Management Acts requirements for essential fish habitat consultation, may be required. Please contact HCD at (727) 824-5317. If you have any ESA questions, please contact our ESA section 7 Coordinator, Eric Hawk, at (727) 824-5312 or by e-mail at eric.hawk@noaa.gov

Sincerely,

Teletha Mincey
Administrative Support Assistant
Protected Resources Division

Enclosure

File: 1514-22.B





Florida-Atlantic

Species Proposed for Listing

None

Proposed Critical Habitat

None

Candidate Species²

Scientific Name

None

Species of Concern³

Scientific Name

Fish

Atlantic sturgeon

Acipenser oxyrinchus oxyrinchus

dusky shark

Carcharhinus obscurus

key silverside

Menidia menidia

largetooth sawfish

Pristis pristis

mangrove rivulus

Rivulus marmoratus

Nassau grouper

Epinephelus striatus

night shark

Carcharhinus signatus

opossum pipefish

Microphis brachyurus lineatus

saltmarsh topminnow

Fundulus jenkinsi

sand tiger shark

Carcharias taurus

speckled hind

Epinephelus drummondhayi

striped croaker

Bairdiella sanctaeluciae

Warsaw grouper

Epinephelus nigritus

Invertebrates

ivory bush coral

Oculina varicosa

² The Candidate Species List has been renamed the Species of Concern List. The term "candidate species" is limited to species that are the subject of a petition to list and for which NOAA Fisheries Service has determined that listing may be warranted (69 FR 19975)

³ Species of Concern are not protected under the Endangered Species Act, but concerns about their status indicate that they may warrant listing in the future. Federal agencies and the public are encouraged to consider these species during project planning so that future listings may be avoided



Endangered and Threatened Species and Critical Habitats
under the Jurisdiction of the NOAA Fisheries Service

Florida-Atlantic

| Listed Species | Scientific Name | Status | Date Listed |
|----------------------------|-------------------------------|-------------------------|-------------|
| Marine Mammals | | | |
| blue whale | <i>Balaenoptera musculus</i> | Endangered | 12/02/70 |
| finback whale | <i>Balaenoptera physalus</i> | Endangered | 12/02/70 |
| humpback whale | <i>Megaptera novaeangliae</i> | Endangered | 12/02/70 |
| North Atlantic right whale | <i>Eubalaena glacialis</i> | Endangered | 12/02/70 |
| sei whale | <i>Balaenoptera borealis</i> | Endangered | 12/02/70 |
| sperm whale | <i>Physeter macrocephalus</i> | Endangered | 12/02/70 |
| Turtles | | | |
| green sea turtle | <i>Chelonia mydas</i> | Threatened ¹ | 07/28/78 |
| hawksbill sea turtle | <i>Eretmochelys imbricata</i> | Endangered | 06/02/70 |
| Kemp's ridley sea turtle | <i>Lepidochelys kempii</i> | Endangered | 12/02/70 |
| leatherback sea turtle | <i>Dermochelys coriacea</i> | Endangered | 06/02/70 |
| loggerhead sea turtle | <i>Caretta caretta</i> | Threatened | 07/28/78 |
| Fish | | | |
| shortnose sturgeon | <i>Acipenser brevirostrum</i> | Endangered | 03/11/67 |
| smalltooth sawfish | <i>Pristis pectinata</i> | Endangered | 04/01/03 |
| Invertebrates | | | |
| elkhorn coral | <i>Acropora palmata</i> | Threatened | 5/9/06 |
| staghorn coral | <i>Acropora cervicornis</i> | Threatened | 5/9/06 |
| Seagrasses | | | |
| Johnson's seagrass | <i>Halophila johnsonii</i> | Threatened | 09/14/98 |

Designated Critical Habitat

Right whale: Between 31°15'N (approximately the mouth of the Altamaha River, Georgia) and 30°15'N (approximately Jacksonville, Florida) from the coast out to 15 nautical miles offshore; the coastal waters between 30°15'N and 28°00'N (approximately Sebastian Inlet, Florida) from the coast out to 5 nautical miles.

Johnson's seagrass: A final rule designating Johnson's seagrass critical habitat was published on April 5, 2000 (65 FR 17786) and 10 geographic areas (units) within the range of the species were identified along the east coast of Florida.

¹ Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico which are listed as endangered