STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: FLORIDA POWER AND LIGHT COMPANY
TURKEY POINT UNITS 6 & 7
POWER PLANT SITING APP. PA03-45A3
_____/

DOAH Case No. 09-3575-EPP
DEP OGC Case No. 09-3107

MIAMI-DADE COUNTY'S THIRD STATEMENT REGARDING COMPLETENESS OF THE PLANT AND NON-TRANSMISSION LINE PORTIONS OF THE APPLICATION

Pursuant to section 403.5066 (1)(a), Florida Statutes, Miami-Dade County submits this third statement regarding completeness of the plant and non-transmission line portions of the application in this matter[1],[2]. Based on analyses by the Miami-Dade County Department of Planning and Zoning (DPZ), the Miami-Dade County Department of Environmental Resources Management (DERM), the Miami-Dade County Public Works Department, and the Miami-Dade County Water and Sewer Department (WASD), Miami-Dade County recommends that the application be found incomplete because it fails to provide information needed to enable the County to determine whether the proposed project is consistent with all applicable local ordinances, regulations, standards and criteria, including local environmental regulations, as required by section 403.507, Florida Statutes. The third completeness comments are attached in narrative format

[1] The Department of Environmental Protection (DEP) found the plant site and non-transmission portion of the application incomplete in its entirety on August 6, 2009. On October 9, 2009, in response to DEP's determination, FPL provided additional information in an effort to complete the application. After review of additional agency comments, the DEP found the plant site incomplete during a second round of completeness review. FPL provided new information in response to second round agency completeness comments on April 12, 2010.

[2] In its Second Round Power Plant Completeness Responses Cover Letter, dated April 12, 2010, addressed to Michael P. Halpin, Florida Department of Environmental Protection, FPL indicates it intends to submit responses for a "subset of outstanding completeness questions (Part B)" that require additional time, on or before July 15, 2010, to provide additional information. Through this letter, FPL acknowledges its submittal is incomplete.

entitled "Miami-Dade County Third Completeness Comments for Plant and Non-Transmission Line Portions of the FPL Site Certification Application – Turkey Point Units 6 & 7, and dated May 28, 2010.

RESPECTFULLY SUBMITTED

GEORGE BURGESS
Miami-Dade County Manager
Stephen P. Clark Center
111 N.W. 1st Street, 29th Floor
Miami, Florida 33128
Tel:
Fax:

By: _____
Marc C. LaFerrier, Director
Department of Planning and Zoning

Reviewed by County Attorney
for legal sufficiency:

_____
John McInnis
Assistant County Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Miami-Dade County's Third Completeness Statement and Comments has been furnished by _____U.S. mail _____facsimile __XX__electronic mail **ONLY** this _28th day of May, 2010 to:

Peter Cunningham, Esq.
Carolyn Raepple, Esq.
Virginia Dailey, Esq.
Hopping Green & Sams, P.A.
P.O. Box 6526
Tallahassee, FL 32314
peterc@hgslaw.com
craepple@hgslaw.com
vdailey@hgslaw.com
cc: gails@hgslaw.com

Sam Goren, Esq.
Michael D. Cirullo, Jr., Esq.
Goren, Cherof, Doody, Ezrol
South Florida Regional Planning Council
3099 E. Commercial Blvd., Suite 200
Fort Lauderdale, FL 33308
sgoren@cityatty.com
mcirullo@cityatty.com

Michael S. Tammaro, Senior Attorney
Florida Power and Light Company
700 Universe Boulevard
Juno Beach, FL 33408
michael.tammaro@fpl.com

Julie O. Bru, Esq.
City of Miami, City Attorney
444 SW 2 Avenue, Suite 945
Miami, FL 33130
JOBru@miamigov.com
Vmendez@miamigov.com

Jennifer Brubaker, Asst. Gen. Cnsl.
Public Service Commission
2450 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
jbrubake@psc.state.fl.us

Toni L. Sturtevant, Asst. Gen. Cnsl
State of Florida Department of
Environmental Protection
3900 Commonwealth Blvd, M.S. 35
Tallahassee, FL 32399-3000
toni.sturtevant@dep.state.fl.us

Matthew G. Davis, Asst. Gen. Cnsl
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, FL 32399-2100
matthew.davis@dca.state.fl.us

Jimmy L. Morales
John Herin, Esq.
City of Doral, City Attorney
Stearns Weaver Miller Wessler Alhadeff
& Sitterson, PA
150 West Flagler, Suite 2200
Miami, FL 33130
jmorales@stearnsweaver.com
jherin@stearnsweaver.com

Kelly Samek, Asst. Gen. Cnsl
Fish and Wildlife Conservation Comm.
620 S. Meridian Street
Tallahassee, FL 32399-1600
kelly.Samek@myfwc.com

Kimberly Menchion, Asst. Gen. Cnsl
Dept. of Transportation
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0450
Kimberly.Menchion@dot.state.fl.us

Ruth Holmes, Asst. Gen. Cnsl.
South Florida Water Mgt. District
3301 Gun Club Road
West Palm Beach, FL 33406
rholmes@sfwmd.gov

Elizabeth M. Hernandez, Esq.
City of Coral Gables, City Attorney
405 Biltmore Way
Coral Gables, FL 33134
ehernandez@coralgables.com

Lawrence Feingold, Interim City Attorney
City of South Miami
6130 Sunset Drive
South Miami, FL 33143
aslanf@aol.com

Johanna Gamboa Moas, Esq.
Asst. Town Attorney, Town of Medley
7777 NW 72 Avenue
Medley, FL 33166
jgmoas@townofmedley.com

Cynthia A. Everett, PA
Village of Pinecrest, City Attorney
7700 N. Kendall Drive, Suite 703
Miami, FL 33156
cae@caeverett.com

Matthew Pearl, Esq.
Office of the City Attorney
City of Homestead
Weiss, Serota, Helfman, Pastoriza, Cole, & Boniski, PL
2525 Ponce de Leon Boulevard, Suite 700
Coral Gables, FL 33134
mpearl@wsh-law.com

Regine Monestime, Esq.
City of Florida City, City Attorney
The Monestime Firm, PA
909 North Miami Beach Boulevard
Suite 501
North Miami Beach, FL 33162
reginemonestime@bellsouth.net
reginemonestime@floridacity.gov

Eve A. Boutsis, Esq.
Village of Palmetto Bay, City Attorney
Figueredo, Boutsis and Montalbo, PA
18001 Old Cutler Road, Suite 556
Palmetto Bay, FL 33157
eboutsis@fbm-law.com

Richard Grosso, Esq.
Jason Totoiu, Esq.
Robert Hartsell, Esq.
Friends of the Everglades
3305 College Avenue
Fort Lauderdale, FL 33314
Richard@evergladeslaw.org
Jason@evergladeslaw.org
Robert@evergladeslaw.org

John McInnis
Assistant County Attorney

Miami-Dade County Third Completeness Comments for Plant and Non-Transmission Line Portions of the FPL Site Certification Application – Turkey Point Units 6 & 7
May 28, 2010

The following comments indicate the additional information necessary for the County to determine if the quality and quantity of the information provided by Florida Power and Light (FPL) is sufficient to conduct an evaluation of their Site Certification Application (SCA) for proposed Turkey Point Units 6 & 7. The comments are referenced by the County's original numbering system and where necessary, to ensure clarity of the third round comments, the full text of original comments had been included.

On May 7, 2010, the County received materials from FPL that documented an amendment to their SCA. FPL has suspended pursuit of local approval for an FPL-owned fill source and has removed this project feature from the SCA. Comments related to Section E: FPL-Owned Fill Source, are no longer relevant to this evaluation and have been removed from this document. Please also note that transmission line comments are not included with this response.

MDC Number **Completeness Comments**

SECTION A – PLANT SITE FOR UNITS 6 & 7 INCLUDING BARGE AREA

MDC-A-1 (Third Round)
Previously determined complete.

MDC-A-2 (Third Round)
Previously determined complete.

MDC-A-3 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-A-3 (Second Round)
The hydrologic information provided does not satisfy condition 15 of Resolution Z-56-07 or provide sufficient information for evaluation of the proposed project with requirements of Chapter 24, Miami-Dade County Code. Condition 15 requires the submittal of a hydrologic study in accordance with the substantive requirements of Chapter 24, Miami-Dade County Code in order for DERM to evaluate the impacts of the proposed project on surface and groundwater. The APT was of a narrow scope, was not approved by DERM, does not meet the substantive requirements of the County Code, and does not allow for an evaluation of the project's impacts. As an

example, the study does not provide the necessary data to determine whether the model output and conclusions drawn from the modeling are reliable. In addition, it fails to show how the existing groundwater plume created by operation of the cooling canal system would respond to construction dewatering activities. Furthermore, the information provided is inadequate to determine the extent to which the plume would be drawn under Biscayne Bay and/or into the radial collector wells. Also see comments provided in MDC-C-6

MDC-A-3 (First Round)
The application proposes to dewater up to 26 MGD of groundwater by discharging it to the cooling canals. Pursuant to Condition No. 15 of the Unusual Use Approval Resolution Z-56-07, a DERM approved hydrologic study is required. The study results are required to evaluate all impacts to surface and groundwater, including but not limited to all dewatering activities.

MDC-A-4 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

MDC-A-4 (Second Round)
The information provided is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code and the CDMP, does not meet the requirements of conditions 4 and 5 of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Additional information and further clarification of information provided is required. As an example, the water source analysis was based, at least in part, on incorrect assumptions and conflicting information. See comments provided in MDC-C-24.

MDC-A-4 (First Round)
Not enough information provided to assess water supply alternatives.
Appendix 10.9 is a summary of alternative water supply study conducted by FPL

MDC-A-5 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-A-5 (Second Round)
This comment remains incomplete. The requested information is not strictly a procedural requirement under local law and FPL's response did not address the request for information provided in the County's first completeness comments. Additional information as requested regarding dewatering activities is required for proper evaluation of the potential impacts

associated with the proposed project pursuant to local requirements including Chapter 24, Miami-Dade County Code. With regard to the use of radionuclide tracers such as tritium, there is no federal preemption for use of this parameter for evaluation purposes. Miami-Dade County has repeatedly advised that the use of tracers such as tritium is not related to public health and safety issues and that it would be necessary to use such tracers to determine water sources for the radial collector wells as part of a comprehensive hydrologic study.

MDC-A-5 (First Round)
Sufficient information is not provided to make a determination of dewatering impacts. Please provide a description of all required dewatering activities and the techniques that will be used to ensure that all surface and groundwater quality standards will be met. The application states that "General area dewatering activities will be confined to areas associated with construction within the power block and the effluent released to the existing industrial wastewater facility. Localized dewatering activities may occur during the construction of some associated non-linear facilities. Water produced during dewatering will be managed local to each facility or released to the industrial wastewater facility." Please detail which facilities will require dewatering during construction, provide a dewatering plan for each facility that includes impact to the groundwater (e.g. radius of influence, drawdown), the method of discharging the recovered groundwater, groundwater assessment, potential treatment requirements, and providing a comprehensive monitoring plan are required, a water quality analysis of the source water, duration and total volume for each dewatering project, disposal options for any contaminated water, applicable calculations and supporting models, and justification for why dry conditions are required for each specific construction element where dewatering is proposed. Mention is made of a MODFLOW groundwater model within the submittal, however, no model runs or data is provided for review. The modeling efforts must be provided, including, but not limited to the capabilities and limitations of the model, the assumptions made during the construction of the model, boundary conditions and variables (including background data) utilized, the method in which the groundwater and surface water interaction is simulated, method of calibration, and the resulting reporting outputs

MDC-A-6 (Third Round)
This item remains incomplete. Miami-Dade County acknowledges the additional information provided related to the sanitary sewer wastewater issues and the requested variance to forego connection to sanitary sewers in association with the proposed onsite wastewater treatment plant not in conformance with Section 24-43 of the Miami-Dade Code, which requires connection to the public sanitary sewer system, prohibits an onsite wastewater treatment plant, and prohibits generation of liquid waste at facilities not connected to the sewer system. The appropriateness of any variance request must consider all regulatory standards applicable to the project. Although FPL asserts that all regulatory standards will be met, relevant information in support of this claim has not been provided. In particular, additional information on the wastewater treatment process and resultant discharge water quality is necessary as part of the wastewater discharge plan required by condition 6 of Z-56-07. In addition, FPL has not demonstrated how the proposed disposal of wastewater via injection wells complies with this condition including the use of this wastewater (after appropriate treatment) for the benefit of the Biscayne Bay Coastal Wetlands CERP project as required. The hydrologic study required by condition 15 of Z-56-07 is also necessary to evaluate the appropriateness of this variance request and the proposed discharge of the wastewater treatment plant effluent to deep wells. Therefore, the hydrologic study needs to include an evaluation of all impacts to surface waters as well as the boulder zone, the Floridan, and Biscayne Aquifers including an evaluation of the proposed elimination of the freshwater inputs to the Biscayne Aquifer from the existing treatment plant.

In addition, with regard to the flow analysis provided by FPL in 2MDC-A-6, please explain why the calculation of the assumed volume that would be returned to MDWASD (75,000 MGD) did

not include the contribution form the wastewater retention basin effluent to blowdown sump (590,400 MGD). Please provide a revised analysis with this additional waste stream included. With regard to the existing septic tanks mentioned in FPL's response, please provide detailed information including locations, volumes, size of drainfields, setbacks from wetlands and other surface waters, identification of the facilities served by these septic tanks and a characterization of the wastewater discharge to each system.

MDC-A-7 (Third Round)
This item remains incomplete. Not all of the requested information has been provided such as the technical specifications of the proposed treatment train. With regard to Miami-Dade County's request to identify environmentally sensitive receptors, it is acknowledged that there are no such receptors within the boulder zone. However, sufficient information and assurances have not been provided to establish that wastewater injected via deep wells would not impact sensitive receptors beyond the boulder zone over the operational life of the facility. In addition sufficient information and assurances have not been provided to determine whether variances from Section 24-43 of the Miami-Dade County Code would be appropriate pursuant to Section 24-12 of the Miami-Dade County Code. These variances would be required for the proposed construction and operation of a wastewater treatment plant and the proposed discharge to the boulder zone (including but not limited to discharge of the sanitary wastewater stream) in lieu of the required waste stream connections to the sanitary sewer system, which are otherwise prohibited by Code. . The hydrologic study required pursuant to condition 6 of Z-56-07 is also needed to evaluate the proposed project and modeling may also be necessary to evaluate this aspect. With regard to FPL's reference to a previous EQCB approval related to the existing wastewater treatment plant, no information has been provided in the SCA to demonstrate that a variance would be appropriate relative to the effluent discharge from the proposed wastewater treatment plant to the boulder zone. FPL shall provide the necessary information (including the referenced hydrologic study) for Miami-Dade County to review this application.

Please also see MDC's response MDC-G-12 (Third Round)

MDC-A-8 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Also, during the March 8th, 2010 meeting FPL explained to County staff that, when using reclaimed water as the cooling water source, nearly all of the wastewater streams proposed to be injected into the boulder zone are needed to dilute the liquid radiologic waste that will be generated by the operation of Units 6 & 7. According to the information presented during the meeting (using the waste stream flow rates presented in Table 4.5-1 of the SCA) an estimated volume of 12,458 gpm is required for the dilution of the estimated 3 gpm of liquid radwaste effluent that will be generated by the operation of the proposed Units 6 & 7. . Therefore, further clarification is needed and all information that has been provided to DERM outside of the SCA process shall be submitted in response to this item. This clarification shall include details of all regulatory requirements related to the disposal of liquid radwaste effluent, including but not

limited to the federal requirements to dilute the liquid radwaste effluent discharge and the applicable dilution target concentrations of the discharge. This shall also include a description of the regulatory thresholds based on receiving water volumes or other criteria that pertain to whether dilution is required under federal or other applicable laws. FPL shall also include in the response a description of all the available liquid radiologic waste alternative disposal methods along with any studies and alternative analysis performed and evaluated in the process that led to FPL's selection of the proposed disposal method. FPL shall include a complete characterization of the radiologic components of the waste stream including but not limited to the estimated Gross Beta activity of the proposed discharge prior to and after the proposed dilution relative to the standard contained within Section 24-42 of the Miami-Dade County Code.

During the aforementioned March 8th, 2010 meeting with County staff, FPL explained that FPL had not determined that the proposed dilution of the liquid radwaste effluent was required pursuant to applicable federal law because the volume of the receiving water body within the boulder zone was not known. Rather, FPL conservatively assumed that the volume would be inadequate and is therefore proposing dilution. However this information has not been provided as part of the SCA process and therefore this information shall be included in the applicant's response to this item i. Pursuant to condition 15 of Z-56-07, a hydrologic study is required to evaluate all impacts to surface and groundwaters. Therefore, the hydrologic study shall include an investigation of the receiving waters within the boulder zone to determine if use of the wastewater discharge is required for dilution of the liquid radwaste effluent pursuant to applicable federal law as well as to evaluate the appropriateness of the proposed disposal of wastewaters including liquid radwaste effluent to the boulder zone. FPL shall provide the information necessary including the referenced hydrologic study, for Miami-Dade County to review this application for compliance with the substantive requirements of Miami-Dade County Code and the CDMP.

Please also see MDC's response MDC-A-6 (Third Round)

MDC-A-9 (Third Round)
The information necessary to verify the accuracy of the waste characterization as listed in Tables 4.6-2 and 4.6-3 must be provided. Specifically the concentration of each constituent needs to be provided for each of the individual waste streams listed in Tables 4.5-1 and 4.5-2. In addition, please provide the specific regulatory reference for the numeric target limits provided in FPL's response to MDC-A-9.

MDC-A-10 (Third Round)
Previously determined to be complete.

MDC-A-11 (Third Round)
This item remains incomplete. Based on the information presented to date, it is premature to conclude what waste streams, if any, are necessary for the dilution of the liquid radwaste effluent, or whether this is the appropriate disposal method for said waste. The information requested in other completeness items such as MDC-A-8 (Third Round) above is required in order to evaluate this issue.

FPL's conclusion that the most appropriate option for disposal of cooling water is injection to the boulder zone is premature in the absence of the Miami-Dade County required hydrologic study and wastewater discharge plan and the additional information requested that relates to impacts to surface and groundwaters and to wastewater disposal issues. In addition, information needs

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to be provided in support of FPL's characterization that injection of the cooling water to the boulder zone is the most appropriate disposal option for this waste stream and that there are only two potential disposal options (i.e. wastewater treatment plant or deep well injection to the boulder zone). Miami-Dade County acknowledges that disposal of the cooling water to the public sewer system may not be appropriate given the large volume of water involved. However, the feasibility analysis of treating the wastewater discharge for the benefit of the Biscayne Bay Coastal Wetlands project, as required by condition 6 of Z-56-07 has not been adequately performed by FPL.

MDC-A-12 (Third Round)
Previously determined to be complete.

MDC-A-13 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC response MDC-A-6 (Third Round)

> **MDC-A-13 (Second Round)**
> FPL's assertion that Miami-Dade County has no regulatory standards with regard to the disposal of industrial or other wastewater via injection into the groundwaters of Miami-Dade County is incorrect. FPL is advised that the mere generation of liquid waste other than domestic sewage at a property not connected to the sanitary sewers system is not allowed under Chapter 24. The hydrologic study required pursuant to condition 15 of Z-56-07 is intended to examine all aspects of water use and wastewater disposal that will impact surface and groundwaters, including groundwaters within the Floridan Aquifer and boulder zone. No such study has been provided and no information on the impacts to these groundwaters is presented. In addition, FPL has not demonstrated how the proposed disposal of wastewater via injection wells complies with condition 6 of Z-56-07 including the use of this wastewater (after appropriate treatment) for the benefit of the Biscayne Bay Coastal Wetlands CERP project as required. Miami-Dade County notes that FPL is required to provide a wastewater discharge plan that meets the requirements of Chapter 24 and to "modify the plan as needed to satisfy compliance with Chapter 24." (Please see comment under MDC-A-11). This information is required for evaluation of the proposed project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, and with requirements of the local land use approval Resolution Z-56-07.
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> **MDC-A-13 (First Round)**
> The application proposes the discharges of industrial wastes from several sources to injection wells. No information was provided to ascertain compliance with the applicable discharge standards. No information was provided to show that no treatment is necessary or that contamination will not result from such discharges

MDC-A-14 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-A-15 (Third Round)
Complete. The FPL response is acknowledged, however, Miami-Dade County advises that additional pollution control design details and waste handling procedures are required and may be addressed through conditions of certification.

MDC-A-16 (Third Round)
Complete. The FPL response is acknowledged, however, Miami-Dade County advises that additional pollution control design details and waste handling procedures are required and may be addressed through conditions of certification.

MDC-A-17
Please see MDC's responses MDC-A-18-1 to MDC-A-18-9 (Third Round)

MDC-A-18 (Third Round MDC-A-18-1 to MDC-A-18-4)
This item remains incomplete. Please provide revised calculations following the procedures established in "*Design Example for an Industrial Site*, p XF-1 to XF-20, Permit Information Manual Volume IV, SFWMD, 2009" Please ensure that all drawings and plans accurately depict the location and details of the emergency spill ways, include all necessary elevations and dimensions including length and width of streets, buildings, ponds, weir, orifices, inverts, etc. that are needed to verify (re-calculate) the elevations vs. area/volume curve and hydraulic characteristics of the proposed drainage system. Also please ensure the areas used to calculate surface runoff in pre and post development are the same.

Please also see MDC's response MDC-A-18-8 (Third Round)

MDC-A-18-5 (Third Round)
This item remains incomplete. Miami-Dade County disagrees with FPL's conclusion that FPL is not required to perform the flood routing calculations for the 25-year and the 100-year rainfall events. The absence of stormwater discharges to waters of the state does not exempt the project from this regulatory requirement. These calculations are required to demonstrate absence of impact to the adjacent floodplain.

MDC-A-18-6 and MDC-A-18-7 (Third Round)
This item remains incomplete. Regulatory requirements include water quality and water quantity criteria that must be met by the applicant. Absence of stormwater discharges to waters of the state does not exempt the project from these regulatory requirements. In addition, with regard to the proposed reclaimed treatment facility, please provide the design criteria for emergency overflow and the proposed operation schedule. Please note that onsite retention is required for all rainfall events below the 100-year rainfall event; offsite discharges should only occur for rainfall events above the 100-year rainfall event provided that the applicable water quality discharge criteria are met.

MDC-A-18-8 (Third Round)
This item remains incomplete. The plans, figures and other information provided in Appendix 10.8 of the SCA and FPL's first and second completeness responses are inadequate because they do not meet the minimum required Environmental Resource Permit standards for the 35 % design. Please provide revised plans, figures and information consistent with these requirements.

MDC-A-18-9 (Third Round)

This item remains incomplete. Please explain how stormwater rainfall associated with industrial activity (equipment area runoff) at FPL's proposed reclaimed water treatment facility will be captured, treated as necessary, and reused within the reclaimed water treatment process. The explanation shall include appropriate drawings and flow charts.

The stormwater management facilities exceed the pre-treatment water quality requirements for stormwater runoff, however they do not have the capacity to retain the total runoff volume from the 25-year 72-hour rainfall event. Under those conditions, stormwater could be discharged directly to the adjacent wetlands. For the 100-Y 72-H rainfall event, the runoff volume is 33.94 (Table 22 Appendix 10.8), and the total volume of the two SWBs is 10.11 Ac-FT at 14.0 FT elevation. SWB-A is overtopped at 14 FT, and SWB-B at 16 FT. If FPL believes that the SWB-A and SWB-B will not be overtopped during a 100-year 72-hour rainfall event, FPL shall submit additional information (i.e., modeling information) to demonstrate that the proposed structures will not be overtopped. If FPL agrees with the County's conclusion that the SWB-A and SWB-B will be overtopped during a 100-year 72-hour rainfall event then FPL shall provide a detailed description of alternative stormwater management features that could be used to eliminate the possibility of stormwater discharges to adjacent wetlands and retain any excess stormwater onsite.

Please also see MDC's responses MDC-A-18-1 (Third Round) to MDC-A-18-8 (Third Round)

MDC-A-19 through MDC-A-19-2 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-A-20-1 (Third Round)
Please see responses MDC-A-18-1 (Third Round) through 2MDC-A-18-9 (Third Round).

MDC-A-20-2 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness

MDC-A-20 (Second Round)
The information provided is incomplete because the surface water model and groundwater model should be coupled. For example, MODFLOW and HEC-RAS). Please provide revised modeling with coupled surface and groundwater models.

MDC-A-20 (First Round)
The Report does not cover enough drainage area within the hydrologic model. Simulation should cover, at a minimum, the area bounded by SW 344th St in the north, Old Card Sound Road in the west, and the coastline in the south and east. The EPA-SWMM and XP-SWMM are recommended models to simulate the variety of structures within the area, in order to obtain hydrographs and pollutographs at selected points. The model should also simulate contaminant transport and dilution effect. Event simulations should be run to obtain the conditions before and after the proposed development, including the new inflow and loads from the proposed

Administrative/Training Buildings, Parking area, and Reclaimed Water Treatment Facility. Please provide model runs with the expanded area.

MDC-A-21 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-A-21 (Second Round)
According to Bechtel (2009) report entitled *Groundwater Model Development and Analysis: Units 6 & 7 Dewatering and Radial Collector Well Simulations Report* did not use MODFLOW packages to include the canal flows and the two/variable groundwater density. Further evaluation will require the MODFLOW input and output files.

MDC-A-21 (First Round)
The SCA does not include sufficient information to evaluate the results and applicability of the referenced models, and does not contain sufficient information to ascertain the effect that the proposed facility would have on surface and groundwater quality, and groundwater table elevation within the C111 Basin (Model Land Area). Furthermore, any model used for evaluation of this project should be able to predict changes, if any, in the contaminant concentrations; in the water table elevations; and in the salinity wedge movement under different scenarios (baseline and post-construction conditions, for a wet, dry, and average year, etc). Models should combine groundwater with surface water and contaminant transport, and shall include the effect of the difference in densities between salt and fresh water. In addition, the area in the model should be large enough to avoid any boundary-induced bias; boundary conditions could be taken from South Florida Water Management District regional models. EPA authorized models, such as MODFLOW, MODPATH, and FEMWATER should be considered for use in this study. Another possible model would be the FEFLOW, which combines the groundwater contaminant transport (MODFLOW and MODPATH capabilities) with the two density fluids wedge salinity difference (FEMWATER capability).

MDC-A-22 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-A-23 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. Miami-Dade County notes that opportunistic observations should not be the sole basis for a determination of which habitats are utilized by wildlife and which of those habitats are critical to wildlife, including threatened and endangered species. Miami-Dade County has continued to request comprehensive, seasonal studies on both wildlife utilization and plant occurrence for the region within and surrounding the proposed locations for the plant and associated non-transmission facilities. Such studies are needed to properly document the use and value of the habitat in order to understand the potential impacts of the proposed project on flora and fauna of the region. Miami-Dade County notes that FPL has continued to dismiss the County's request for comprehensive information for flora and fauna, including seasonal utilization, or any other

information resulting from a Comprehensive Environmental Impact Statement based upon FPL's assertion that the request is procedural in nature. However, Miami-Dade County reiterates that the information regarding flora and fauna including seasonal variations is required to evaluate this project for conformance with nonprocedural requirements of Miami-Dade County. Miami-Dade County acknowledges the additional information provided by FPL in its completeness responses related to this issue; however, the information remains incomplete. Without the requested information, Miami-Dade County is unable to determine whether the proposed plant and associated non-transmission facilities meet the requirements of Chapter 24 of the Miami-Dade Code and the CDMP, and is unable to prepare the reports required by Section 403.526, F.S.

FPL's response also remains incomplete because: 1) Some of the reports cited in FPL's response were missing from the provided CD or were corrupt/unable to be opened, and 2) the requested seasonally-based biological survey for the proposed plant site was not included in the reports that were provided.

FPL shall provide readable copies of:
□ *Final Environmental Impact Statement Related to Operation of Turkey Point Plant*, Dockets No. 50-250 and 50-251, Washington D.C. (US Atomic Energy Commission, 1972) [File name: *Final EIS Turkey Point 1972.pdf*]
□ *Turkey Point Expansion Project SCA* (FPL, 2003) [File name: *Volume 3.pdf*]

None of the provided reports that were readable contained information on seasonal vegetation shifts for the Units 6 and 7 plant site that might provide an identity for the vegetation that was the source of the observed flush and/or information on seasonal faunal utilization that might result from such a flush. FPL states in its response that "Short-term flushes of vegetation within the mud flat areas are unable to survive the alteration of hydroperiod and exposure to hypersaline waters, regardless of season." Without a seasonal study, it is speculation that vegetation is unable to survive local conditions. It is an equally plausible hypothesis that the flush of vegetation observed by County staff represents an annual event for vegetation that has resistant underground biomass and that this seasonal flush could support use by a variety of other biota, which may include rare, threatened or endangered species.

None of the readable reports provided by FPL included current information on bird utilization of the proposed plant site during the April-June breeding season. County staff observed utilization of the site by juvenile birds, including but not limited to the Wilson's Plover, which is protected by the Migratory Bird Treaty Act, and the Reddish Egret, which is state-listed as Threatened. County staff considers the available habitat potentially suitable for nesting by these and other rare, threatened, and endangered species and requests an appropriate study to determine whether the proposed plant area is being utilized for nesting and if so, by which species.

Miami-Dade County reiterates its request for a seasonally-based biological survey for the proposed facility site that includes, but is not limited to, plant cover, plant species abundance, and utilization by wildlife species including but not limited to birds, insects, fish, reptiles, and amphibians, mammals, and aquatic invertebrates. Wildlife utilization information provided should include but not be limited to behavior, such as but not limited to feeding, roosting, nesting or other breeding behavior, and specific location where the behavior was observed. This information is needed in order to determine the effect of the project on rare, threatened and endangered species as per evaluation factors in Section 24-48.3 of the Miami-Dade Code and relevant policies and objectives in the CDMP.

MDC-A-24 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

FPL shall clarify the statement that "Wetland impacts ... will be mitigated at the Everglades Mitigation Bank, which will include seagrass enhancement/restoration". Are seagrasses being restored in the EMB, or is FPL proposing mitigation other than in kind mitigation for impacts to seagrasses?

MDC-A-25 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County notes that opportunistic observations should not be the sole basis for a determination of which habitats are utilized by wildlife and which of those habitats are critical to wildlife, including threatened and endangered species. Miami-Dade County has continued to request comprehensive, seasonal studies on both wildlife utilization and plant occurrence for the region within and surrounding the proposed locations for the plant and associated non-transmission facilities. Such studies are needed to properly document the use and value of the habitat in order to understand the potential impacts of the proposed project on flora and fauna of the region. Miami-Dade County notes that FPL has continued to dismiss the County's request for comprehensive information for flora and fauna, including seasonal utilization, or any other information resulting from a Comprehensive Environmental Impact Statement based upon FPL's assertion that the request is procedural in nature. However, Miami-Dade County reiterates that the information regarding flora and fauna including seasonal variations is required to evaluate this project for conformance with nonprocedural requirements of Miami-Dade County. Miami-Dade County acknowledges the additional information provided by FPL in its completeness responses related to this issue; however, the information remains incomplete. Without the requested information, Miami-Dade County is unable to determine whether the proposed plant and associated non-transmission facilities meet the requirements of Chapter 24 of the Miami-Dade Code and the CDMP, and is unable to prepare the reports required by Section 403.526, F.S.

In addition, no information or data have been provided in support of FPL's statement that the southern shoreline of Biscayne Bay provides adequate shorebird habitat at low tide. The shoreline of Biscayne Bay is mostly mangroves, and very few exposed mudflats exist in the area other than the proposed development site. Clarification of this statement is also

necessary. Is FPL suggesting that the shoreline habitat along Biscayne Bay is adequate to mitigate the loss of the mudflat habitat proposed for development for the numerous species of shorebirds that utilize the development site? Information is also required in support of FPL's statements that "the impact to the artificial mudflat habitat associated with Units 6 & 7 is not anticipated to result in significant adverse impact to shorebirds". In just one field visit with FPL, staff documented more than 15 species of shorebird including Long Billed Curlew, Whimbrel, American Avocet and Wilson's Plover. In addition, juvenile Wilson's Plover and Reddish Egret (a wading bird that is a listed species of special concern), were also observed, which may indicate that nesting occurs on site. Documentation of all shorebird species at the site, including any nesting species, is important and required to evaluate the proposed mitigation including whether it adequately offsets the loss of what appears may be significant shorebird habitat.

Miami-Dade County also reiterates its request for FPL to provide equivalent information for the other components of the project as well as an "in-kind" mitigation component to compensate for the proposed loss of shorebird habitat currently being provided at the site. Furthermore, we note that creation of this in-kind habitat would not necessarily require impact to other sensitive environmental resources in the vicinity. For example, former agricultural lands now dominated by species such as Brazilian pepper and owned by FPL could be appropriate for this type of mitigation as shore bird habitat need not be located directly along the shoreline.

MDC-A-26-1 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

FPL's response is not adequate. All of the requested information is necessary including but not limited to that information sufficient to determine whether the spoil to be stockpiled as depicted in Figure 5.1-1 meets the definition of clean fill of Chapter 24 of the Code of Miami-Dade County. Also please provide an aerial view of the cooling canals identifying those areas used by crocodiles for ingress and egress to the CCS and the surrounding areas including but not limited to the C-107 canal; please include all supporting data and documentation relied upon in the identification of these ingress and egress areas.

Please also see MDC's response MDC-G-46

MDC-A-26-2 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

The FPL Turkey Point Threatened and Endangered Species Evaluation and Management Plan, submitted as part of the SCA (Appendix 10.7.1.3), continues to fail to fulfill the requirements of Condition 2 of MDC Zoning Resolution Z-56-07 nor is it consistent with either Chapter 24 of the Miami-Dade Code or the Miami-Dade County CDMP. Sections 24-48, 24-49 and 24-50 of the Code of Miami-Dade County relate to the preservation and protection of the County's natural resources including but not limited to wetlands, trees, Natural Forest Communities (NFCs), Environmentally Endangered Lands (EELs) and rare, threatened and endangered species. Similarly, Objective CM-1, Policy CM-1E, Objective CM-4, Policy CM-4A, Policy, Objective CON-7 Policy CON-7A, Objective CON-9, Policy CON-9A, Policy CON-9B, Policy CON-9C and Policy LU3B, of the County's CDMP require the protection of these natural resources.

The information presented in FPL's Second Completeness Response fails to adequately address comments raised by Miami-Dade County in its second completeness review. Miami-Dade County has concluded from the response that FPL may misunderstand the purpose of the threatened or endangered species management plan required under Condition 2 of Z-56-07 and hereby provides clarification. The intent of this plan is to provide sufficient information for Miami-Dade County to determine whether the proposed project, including ancillary non-transmission facilities, meets the substantive requirements of Chapter 24 of the Miami-Dade Code and the CDMP. FPL has submitted a plan, however, that only covers the "area within which nonlinear project facilities will be constructed and operated, which encompasses the 365-acre Project site where Units 6 and 7 will be located". In addition, FPL has provided information that was primarily gathered from existing sources, when Miami-Dade County has been clear in its request for seasonally-based studies that thoroughly document occurrence of flora and fauna, including listed species of plants and animals, within and adjacent to the proposed plant site. These seasonally-based studies must also document utilization by flora and fauna of habitats found within and adjacent to the proposed plant site and associated non-transmission facilities. Such information is needed to evaluate the short and long-term impacts of the proposed plant and associated non-transmission facilities and determine whether the proposed plant and associated non-transmission facilities are consistent with the requirements of Chapter 24 of the Miami-Dade Code or the Miami-Dade County CDMP.

Examples of more specific deficiencies in the information provided by FPL include, but are not limited to the following: FPL states in its response that "Indirect impacts of construction, such as noise, may potentially reduce the nesting suitability of the berms directly adjacent to Units 6 & 7." FPL shall clarify whether the proposed impacts to this nesting habitat would result in potential abandonment of the significant crocodile nesting area shown in Figure 5 of Appendix 10.7.1.3 as located immediately south of the proposed development site. Please provide information as to the location and nature of any specific project/s proposed to mitigate indirect impacts to crocodile nesting habitat as a result of this project. Please also explain how these mitigation projects will be distinguished from mitigation projects proposed for impacts to crocodile habitat as a result of the Units 3 & 4 Uprate project. FPL has stated that "The primary cooling water intake for Units 6 & 7 will be located within the makeup water reservoir; therefore entrainment of any biota is extremely unlikely" but FPL has failed to provide information on how biota will be kept out of the makeup water reservoir, which is a freshwater pool situated within one of the richest wetland systems in the County. Elevation of the reservoir will not be a deterrent for crocodile or other wildlife access, and this freshwater pool will likely support biota within a short period of operation. FPL shall provide information on how FPL will address possible entrainment of crocodiles and other wildlife in the intakes for the new plants. FPL's information on the Florida panther is incomplete because it only takes into account Florida panther occurrence data within 2 miles of the proposed access road network. Florida panthers

are known to travel at least 5 miles in a day, and have a home range of more than 100 square miles. FPL shall provide all available Florida panther occurrence information within a minimum of 10 miles of the proposed plant and access road network and, given that there have been 2 such documented occurrences within the past 3 years plus several recent anecdotal occurrences, shall provide an assessment of the likelihood that a Florida panther that is neither radio-collared nor microchipped (i.e. undocumented, untracked) could reappear within 10 miles of the proposed plant site (including non-transmission linear facilities) during the construction phase of the project. FPL states that "The roadways are not intended to be used as or to become major public thoroughfares comparable to heavily traveled highways passing through occupied panther habitats, such as I-75 in Collier County" but has not provided specific information on how public access to the proposed access roads will be restricted. FPL states that "speed limits will be set to minimize the likelihood of future panther collisions with motor vehicles" but the information is incomplete because FPL does not provide information on what speed limits will be used or how speed limits on the proposed access roads will be enforced. FPL states that "Recent observations of Eastern indigo snakes have occurred within upland areas of the Everglades Mitigation Bank ..." and "The proposed roadway improvements are primarily surrounded by freshwater marsh wetlands, and will not result in significant impacts to upland habitats preferred by the Eastern indigo snake." The information is incomplete because it inaccurately assesses the area through which the proposed access roads will travel. Miami-Dade County staff experience indicates that the proposed construction access roads will traverse a complex of upland and wetland habitats similar to those in the Everglades Mitigation Bank where the Eastern indigo snake has already been documented. FPL shall provide a corrected analysis of the likelihood for Eastern indigo snake occurrence in this region, including the results of a detailed survey for Eastern indigo snake burrows along the proposed access corridor and adjacent and interconnecting upland road corridors, along with information on what protective measures will be taken once the proposed construction access roads are operational to limit Eastern indigo snake mortality. FPL has also failed to provide detailed information on how potential impacts will be addressed for other federally and state-listed species (including plants) that could potentially be encountered during construction or operation of the facilities, including the proposed access roads. FPL has provided documented occurrence data for federally and state-listed species (including plants), other than crocodiles, that is primarily derived from outside sources and has failed to provide the requested flora and fauna studies that would address the likelihood that these species may be encountered where similar habitat types occur within the proposed site for the plant and associated facilities. This information is needed to determine whether this project is consistent with Chapter 24 of the Miami-Dade Code and relevant objectives and policies of Miami-Dade County's Comprehensive Development Master Plan that protect critical habitat for endangered or threatened species.

MDC-A-27 (Third Round)
Please see MDC response MDC-A-26-1 (Third Round)

MDC-A-28 (Third Round)
Previously determined to be complete

MDC-A-29 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time

frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC response MDC-A-26-2 (Third Round).

MDC-A-30 (Third Round)
Miami-Dade County acknowledges receipt of the requested reports.

Please see MDC's responses MDC-A-23 (Third Round) and MDC-A-26(b) (Third Round).

MDC-A-31 (Third Round)
This item remains incomplete. Historical data indicate that manatees are found in the Turkey Point area and utilize this area for a number of behaviors. A reference in the FPL response states that the existing "Manatee Protection Plan for the Turkey Point Power Plant" will continue to be used during the operational phase of the facility; however, this plan was not provided for review. Furthermore, it is not clear from the application whether the construction of the barge unloading area is proposed to include the required fendering system for barges over 100 feet in length, which provide at least 4 feet of standoff from the bulkhead under maximum compression.

Based on the information that has been provided, it appears that larger barges with potentially deeper drafts will be utilizing this mooring area, as well as the access channel into the barge turning basin. FPL shall provide information regarding the size of the barges and tugs including length, beam and draft of the vessels and barges that will be utilizing the facility in order for the agencies to be able to determine whether there will be adequate clearance between the vessels and the bay bottom.

MDC-A-32 (Third Round)
Please see MDC's response MDC-A-33 (Third Round)

MDC-A-33 (Third Round)
This item remains incomplete. FPL has identified that benthic resources , specifically *Halodule wrightii,* is located within the turning basin at a density of 5 to10 %, over area equal to 0.002 acres. Furthermore, FPL has indicated that no additional mitigation will be provided to offset the dredging of this area of seagrasses. It is not clear from this statement whether or not mitigation has already been proposed for the dredging of the turning basin or this statement is referring to other mitigation being proposed for the Units 6 & 7 project. The MDC Code requires that mitigation be provided for all unavoidable adverse environmental impacts. DERM requires mitigation for the dredging of vegetated and unvegetated substrate, as well as mitigation for potential water quality impacts. Although FPL has indicated that they will be using BMPs to help alleviate secondary impacts to resources, FPL shall identify appropriate mitigation for the direct impacts to both the vegetated and unvegetated benthic communities associated with the dredging of the tidal substrate in the turning basin.

SECTION B – WASTEWATER REUSE

MDC-B-1 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-B-2 (Third Round)

Filed June 4, 2010 4:14 PM Division of Administrative Hearings.

FPL's response is incomplete and does not demonstrate that the proposed alignment adequately avoids or minimizes wetland impacts. For purposes of clarification, Miami-Dade County is not suggesting the removal of SW 107 Avenue and also is not suggesting that the work should be conducted outside the ROW, rather that temporary impacts to the public ROW may be appropriate if the large amount of impacts proposed to mangrove wetlands can be reduced. Elimination of avoidable impacts and minimization of unavoidable impacts are important regulatory requirements where large amounts of mangrove wetland impacts are proposed. Chapter 24-48.4 Miami-Dade Code requires projects to maximize preservation of existing natural resources. The proposed route is described by FPL as the "least environmentally damaging alternative". However, information is needed to support this assertion since there is neither presentation nor discussion of how the proposed route maximizes preservation of existing wetlands resources, when compared with potential alternatives located west of jurisdictional wetlands in areas south of the C-102 Canal. The routes evaluated as shown in Figure SCA P9.0.9-3 are all in areas with little or no wetlands north of the C-102 Canal, however, similar alternatives do not appear to be considered in the large wetland expanses south of SW 256 Street. Information is needed on the locations and environmental impacts for these alternatives, including an explanation and documentation that demonstrates how the selected route "is the least environmentally damaging" alignment in the area south of SW 256 Street.

FPL shall also clarify the accuracy of the following statement "This co-location avoids the impacts of developing a new route for this linear facility", in light of the fact that a new route is required for the area north of the C-102 Canal in any case. FPL should also explain why this would be preferable since as a consequence of co-locating south of this canal, excavation of a 75 foot wide trench though mangrove wetlands would be required through much if not the entire portion of the co-located alignment along more than 5 miles of the corridor. Information is also needed in support of the stated 75 foot excavation width and whether the proposed alignment would minimize wetland impacts within the existing transmission corridor. Is the same width required in the upland areas and/or in public ROW or does this estimate apply only to work in wetlands within the transmission corridor? An explanation shall also be provided to explain whether the impact width can be reduced through construction practices such as sheet pile containment which have been used successfully in sensitive environmental areas with other pipeline projects in Miami-Dade County. In addition, information is needed to describe the improvements to sheet flow across this corridor that would be necessary pursuant to condition 17 of Z-56-07. Per this condition, proposed upgrades within the transmission corridor shall not impede the flow of ground or surface water.

MDC-B-3 (Third Round)

The references to information in the FDEP and SFWMD completeness responses are acknowledged, however, the information remains incomplete. In addition, FPL must provide further clarification. FPL states in FDEP-II-B-85 that the area where the potential impact from deposition to freshwater vegetation is greatest is the area west of the L-31E Canal. FPL concludes that no adverse impacts to the wetland vegetation will occur in this area as these species are salt tolerant. However, much of this area is dominated by freshwater species such as sawgrass which have only limited salt tolerance in comparison to other species present in the area such as buttonwood. In addition, the sawgrass in the area of potential impact is likely already under stress, and may not be able to tolerate additional chronic stress from airborne deposition. Miami-Dade County field staff have observed for many years that the sawgrass in this region is more sparse and lower in stature than other freshwater wetlands either farther west or farther south. FPL must provide a revised analysis based on an assessment of the current vegetation in the area of potential impact, the current physiological condition of that

vegetation, and testing to determine the limits of tolerance of the current vegetation for aerial deposition of total dissolved solids similar in composition to that projected for the radial-collector-wells-saltwater scenario.

The summary of FPL's analysis in FDEP–II-B-53 appears to indicate that total dissolved solids (TDS) under the predicted radial-collector-wells-saltwater scenario would increase in this area about 47% over natural atmospheric background deposition levels. Given the projection of elevated levels of TDS and chlorides in this area, it is not at all clear that the receiving waters would continue to meet the standards contained within Section 24-42(4) of the Miami-Dade County Environmental Protection Ordinance or whether the projected increase in TDS or chlorides would cause prohibited water pollution as defined in Section 24-5 of the aforementioned ordinance. In addition, it is not clear that species such as sawgrass could persist in these freshwater wetlands under such conditions. FPL must provide sufficient information to demonstrate that applicable standards will be met by the operation of the cooling towers, including Miami-Dade County numeric and narrative standards.

With regard to the area immediately east of the cooling canals within Biscayne National Park and/or the Biscayne Bay Aquatic Preserve, FPL's Figure 6.1.4-1 appears to indicate that monthly deposition under the predicted radial-collector-wells-saltwater scenario would range up to about 40 to 80 kg/ha/month in a limited area with typical levels in a larger area similar to natural atmospheric background deposition levels of about 4.5 kg/ha/month. Although the projected amount of deposition in these areas is low relative to existing TDS levels, it does appear to constitute a proposed increase in an area where narrative standards, including antidegradation standards, apply and where salinities are currently already considered too high. FPL must provide sufficient information to demonstrate that applicable standards will be met by the operation of the cooling towers, including federal, state, and Miami-Dade County numeric and narrative standards.

In addition, FPL must provide additional explanation and rationale regarding the calculation of average resultant concentration using annual rainfall data as shown in the tables in FDEP-II-B-53 and B-86. Please explain how this metric is useful in the evaluation of this issue.

The County does not agree with the assertion made in FPL's 2nd Round Plant and Non-Transmission Completeness Responses, that no Unusual Use Approval is necessary for the proposed FPL Wastewater Reuse Plant (reclaimed water treatment facility). Resolution Z-56-07 is to approve a, "nuclear power plant (atomic reactors) and ancillary structures and equipment". The Miami-Dade County Code (Unusual Uses, Section 33-13(e)) establishes that a water treatment plant is a land use that shall not be permitted in any district unless approved upon public hearing. Therefore, the proposed reclaimed water treatment facility will require an Unusual Use Zoning Approval. Florida Statute 403.507(3)(a) requires that agencies' Preliminary Statement of Issues include the following, "A notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed electrical power plant to be certified." The County is hereby providing notice to FPL that all information necessary for an Unusual Use review should be supplied to the County at this time, and approval of a wastewater reuse plant as an Unusual Use is necessary prior to certification. This information shall demonstrate whether the proposed reclaimed water treatment facility would adequately avoid or minimize mangrove wetland impacts. FPL shall provide information adequate to determine whether it would be possible to relocate the water treatment facility to an area of lower quality wetlands beyond the CDMP-designated Mangrove Protection Area and/or to an area outside of wetlands jurisdictional to Miami-Dade County. Elimination of avoidable impacts and

minimization of unavoidable impacts are important regulatory requirements where large amounts of mangrove wetland impacts are proposed. Chapter 24-48.4 Miami-Dade Code requires projects to maximize preservation of existing natural resources. Sufficient details about potential project impacts are needed to enable Miami-Dade County to evaluate the proposed primary and secondary impacts of the proposed facility for consistency with the aforementioned and other applicable requirements of the Miami-Dade County Code, plus relevant objectives and policies in the CDMP. FPL shall provide all necessary information demonstrating that construction and operation of this proposed facility would meet all requirements of the Z-56-07, Chapter 24 and the CDMP.

MDC-B-4 (Third Round) Previously determined to be complete.

SECTION C – RADIAL WELLS

MDC-C-1 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

> **MDC-C-1 (Second Round)**
> A complete hydrologic study is required in order for Miami-Dade County to evaluate the impacts of the proposed project on surface and groundwater in accordance with the substantive requirements of Chapter 24, Miami-Dade County Code, to meet the requirements of Z-56-07, and to prepare the reports required by 403.526 F.S. The aquifer performance test was of a narrow scope, was not approved by DERM, does not meet the substantive requirements of DERM and the County Code, and does not allow for an evaluation of the project's impacts. FPL's interpretation of condition 4 of Z-56-07 is incorrect. The purpose of this condition is to prevent negative environmental impacts to surface and groundwater that could be caused by pumping from the Biscayne Aquifer.
>
> **MDC-C-1 (First Round)**
> The land use statement in Appendix 10.5 is inaccurate and sufficient information has not been provided to make a land use/zoning consistency determination. The plant site is located in Environmental Protection Subarea F, and is consistent only if the use is deemed consistent with the goals, objectives and policies of the Comprehensive Development Master Plan (CDMP). Conditions outlined in Zoning Resolution Z-56-07 must be met to achieve land use/zoning consistency. This resolution stated that no water will be withdrawn from the Biscayne Aquifer (Condition 4) and that a hydrologic study (Condition 15) will be performed. The radial well component does not demonstrate consistency with these two conditions; therefore this component will be subject to a land use/zoning consistency determination.

MDC-C-2 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed

project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

MDC-C-2 (second Round)
Please see response to MDC-C-1 and MDC-C-24

MDC-C-2 (First Round)
Application does not adequately demonstrate that the proposed radial collector wells do not volate Condition 4 of Z-56-07 which prohibits withdrawal from the Biscayne Aquifer.

MDC-C-3 (Third Round)
This item remains incomplete and information previously requested still needs to be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-3 (Second Round)
The requested information is required to evaluate potential impacts of the project and determine if the project can be certified as proposed, or whether modification of the project is necessary for certification. Hydrogeologic information from the area of the proposed radial collector well installation is required to evaluate the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate project related impacts to wetlands resources and Biscayne Bay. Also see comments provided in MDC-C-6.

MDC-C-3 (First Round)
Adequate hydrogeologic data have not been presented

MDC-C-4 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-4 (Second Round)

The requested information is required to evaluate potential impacts of the project and determine if the project can be certified as proposed, or whether modification of the project is necessary for certification. Site specific aquifer characteristics from the area of the proposed radial collector well installation is required to evaluate the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. Also see comments provided in MDC-C-6.

MDC-C-4 (First Round)
Site specific aquifer characteristics have not been made available.

MDC-C-5 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-5 (Second Round)
Please see comments provided in MDC-C-6.

MDC-C-5 (First Round)
Lithologic descriptions are contradictory. The observations from the site subsurface investigation (Section 3.3.2.2) contradict expectations that almost all the water withdrawn by the radial collector wells would be recharged from the Bay (Section 3.3.4.1). Therefore additional information is necessary to evaluate this aspect of the proposal.

MDC-C-6 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

With regard to the partial information related to the APT and provided by FPL as part of the second completeness response for this issue, this information should be used to inform the design of the hydrologic study required pursuant to condition 15 of Z-56-07 in order to properly evaluate baseline conditions and the effects of the proposed activities.

It should be noted that monitoring data indicate that the lens of fresher groundwater mentioned by FPL in its response (2MDC-C-6-APT-1) may cover an area much greater than the area of the APT on the Turkey Point peninsula. Please provide information on the extent of this fresher water lens and the degree to which it would be drawn into the proposed radial collector wells during pumping.

MDC-C-6 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. Miami-Dade County has determined the results of the APT and the findings of the groundwater modeling report presented as a part of the site certification application (SCA) completeness review to be incomplete. The following subsections will provide further details of the County's review of both the APT results submitted and the groundwater model referenced above:

Aquifer Performance Test (APT)

General Overview
The APT was performed using a vertical well (36 foot open interval), pumping at a rate of approximately 10 million gallons per day (mgd). However, the RWCs are proposed to be horizontal wells pumping at a rate of approximately 100 mgd. There was no discussion in the HDR report explaining how the results will be utilized to scale up for the proposed RCW pumpage. The increase in pumpage for the RCW by tenfold over the APT pumpage would be expected to result in major hydrologic effects. These hydrologic effects were not addressed in the documents provided.

Exploratory Drilling
The Biscayne Aquifer (BA) is conceptualized based on work completed by the USGS (Cunningham et al, 2009; Renken et al 2008) as a dual porosity aquifer, with stratiform beds of touching vug porosity separated by limestone beds of matrix porosity. The geologic interpretations provided by FPL (HDR 8/19/09, Hydrologic Associates [HA], correspondence dated 4/14/09 and 9/16/08) do not appear to adequately describe the complex lithology of the BA. The following is a discussion of the shortcomings found with respect to the exploratory drilling conducted as a part of the APT.

One pilot hole was drilled at monitoring well MW-1 to a depth of 75 ft below land surface (bls). The base of the BA was determined by HA to be at 115 bls. The pilot hole should have been drilled to the base of the aquifer for complete lithological determination. The logging activities in the pilot hole included caliper, temperature, gamma, and fluid conductivity. In addition, video surveying was conducted in the pilot hole. Vertical borehole flow meters and a more comprehensive use of borehole fluid conductivity and temperature logs when analyzed with depth have proven to be very useful to determine preferential flow zones in the BA. However, optical borehole imaging is now used instead of video surveying as it is more accurate in defining macroporosity of the BA.

Rock cuttings were used in monitoring wells MW-2 through MW-5 to determine the lithology of the area. It should be noted that preferential flow zones cannot be identified using rock cuttings. The assumption of lithology across the site based on rock cuttings may not be an accurate approach. The boreholes should have been logged to determine the vertical and horizontal extent of the preferential flow zones within the aquifer.

The HDR report describes the lithologic features of the BA as follows:

Fill:	0 – 9 ft thick at Point
Peat:	0 to -5.5 ft NAVD 88
Miami Limestone:	top of unit -4 to -7 ft NAVD 88
Cemented Sand:	top of unit 36 – 43 ft bls and not present at MW-5. Note for Figure 2.11 – thickness of the cemented sand layer: there are

	not enough data points to assume the contours as indicated in the figure.
Key Largo Limestone:	top of unit -29 - -40 ft NAVD 88 base of unit ~ 58 feet bls
Lt Gray to white Sandy limestone:	no complete description of unit. Report notes that the cuttings were smaller than the shallower facies.

Geophysical logging results: the logs do not appear to adequately describe the complexity of the BA. It is not clear whether the zones indicated by the caliper log are flow zones, or washout due to the drilling. The temperature and conductivity logs should have been more comprehensive. The logs cannot identify preferential flow zones.

The lithology described in the HDR report does not reference the Q4 and Q2 referenced in the HA correspondences.

Pilot Hole at Monitoring Well MW-1

As noted above, issues were noted with the field activities associated with the pilot hole at monitoring MW-1. The casing depth was determined based on a mud loss zone during drilling (25 -26 ft bls) where the casing target was set at 22 – 24 ft bls. Due to the known complexity of the BA, casing depth based on mud loss may not be the best method to determine casing depth. Based on the above referenced lithology, the casing was set in the Miami Limestone. The target production zone was selected to include the permeable portion of the Miami Limestone, but also the upper portion of the Key Largo Limestone (coralline limestone), with the rationale that this production interval would encompass the potential depth of the RCW laterals. However, this production zone also includes the cemented sand interval (which according to the HDR report indicates that it is discontinuous across the site), the Miami Limestone, and the Key Largo Limestone, which are likely in direct communication with one another.

According to the lithology observed in the rock cuttings described in the HDR report, the cemented sand was only absent at MW-5. Additionally, the lithologies contained in the HA correspondences noted that although the Q4 (cemented sand) was observed only at two borings, they attributed the observations due to non-recoveries at most of the cores inspected. Although permeable zones were noted below the 46 ft bls interval, these lower intervals were not investigated for potential production zones.

Surface Water and Surficial Aquifer Monitoring Wells

Only two surface water monitoring points were installed at the site – one at the Industrial Wastewater Facility (IWWF); the other near the mouth of the barge slip. As indicated in prior discussions during meetings with HDR and FPL, more surface water monitoring points were recommended for the APT.

Furthermore, the number, location, and intervals of the monitoring wells for the APT had been discussed with FPL and HDR in previous meetings prior to the performance of the APT. The County's comments do not appear to have been incorporated into the APT field activities. For example, monitoring well MW-5 is located north of the dredged barge channel, and is close to the FPL pump operations, and these conditions may have overwhelmed any effects seen by the APT. In addition, most of the monitoring wells utilized for the field activities were completed with open holes from an approximate depth of 22 – 47 ft bls. As indicated above, the County does not believe this number, location and intervals are adequate to evaluate the hydrologic behavior of the APT.

Seepage Evaluation

While seepage meters are well documented for their difficulties, data collected during the APT did not show seepage from the Bay into the subsurface (i.e. BA). Rather, a majority of the seepage meter data indicated seepage from the subsurface into the Bay. However, the seepage issue is not discussed in the report as the data was not interpreted and the results were disqualified. The County finds the absence of the seepage evaluation and discussion as a basis to find the results of the APT to be incomplete. Further investigation is required to address this issue in order to understand and quantify the seepage rate and behavior of the site with respect to the region. At a minimum, the Applicant should meet with the County to discuss the most appropriate approach to determine the seepage occurring in the environment.

Water Quality Sampling

The limited water quality data provided in the APT indicated no change in the production zone during the field activities. However, the sampling plan utilized and as discussed in prior meetings with HDR and FPL, was not sufficient.

Specifically, samples collected for the Bay at the time intervals of a week prior, Day 1, and Day 7 of the APT may not be adequate to fully capture water quality changes to the bay as a result of the pumping activities. At a minimum, sufficient samples need to be collected to address baseline conditions, conditions during the APT, and conditions after the completion of the APT to determine the time for the system to return to baseline conditions. In addition, the tidal effects were not taken into account during this time period and thus not addressed by the water quality results. For example, salinity data in MW-1 SS shows an increase in salinity after the APT, but given the limited data provided, it is not possible to distinguish the source of the salinity. In addition, no groundwater samples were collected from the monitoring wells during the conductance of the APT; therefore water quality fluctuations were not captured.

Furthermore, an effort to distinguish the water sources (e.g. Biscayne Bay water versus Biscayne Aquifer) prior to the test was not provided. Based upon review of reports completed by FIU (Stalker et al, 2009), and UM (Swart, 2009), key analyses to distinguish source water was not completed. Although determining source water is not an objective of the report, the water quality does not show any significant fluctuations as a result of the APT, which could indicate water flow to the production well may be primarily BA water. However, the length of time of the APT and the limited parameters do not provide enough data to adequately determine source of water.

APT Data Analysis

The following are specific comments and inquiries that were compiled with respect to the data presented within the APT Report and at a minimum must be addressed as a part of the application completion review:

1.) What was the salinity difference between MW-1 SS and the deep wells?

2.) Why is MW-5 water levels significantly different from the other monitoring points towards the end of February?

3.) Water Contour maps Figures 5.2 and 5.3 do not seem to match the graph in Figure 5.1 The barge slip would probably have an effect on water levels, so it may not be appropriate to interpret water contours through the slip. Additional monitoring points would be necessary. The contour maps indicate a steep (for south Florida) gradient towards the west, indicating flow towards the west at both high and low tide. This is contradictory to published regional groundwater flows. Is this an effect of the CCS and Industrial waste water facility to the west?

4.) Because the open intervals in the MW-1 wells are open to 24 – 60 ft, it may be difficult to assess the vertical hydraulic gradient.

5.) Did the rainfall graph include full monitoring period for the report? Even small amounts of precipitation have been shown to affect water levels, which would hamper data interpretation during the APT.

6.) It is not clear how tidal effects were accounted for, as there was no documentation provided for the USGS model referenced. Was this corrected solely internally in the Excel spreadsheet? It is not clear either how the Level troll and Aqua troll data were used. The HDR report indicates that there were data adjustment factors added or subtracted to the APT readings. Where was adjustment factor applied? Data was not provided to review. Was the data discrepancy consistent?

7.) Results from the USGS model RMSE clearly indicate conditions at MW-5 that would hamper APT result interpretation. Although from Table 5.1 it is not clear how the final R2 is calculated. It would appear that the model fit is most sensitive to barge water level and canal water level.

8.) With respect to the drawdown data, the input files were not provided for review. Turbulent conditions induced by the pumping wells were not addressed. Head losses near the production well as a result of turbulent conditions will result in lower transmissivity (T) estimates.

9.) The water quality graphs (salinity data) provided are too small to read. Linear regression on limited data points is not appropriate. In reference to Graph 6.3, are the fluctuations in salinity at MW-1 DZ Deep and MW-4 before the APT test?

Groundwater Model

General Overview and Findings

Based on a review of the groundwater modeling efforts presented in the report prepared by Bechtel Power Corporation (dated October 2009), the County finds the model unacceptable for the evaluation purposes of the radial collector well system and the effect on the surrounding environment.

While a groundwater model was produced and supplied for review, many questions with respect to the manner in which the model was calibrated and the verification process for the simulated results remain. At a minimum, the MODFLOW data files (input and output files) need to be provided for evaluation by the County. The model report only documents the model construction and analysis of the data obtained from the model runs. It is not clear the manner in which the surface waters associated with the simulations were constructed. No mention of a separate surface water module was listed to illustrate the interaction between the bay, canals, and cooling canal system with the groundwater matrix. More importantly, given the questions associated with the characterization of the groundwater and surface water quality, a separate module was not presented in the model to evaluate the solute transport aspect of the simulations. In addition, seepage from the cooling canal system is not sufficiently addressed in this document.

The groundwater flow model developed for the project is a steady state, constant density three dimensional representation of the Biscayne aquifer. The model was used to evaluate origin of the water when the proposed radial collector wells are in operation, and the resultant drawdown and velocities at the bay/aquifer interface. The model is comprised of nine layers, representing the Biscayne aquifer. Boundary conditions include river boundaries (cooling canal system (CCS), L-31E, C-107, Card Sound Canal and Florida City Canal), constant head boundary (Biscayne Bay), recharge boundary (layer 1), ET boundary (layer 1), general head boundary (model sides), and no flow boundary (bottom of model). The radial collector wells (RCWs) were simulated at a pumpage rate of approximately 124 MGD. The following are specific comments and inquiries that were compiled with respect to the data presented within the above referenced report. At a minimum, the following items should be addressed as a part of the completeness review:

1) The cooling canal system (CCS) contains warm, hypersaline water; Biscayne Bay has varying salinity, and the Biscayne Aquifer ranges from fresh to saline salinities in the model domain. Biscayne Bay and the aquifer have salinity temporal and spatial variations. There has been increasing evidence to suggest the CCS is hydrologically connected to the aquifer. The salinity and temperature of the CCS are significantly greater than the natural salinities in the aquifer and bay, and these will have an effect on the hydrology of the area. All of these hydrologic conditions cannot be simulated by a steady-state constant-density model. The above referenced boundary conditions are not adequate to simulate the complex hydrology of the area.

2) The hydrogeologic framework the model is based on was found to be deficient. The BA is conceptualized as a dual-porosity aquifer; the model assumes equivalent porous media flow regimes. The aquifer contains preferential flow zones and matrix porosity, which will dictate groundwater flow. These zones must be investigated and characterized by appropriate field and geophysical methodologies, and integrated into a model that will be capable of simulating dual-porosity flow regimes.

3) The model was developed as a steady state model, and per assumption 3.3.2 it appears that the model was compared to the average of the monthly averages from June and December 2008. The hydrology of the CCS, Aquifer and the Bay have significant temporal differences that will affect sources of water into the RCWs. Average conditions at the start of the wet and dry season are not adequate to assess source water of the RCWs.

4) The model found 97% of water for the RCWs to originate from the Bay. Although model documentation is not clear how this number was obtained, it appears to be an artifact of the model. The Bay is represented by a constant head boundary, with the zone budget analysis (Figure 51) limited to the Bay area itself. The top two hydrostratigraphic units were assigned an anisotropy ratio of 1:1, and assigned therefore a vertical hydraulic conductivity equal to the horizontal hydraulic conductivity, based on model calibration. This is contrary to published data referenced in the model documentation.

5) Biscayne Bay salinity varies temporally as well as spatially, and the Bay ecosystem is extremely sensitive to the changes and timing of salinity. The RCWs at 124 mgd will place significant stress on the aquifer and Bay (see above – model concludes 97% of water for RCWs comes from the Bay). The model assumes Biscayne Bay is a constant head, constant density, and at steady state, therefore it cannot assess the changes in salinity over time and space in the bay as a result of the RCWs.

Conclusions

Based on the completeness review performed on the results of the APT and the groundwater modeling report provided in the SCA, the County finds the information submitted as being incomplete. With respect to the performance of the APT, the County has determined that the following items must be addressed in order to comply with the completeness determination of this application:

1. The hydrologic effects of increasing the pumpage tenfold over the pumping rates utilized during the field activities associated with the APT.

2. The exploratory drilling activities associated with the lithologic classification of the BA and the identification of preferential flow zones within the subsurface need to be performed to address the shortcomings noted in the APT.

3. The inclusion of the adequate number, location, and intervals of both groundwater monitoring wells and surface water monitoring points to properly evaluate the hydrologic behavior of the APT.

4. Further investigation to understand and quantify the seepage rate and the hydrologic behavior of the site with respect to the region and the proposed RCWs.

5. An adequate water quality sampling plan that provides the collection of sufficient samples to address baseline conditions prior to, during, and after the completion of the new APT to determine the time for the system to return to baseline conditions. The water quality sampling plan shall also increase the frequency of the sample collections to take into account the tidal effects at the site.

6. Provide an adequate approach to adequately determine the source of water being pulled in by the RCWs.

With respect to the groundwater modeling report, the County finds the model unacceptable for the evaluation purposes of the radial collector well system and the effect on the surrounding environment. Regardless, it should be noted that even though issues associated with the groundwater model have been noted, the conclusions demonstrate a violation of Condition No. 4 of Z-56-07 which prohibits the withdrawal of groundwater from the Biscayne Aquifer.

At a minimum, the County requires that the deficiencies noted above to be remedied and incorporated into a single, comprehensive hydrological study for a thorough technical review to allow the County to determine compliance with the requirements of Chapter 24 Miami-Dade County and the CDMP, Condition No. 15 of Z-56-07, and to allow the County to prepare the reports required by 403.526 F.S.

MDC-C-6 (First Round)

FPL proposes to withdraw cooling water from the Biscayne Aquifer. Such withdrawal is specifically prohibited pursuant to Condition 4 of Z-56-07. In addition, the application does not provide sufficient information to support stated conclusions or to adequately evaluate the affect of the radial collector well system on hydrology and water quality. Specifically, the application does not provide adequate information to determine the impact of the radial collector well system on the fate and transport of the groundwater plume associated with the cooling canal system, the potential for and effect of the recharge of the radial collector well system through horizontal preferential flow zones in the aquifer, the impact of the radial collector well system on salt intrusion, and the impact on wetlands and nearshore surface and groundwater water quality in Biscayne Bay, including as it relates to CERP efforts to promote estuarine conditions in nearshore areas.

MDC-C-7 (Third Round)

No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

2MDC-C-7 Second Round)

See comments provided in MDC-C-6. In addition, with regard to FPL's response on the use of radiological tracers such as tritium, there is no federal preemption for monitoring of radiological parameters to evaluate the proposed project.

MDC-C-7 (First Round)
The proposed radial collector wells would be located within or adjacent to a groundwater plume emanating from FPL's Cooling Canal System, which contains high levels of chlorides. It also contains tritium, which may be used as a tracer. In addition, portions of this plume contain heated water, although underground directional travel of the heated water has not been established. No information regarding the delineation of this plume is contained within the application and the extent to which this plume would be affected by the proposed groundwater withdrawals is not documented. In addition, no information was found in the application discussing potential effects of inducing ground water flow towards the proposed withdrawal wells. The applicant needs to provide a hydrologic study, as required under Condition 15 of Z-56-07, that shall include but not be limited to delineation of the existing plume that emanates from the Cooling Canal System and characterization of the tritium levels of the groundwater in the area of the Biscayne Aquifer where the wells are proposed. Any existing heat plume that may extend towards Biscayne Bay should also be delineated as part of the hydrologic study to determine whether warmer water would be induced into the cooling water radial collector lines or the Bay during pumping.

MDC-C-8 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-8 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-8 (First Round)
Neither preferential vertical nor horizontal stratigraphic flow directions have been established. Vertical hydraulic conductivity data is not presented in the application, but it is needed to properly evaluate how the horizontal screens installed in the Fort Thompson Formation 30 to 35 feet below the shallow bay bottom are expected to preferentially draw water from the less transmissive Miami Limestone above instead of from the much more transmissive Fort Thompson.

MDC-C-9 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may

be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-9 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-9 (First Round)
Cones of influence are not defined and aquifer pump-test data has not been presented to properly evaluate hydrologic conditions under which the collector wells would be operated. Neither has there been any data presented to indicate the potential cone of depression that pumping more than 120 million gallons a day from a wellfield located along the shoreline would have on the movement of the salt front line. In order to evaluate the application, the results (including all the data) for all the aquifer pumping tests conducted from 2006 to present shall be provided.

MDC-C-10 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-10 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-10 (First Round)

Water quality data summarized in Table 3.3.4-2 is not sufficient to fully assess the hydrologic characteristics of the cooling canal system.

MDC-C-11

No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-11

The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-11 (First Round)

Data presented for Groundwater Impact assessment is not sufficient. Visual MODFLOW data files are not provided for assessment.

MDC-C-12

No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-12 (First Round)

The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of

information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-12 (First Round)
Not enough data provided to assess statement that radial collector wells are substratum collectors of saltwater that will recharge from below Biscayne Bay.

MDC-C-13 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-13 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-13 (First Round)
The applicant states that almost all the water withdrawn by the proposed radial collectors will be recharged from the Bay; however, no data to support this statement is provided in the application. The applicant shall provide all relevant data relating to recharge of the Biscayne Aquifer that would be induced by operation of the radial collectors.

MDC-C-14 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-14 (Second Round)

The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-14 (First Round)
The applicant has not provided sufficient geologic, hydrologic and water quality data to evaluate the application.

MDC-C-15 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-15 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-15 (First Round)
The applicant has not provided sufficient information to evaluate the mixing chamber model that was used to project impacts from the radial collector wells. The applicant shall provide a modeling development report that meets all professional modeling standards and provides background information, including but not limited to the capabilities and limitations of the model, assumptions made during model construction, boundary conditions and variables (including background data) utilized, the method in which the groundwater and surface water interaction is simulated, method of calibration, and the resulting reporting outputs.

MDC-C-16 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The

requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-C-16 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-16 (First Round)
The application states "During the wet season, a seaward gradient exists and groundwater flow is southeasterly towards Biscayne Bay. This gradient tends to disappear during the dry season, where the groundwater levels are depressed below the sea level, resulting in a reverse flow direction. The groundwater at the Turkey Point Plant is classified by FDEP as Class G-III (see Appendix 10.6) that has no reasonable potential as a future source of drinking water due to the high dissolved solids." The radial wells are located so as to draw from the easterly groundwater flow. Please resolve the apparent conflict between the location of the wells and the water from which they are drawing and Condition 4 of Z-56-07, which prohibits withdrawal from the Biscayne Aquifer.

MDC-C-17 (Third Round)
This item remains incomplete. The revised figure (fig. 4.5-3) referenced in FPL's response must be clarified. It does not appear that the full extent of privately owned submerged land is shown as described in the legend; also, the owner of this land should be identified on the figure. It is also not clear what lands, if any, are located within the Biscayne Bay Aquatic Preserve. FPL shall provide the 1925 TIFF survey documents and the navigation channel easement resolution documents referenced in the figure. Also provide information relating to the referenced "potential submerged land easements". Would these potential easements be issued by the State of Florida and if so, what coordination is required, if any, with the Biscayne Bay Aquatic Preserve? Are these lands located within the Aquatic Preserve?

MDC-C-18 Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness

MDC-C-18 (Second Round)
FPL is incorrect in its statements that Section 24-43.2 of the Miami-Dade County Code relates solely to domestic water supply wells. FPL's assertion that Section 24-43.2 does not apply to saltwater wells is also incorrect. Section 24-43.2 applies to all surface and groundwaters of the county including coastal waters and applies to all "on-site domestic well systems and other water supply wells" (Section 24-43.2). Miami-Dade County does not agree that the information requested relates to standards that are not applicable and notes that FPL has previously agreed pursuant to conditions 5 and 15 of Z-56-07 to demonstrate that the substantive requirements of this code section are met and to conduct a hydrologic study in compliance with Chapter 24, Miami-Dade County Code. Submittal of the requested information consistent with the Z-56-07 requirements is necessary for Miami-Dade County to evaluate the project and to prepare the reports required pursuant to 403.526 F.S.

MDC-C-18 (First Round)
Adequate hydrogeologic data have not been presented and the application does not include sufficient information to determine whether the proposed withdrawals from the radial collector wells would meet the requirements of Section 24-43.2 Miami-Dade County Code.. Selection of potential locations, idealized designs, number of wells, and even the pipe sizes of the radial lines of the collector wells should be based on hydrogeologic data within the areas under Biscayne Bay that the wells would tap. Such data has not been presented in the application. The applicant shall provide information that is sufficient to determine whether the radial collector wells meet the requirements of Chapter 24 and the CDMP for this aspect of the proposed project.

MDC-C-19 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness

MDC-C-19 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-19 (First Round)
The application indicates that a surface water sample from Biscayne Bay was collected to characterize the water from the radial collectors. Providing a surface water sample as a surrogate for groundwater data is inappropriate. The applicant shall provide a characterization of groundwater based on actual data from the area in which the radial collector wells are proposed.

MDC-C-20 (Third Round)

This item remains incomplete. The scale of SCA Figure 3.1.3-1 is inadequate to provide the necessary level of detail to be able to clearly identify the wetland areas that may be impacted during the radial well delivery pipeline installation. FPL shall provide a detailed map clearly delineating the jurisdictional wetland areas as well as the existing mangrove mitigation areas and the areas to be impacted by the installation of the radial well delivery pipeline. The scale of this figure must be appropriate to allow for a clear differentiation of all these areas.

MDC-C-21 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. Will any impacts to wetlands or wetland vegetation, such as mangroves, in the in situ restoration areas, be required for maintenance, repair or other activities after restoration is complete? If so, FPL shall provide details of such impacts and shall also provide corrected UMAM scores that account for these future impacts.

MDC-C-22 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness

> **MDC-C-22 (Second Round)**
> The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.
>
> **MDC-C-22 (First Round)**
> Please provide adequate analysis in support of the conclusion made that the Biscayne Aquifer is not affected by the Radial Collector wells. A fully three dimensional mathematical model should be used to detemine the boundary conditions (influence cones) of the proposed radial collector well. These boundary conditions should be simulated in the overall ground water model, which was described in the Cooling Canal/Industrial Wastewater Treatment and Disposal Facility.

MDC-C-23 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The

requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness

MDC-C-23 (Second Round)
The information provided is not sufficient for evaluation of the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. In addition, the information is not sufficient for evaluation of the project with requirements of Chapter 24, Miami-Dade County Code, the CDMP, requirements of conditions of Resolution Z-56-07, and it is not sufficient in comprehensiveness of data or in quality of information to allow the County to prepare the reports required by 403.526 F.S. Also see response to MDC-C-6.

MDC-C-23 (First Round)
A fully three dimensional mathematical model is needed in support of the conclusion made that the Biscayne Aquifer would not be affected by operation of the radial collector wells. This shall assist in the determination of the boundary conditions (influence cones) of the proposed radial collector wells. These boundary conditions should be simulated in the overall ground water model, which was described in the Cooling Canal/Industrial Wastewater Treatment and Disposal Facility. Whether the extraction of water from the Biscayne Bay system will change or reduce the freshwater inflow to the bay and/or increase salinity at least seasonally shall be examined through additional modeling as part of the application

MDC-C-24 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County acknowledges the information provided in response to the specific questions regarding the March 2008 HDR report. However, without the information required by conditions 5 and 15 of Z-56-07 and the additional outstanding information that has been requested relating to these matters, Miami-Dade County will be unable to complete the evaluation of the issues raised in this item. In addition, FPL has not demonstrated that the radial collector well alternative would be appropriate given the requirement of condition 4 of Z-56-07.

SECTION D – ACCESS ROAD

MDC-D-1(a) (Third Round)
FPL's response is incomplete because they fail to provide the information requested in the first Completeness Response, which is required to evaluate whether the access roads, as currently proposed, fulfill the substantive requirements of Sections 24-48.3, 24-48.4, and 24-49 of the Miami-Dade Code. This is a separate substantive requirement from whether the proposed use

is consistent with the CDMP and detailed information is required in order to evaluate the proposed use as temporary construction access roads and prepare the agency reports required by Section 403.526, F.S. FPL shall provide the requested information, which consists of an evaluation of impacts that "include but are not limited to disruption of ecological corridors, altered hydrogeology in surrounding wetlands (e.g. via barriers to sheetflow), increased invasion rate of non-native species, increased road-kill, impacts to listed species and their habitat, including but not limited to Florida panthers and Eastern indigo snakes, and increased access that may facilitate illegal dumping, ATV riding, poaching, and other activities that may directly or indirectly impact surrounding wetlands. The applicant shall also address how road construction and operation would compromise the ability of the EEL Program and other agencies to appropriately manage public lands. FPL shall provide an analysis of these impacts on the hydrologic and ecological values of the surrounding lands, including information on how these impacts will be minimized and avoided to the maximum extent possible and how unavoidable impacts will be mitigated." (Miami-Dade County Completeness Response, question MDC-D-1).

Miami-Dade County acknowledges FPL's provision of information on federally and state-listed species (including plants), including Florida panthers and Eastern indigo snakes under response 2MDC-A-26-2, however, considers this information still incomplete because of limitations and inaccuracies detailed in Miami-Dade County's response to 2MDC-A-26-2.

Miami-Dade County hereby clarifies that the ability of the EEL Program and other agencies to appropriately manage public lands is the result of several factors, only one of which, access across FPL-owned lands, has been partially addressed by FPL in its response. Information must be provided to allow for a review of these additional factors including but not limited to: 1) impact to access such as the availability of safe pull-out areas for transport vehicles that may be towing trailered equipment and other types of motorized vehicles on the access roads plus elevation differences and/or slopes between the roads and surrounding lands that may preclude accessing the surrounding publicly-owned wetlands with wetland-compatible vehicles, and 2) impact to management costs due to degradation of the wetlands adjacent to the roads that are the result of a) the increased level of disturbance from construction and operation of the roads, which includes an elevated opportunity for the spread of invasive plant species and b) increased access by the general public to an area that has previously been difficult to access by street-compatible vehicles. FPL must address all of these factors in its response.

FPL states that several alternative access roadway configurations were reviewed, but failed to include the information that supported that review with its response. Figure W9.3.1-1 shows only the SW 359 Street corridor alternative in the region immediately around the Turkey Point complex. FPL shall provide all available access road alternatives that were considered and any supporting analyses that resulted in their conclusion that SW 359 Street corridor was the "least environmentally damaging practicable alternative".

MDC-D-1(b) (Third Round)

The item is still incomplete because complete information has not been provided and clarification is needed on a statement that FPL made in its response. FPL stated in its response that, "After construction is complete, public access to SW 359th Street will be restricted by locked gates." FPL shall clarify whether "after construction is complete" refers to construction of the access roads or construction of the plant. If FPL meant that the roads will be restricted after construction of the plant, FPL shall provide information on what specific features and actions will be taken to restrict public access to the access roads after the roads have been constructed but before the plant construction is complete. In addition, FPL shall provide information on how

often the gates will be inspected for integrity and repaired, if necessary, during the foreseeable life of Units 6 and 7.

MDC-D-1(c) (Third Round)
Miami-Dade County acknowledges the information provided by FPL, but considers this item still incomplete. FPL has stated, "SW 359th Street will be reduced to a transmission line patrol road after construction is complete" but has not provided specific information on the future configuration of this road, nor has FPL explicitly stated whether this stretch of transmission line patrol road will continue to be paved or not. FPL shall provide clarification on the pavement status of the future transmission maintenance road within the SW 359 Street corridor, from east of SW 137 Avenue to the plant, once construction of the plant has been completed, and shall provide a cross-sectional figure for the future configuration of this transmission maintenance road. Miami-Dade County acknowledges FPL's commitment that all public roads will be returned to their previous 2-lane configuration, however, it should be noted that SW 117 Ave south of SW 344 St. is presently a single lane roadway. FPL shall provide an explanation whether this road will be returned to a single lane road following construction.

MDC-D-1(d) (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-D-2 (Third Round)
Previously determined to be complete.

MDC-D-3 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient

MDC-D-4 (Third Round)
Previously determined to be complete.

MDC-D-5 (Third Round)
Previously determined to be complete.

MDC-D-6 (Third Round)
Previously determined to be complete.

MDC-D-7 (Third Round)
Previously determined to be complete.

MDC-D-8 (Third Round)
Previously determined to be complete.

MDC-D-9 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County has concluded from the response that FPL may misunderstand the purpose of the exotic vegetation management plan required under Condition 12 of Z-56-07 and hereby provides clarification. The exotic vegetation management plan is not intended solely for areas where construction of buildings and infrastructure will eliminate existing exotic vegetation, but instead is intended for nearby areas which may be invaded or further invaded by exotic species as a result of construction and operation of the plant site and associated facilities including non-transmission linear facilities. Such areas may include, but are not limited to locations within the plant site that currently have or are likely to have invasive exotic plant species colonize. Such areas may also include, but are not limited to areas near current or future non-transmission linear facilities, because such areas currently have or are likely to have invasive exotic plant species colonize, facilitated by vehicle traffic utilizing the linear facility. This information is required to determine whether the substantive requirements of the Miami-Dade County Code relating to the removal of exotic vegetation would be met by the proposed project.

MDC-D-9 (Second Round)

This request is not outside the scope of a completeness request since Miami-Dade County has the authority to request information on potential impacts to EEL lands that lie adjacent to or near the proposed access corridor under Section 24-48.3(1)(a) of the Miami-Dade Code. The code states that the Board of County Commissioners shall base its decision upon "The potential adverse environmental impact and cumulative adverse environmental impact of the proposed work, including but not limited to, the effect upon....and any other environmental values, affecting the public interest." In addition, Section 24-49.9(1) requires that exotic pest plant species, when present on a development site, shall be removed prior to development. The reference to impacts to EEL lands is only one example of why the County is concerned with the consequences of failure to comply with the provisions of Section 24-49.9(1). Miami-Dade County notes that Condition 12 of Z-56-07 does not specifically limit the plan to roadway improvement rights-of way, and also notes that the exotic vegetation management plan required under Condition 12 is to be prepared and implemented prior to the construction of any roads.

According to MACTECH report entitled "*Geotechnical Exploration and Testing Turkey Point Col Project Florida City, Florida* " dated October 6, 2008, and submitted by FPL, road construction has already begun at the Units 6 and 7 site, therefore, development and implementation of this plan is already past due. The information provided in the Completeness Response lacks a thorough list of exotic vegetation present on FPL lands, and lacks information on appropriate treatment techniques and scheduling that will bring FPL lands into maintenance condition and maintain that status over time.

FPL shall provide the requested exotic vegetation management plan, which shall address factors including but not limited to treatment area boundaries, protection of surrounding habitat, season of treatment, frequency of treatment, variation in treatment techniques to suit terrain and level of infestation, etc.

MDC-D-10 (Third Round)

Please see MDC's Response MDC-D-9 (Third Round).

MDC-D-11 (Third Round)

Miami-Dade County acknowledges that FPL has provided a portion of the information, however, the response remains incomplete because FPL has not provided the requested tree survey for the proposed plant site and associated facilities, including non-transmission linear facilities. Protected tree resources may occur on any upland portion of the proposed plant site and associated facilities, including non-transmission linear facilities. Miami-Dade County staff, for example, observed a spiny black olive (*Bucida molinetii*, fka *Bucida spinosa*) adjacent to one of

the roads near the proposed plant site during a site visit. This rare hardwood species is protected under Section 24-49 of the Miami-Dade County Code and is an example of why such a tree survey is needed. This information is needed to determine whether the project fulfills the substantive requirements of Chapter 24 of the Miami-Dade County Code, including but not limited to Section 24-49, and to prepare the agency reports required by Section 403.526, F.S.

MDC-D-12 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County has concluded from the response that FPL may misunderstand the request for information. Construction and operation of non-transmission linear facilities, including but not limited to construction access roads, may have an adverse impact on adjacent and nearby EEL lands, including but not limited to disruption of ecological corridors, disruption of sheetflow patterns, degradation of environmental quality due to disruption of management activities from access limitations, increased mortality of wildlife that utilizes EEL lands for some portion of their life cycle, increased invasive exotic plant colonization due to increased traffic, increased dumping and ATV/ORV use due to improved access for unauthorized parties, and other changes that may occur as a direct or indirect result of constructing and operating construction access roads located in a large, contiguous wetland system. FPL has not provided sufficient information on any of these issues and Miami-Dade County reiterates the need for such information in order to evaluate direct and indirect impacts of access road construction and operation and prepare the reports required by 403.526 F.S

FPL shall provide specific information relating to potential impacts to wildlife associated with access road/wildlife corridor overlap. Without the requested information, Miami-Dade County is unable to determine whether the proposed access roads cross through commonly used migration routes, travel corridors between feeding and breeding or resting areas, and any other types of travel corridors. The locations of such overlap, the types of species that would be affected, and the nature of the impacts need to be identified at this time. The information should ensure that information is included on rare, threatened or endangered species including state listed and federally listed species. Miami-Dade County has previously requested additional information on wildlife impacts that may result from the project in order to evaluate the potential adverse and cumulative adverse environmental impacts of the proposed work pursuant to Chapter 24, Miami-Dade County Code and the Miami-Dade County Comprehensive Development Master Plan. Miami-Dade County also notes that FPL has continued to dismiss the County's request for information resulting from a Comprehensive Environmental Impact Statement based upon FPL's assertion that the request is procedural in nature. However, Miami-Dade County reiterates that the information is required to evaluate this project for conformance with nonprocedural requirements of Miami-Dade County. Miami-Dade County acknowledges additional information provided by FPL in its completeness responses related to this issue, including limited information regarding invasive plant control within the non-transmission linear features; however, the County reiterates that the information remains incomplete.

MDC-D-12 (Second Round)
FPL's response is incomplete and is not sufficient in comprehensiveness or quality of the information to allow Miami-Dade County to prepare the reports required by Section 403.526, F.S. FPL is incorrect in its assertion that Miami-Dade County is requesting information about compliance with Section 24-50 of the Miami-Dade Code in MDC-D-12. With regard to Environmentally Endangered Lands, Miami-Dade County is requesting information that is sufficient to determine compliance with Section 24-48.3 of the Miami-Dade Code, including Section 24-48.3(1)(a) of the Miami-Dade Code, which addresses evaluation of "the potential adverse environmental impact and cumulative adverse environmental impact of the proposed work, including but not limited to the effect upon ... any other environmental values, affecting the public interest." FPL has asserted, but has not demonstrated, that there will be no significant adverse changes to the environment surrounding the linear features associated with Units 6 and 7. For example, research has demonstrated that the increased traffic associated with paved roadways will increase the rate of exotic plant invasion. FPL is obligated, under Condition 12 of Z-56-07, to submit and implement an exotic vegetation management plan, but has not yet done so. This plan is necessary to determine whether there will be a net adverse environmental effect on nearby lands due to increased exotic plant invasion.

MDC-D-12 (First Round)
The application does not adequately depict property ownership in areas surrounding proposed linear features such as access roads, including MDC Environmentally Endangered Lands (EEL) Program projects that have been at least partially acquired. Please provide amended maps showing all EEL projects, along with a complete analysis of the direct and indirect effects of proposed linear feature construction and operation on nearby EEL Project lands.

MDC-D-13 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

FPL states that several alternative access roadway configurations were reviewed, but failed to include the information that supported that review with its response. Figure W9.3.1-1 shows only the SW 359 Street corridor alternative in the region immediately around the Turkey Point complex. FPL shall provide all available access road alternatives that were considered and any supporting analyses that resulted in their determination that "the best course of action is to pursue the roadway improvements described in the SCA."

2MDC-D-13 (Second Round)
FPL's response is incomplete and is not sufficient in comprehensiveness of data or quality of the information to allow Miami-Dade County to prepare the reports required by Section 403.526, F.S. Miami-Dade County is requesting information that is needed to determine compliance with Sections 24-48 and 24-49 of the Miami-Dade Code, which require demonstration of avoidance and minimization of impacts to protected resources, and consistency with objectives and policies in the CDMP that protect sensitive resources such as wetlands and habitat for endangered and threatened species, protect surface water connectivity and flow, and require consistency with CERP.

Filed June 4, 2010 4:14 PM Division of Administrative Hearings.

In addition, the Mitigation Plan required under Condition 9 of Z-56-07 must include information on replacement tree canopy required under Section 24-49 of the Miami-Dade Code. The wetlands in the areas south of SW 344 Street also include mitigation areas (folios 10-7926-001-0020, 10-7927-001-0010 and 30-7927-001-0150) that lie adjacent to the proposed improvements.

FPL has not provided information on possible impacts from the proposed roadway improvements to adjacent properties and the existing mitigation lands.

The information presented in SCA Appendix 10.7.4 is not sufficient to demonstrate compliance with the requirements for avoidance and minimization; in Chapter 24, Miami-Dade Code.

In addition, the response and the SCA application does not adequately address potential access road alternatives along SW 344th Street currently under review with Miami-Dade County.

MDC-D-13 (First Round)
Application fails to provide an alternatives analysis for the proposed access road network, both for construction access to the plant and access to the transmission line corridors, and to adequately deomstrate [demonstrate] that impacts to resources are minimized and avoided. Please provide an analysis of alternatives for the access roads that considers and compares the benefits and impacts of all feasible alternative routes for ingress-egress, and demonstrates minimization and avoidance of impacts including but not limited to wetlands, impacts to state and federally protected species, impacts to existing water management features, impacts to Environmentally Endangered Lands projects, Natural Forest Communities and tree resources protected by Chapter 24, Miami-Dade Code. Alternatives evaluated for ingress-egress to Turkey Point should include but not be limited to utilization of the existing Palm Drive (SW 344 Street) corridor with and without shift change modifications, and alternative construction entrances including but not limited to utilizing the existing plant entrance with shift change modifications or making improvements to the L-31East levee for use as a temporary construction entrance by backfilling a section of the L-31E borrow canal.

MDC-D-14 (Third Round)
Please see MDC's responses MDC-D-1 (Third Round), MDC-D-9 (Third Round), and MDC-D-12 (Third Round).

MDC-D-15 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

MDC-D-15 (Second Round)
The Wetland Mitigation Plan as presented in Appendix 10.4 of the SCA and the information provided in FPL's Completeness Response does not fulfill the requirements of Condition 9 of Z-56-07. The suitability of the Mitigation Plan cannot be evaluated in accordance with the substantive requirements of Chapter 24, Miami-Dade Code, without an understanding of what specific mitigation is being proposed for impacts from the access roads.

MDC-D-15 (First Round)

Pursuant to Condition 9 of Z-56-07, the applicant shall submit a wetlands mitigation plan for the areas impacted by the construction of the access roads. This plan shall be developed in accordance with the substantive requirements of Chapter 24, Miami-Dade Code, and shall be reviewed by DERM for compliance with Chapter 24 as interpreted by DERM based on the impacts of this application. Pursuant to Condition 9 of Z-56-07, the plan shall identify the specific mitigation that is intended to offset impacts from the access roads.

MDC-D-16 (Third Response)
Please see MDC's responses MDC-D-1 (Third Round), MDC-D-9 (Third Round), MDC-D-12 (Third Round), MDC-D-14 (Third Round), and MDC-D-15 (Third Round).

MDC-D-17 (Third Round)
FPL's response is incomplete because the response failed to provide all of the requested information. FPL states that several alternative access roadway configurations were reviewed, but failed to include the information that supported that review in the response. Figure W9.3.1-1 shows only the SW 359 Street corridor alternative in the region immediately around the Turkey Point complex. FPL shall provide all available access road alternatives that were considered and any supporting analyses that resulted in their conclusion that SW 359 Street corridor was the "the least environmentally damaging practicable alternative that meets the Project needs". In addition, FPL shall clarify whether any other access road options were considered, including but not limited to options that would result in reduced or redistributed traffic to avoid the need for additional roadways or options that would limit the number of additional lanes needed to maintain an appropriate level of service or options that would route the additional capacity needed past more highly disturbed wetland areas or non-wetland areas. If such options to avoid and minimize impacts were not considered, FPL shall provide an explanation for why not. Such information is needed to evaluate the mitigation proposed for construction of the access roads, as per Section 24-48.4 of the Miami-Dade Code, and is needed in order for Miami-Dade County to prepare the reports required by 403.526, F.S.

FPL shall also clarify statements made in the response. FPL states that the total difference in wetland impacts between the original proposal and the MDC alternative to maximize utilization of SW 344 Street was only one acre. FPL shall clarify what specific impacts were considered in the analysis, how those impacts were classified (direct or secondary), and whether FPL's analysis included consideration of factors such as disruption of ecological corridors and subsequent effects such as an increased risk for roadkill.

FPL also stated that an insufficient amount of land exists within the road ROW on the north side of New City Canal, and additional easements and/or condemnation would be necessary. FPL shall provide maps showing where New City Canal is located, where the proposed road alignment is projected to be located relative to the existing ROW, and where the need for additional easements and/or condemnation occurs. FPL shall also identify the 19 private property owners over whose lands easements are projected to be needed, and provide justification for why there are no other alternatives using the same general concept for access to the proposed plant site that would further minimize the number of private property owners affected. For example, was expansion to the south of the SW 344 Street ROW considered to avoid the need to acquire 19 private properties?

FPL stated that the MDC alternative would result in an additional $40 million cost to the Project aside from easement acquisition. FPL shall provide a specific breakdown of how the $40 million cost was derived.

MDC-D-18 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-D-19 (Third Round)
This item remains incomplete. The document referenced in page 2 of appendix 10.7.1.3 (Tucker et al., 2004) was requested by Miami-Dade County in the first and second completeness responses; said document has not been provided by FPL in either of its completeness responses to date. Therefore, the County reiterates its request that a copy of this document be submitted with the next completeness response to this item.

Miami-Dade County acknowledges FPL's submittal of The American Crocodile Monitoring Program for the Turkey Point Uprate 2009 Annual Report (Mazotti et al., 2009) and the 2009 Turkey Point American Crocodile Report. For the first report, FPL must provide an explanation of how the surveys conducted in January and May, for Task 1, account for nest success, hatchling sex ratios, and survivorship given that these two surveys were conducted prior to the period that crocodile eggs usually hatch, typically late July early August. FPL shall provide an explanation of why salinity is not being monitored in a continuous manner, like temperature.

MDC-D-20 (Third Round)
Miami-Dade County stated in comments on the Completeness Response that staff has observed crocodiles outside the designated critical habitat. FPL has stated in the response that "It would be beneficial if County staff would document all observances of listed species with the USFWS, FFWCC, and FNAI, as well as the appropriate landowners, to facilitate applicants' ability to fulfill the requirements of Chapter 24, Miami-Dade County Code and the Endangered Species Act." Miami-Dade County notes that opportunistic observations should not be the sole basis for a determination of which habitats are utilized by wildlife and which of those habitats are critical to wildlife, including threatened and endangered species. Miami-Dade County has continued to request comprehensive, seasonal studies on both wildlife utilization and plant occurrence for the region within and surrounding the proposed locations for the plant and associated non-transmission facilities. Such studies are needed to properly document the use and value of the habitat in order to understand the potential impacts of the proposed project on flora and fauna of the region. Miami-Dade County notes that FPL has continued to dismiss the County's request for comprehensive information on flora and fauna, including seasonal utilization, or any other information resulting from a Comprehensive Environmental Impact Statement based upon FPL's assertion that the request is procedural in nature. However, Miami-Dade County reiterates that the information regarding flora and fauna including seasonal variations is required to evaluate this project for conformance with nonprocedural requirements of Miami-Dade County. Miami-Dade County acknowledges the additional information provided by FPL in its completeness responses related to this issue; however, the information remains incomplete. Without the requested information, Miami-Dade County is unable to determine whether the proposed plant and associated non-transmission facilities meet the requirements of Chapter 24 of the Miami-Dade Code and is unable to prepare the reports required by Section 403.526, F.S.

Miami-Dade County acknowledges the information provided by FPL on proposed wildlife protection measures within the roadway improvement corridor, however, this information remains incomplete. Please refer to comments in MDC-D-21 (Third Round).

MDC-D-21 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of

Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County continues to consider the application incomplete because FPL omitted information on Eastern indigo snake habitat preferences that was provided as part of the information submittals for the proposed transmission corridors, which has resulted in an inaccurate assessment of the likelihood that the Eastern indigo snake occurs within or near the plant site or associated linear and non-linear features, including the proposed construction access roads. The County continues to request the following information:

- FPL shall provide a revised assessment of the likelihood for occurrence of the Eastern indigo snake that accurately addresses the similarity between nearby habitat where the snake has been documented and habitat available within the boundaries of the proposed plant site and associated linear and non-linear non-transmission features.
- FPL shall also provide information on wildlife protection measures to be incorporated into the design for the access roads, in accordance with requirements under Condition 9 of Z-56-07 that will provide protection for the Eastern indigo snake from mortality due to road kill.

The County has been clear in expressing concern about the potential impact of the proposed construction access roads on wildlife that occupy the upland and wetland habitats near the proposed roads, and has presented information indicating that reptiles, and especially snakes, are disproportionately represented in a roadkill survey for a multilane road, US Highway 1, that passes through habitat similar to where the proposed construction access road will be located. Miami-Dade County wishes to clarify that the County did not claim that there were Eastern indigo snakes represented in the roadkill survey, but instead stated that "reptiles, and particularly snakes, are disproportionately represented in road-kill surveys for other paved roads that have wetlands on both sides of the road, such as US Highway 1". This information may be obtained directly from the Florida Department of Transportation, District 6.

FPL has continued to dismiss the County's concerns, stating in its Second Completeness Response that "The majority of the roadway improvement corridor traverses shallow hydroperiod freshwater marsh wetlands, tree nurseries, exotic wetland hardwoods, mixed wetland hardwoods, and existing roadways. Based on the lack of suitable habitat for Eastern indigo snakes within the roadway improvement corridor, it is highly unlikely that this species would be at risk of adverse impact associated with the proposed roadway improvements." This statement is not consistent with information provided for the transmission corridors, which stated, "In response to Miami-Dade County's request for acknowledgement that indigo snakes could occur in and around wetland habitats along the corridors similar to those found in the FPL Everglades Wetland Mitigation Bank, FPL, in the submittals referenced above, has indicated the snake uses a wide variety of habitats. As Moler (1992)* also indicates, the snake can be found in "habitats ranging from mangrove swamps and wet prairies to xeric pinelands and scrub." Moler also reports the snake favors wetland edges for foraging, preying on frogs and other snakes. FPL has recorded indigo snake sightings within the Everglades Mitigation Bank, but they are typically found on tree islands and spoil berms or roads. In fact, FPL has created an upland indigo snake habitat area within the Crocodile Preserve portion of the Bank. Therefore

FPL does concur that the indigo snake could utilize wetland habitats along the corridors similar to those within the Everglades Wetland Mitigation Bank." (FPL's Turkey Point Units 6 & 7 Supplemental Analysis, Transmission Lines, Third Completeness and Supplemental Analysis CD of SCA Information Submitted by FPL Regarding Turkey Point Transmission Line Corridors, Response MD(3)-09) Given that the construction access roads overlap with the proposed West Transmission Corridor for approximately 3 miles and includes the same habitat, FPL must correct its assessment to provide consistency with information and conclusions that were drawn with respect to the transmission corridors.

In addition, FPL must provide detailed information on how public access will be restricted from the construction access roads (including areas where those access roads occupy a public right-of-way), what steps FPL will take to enforce and/or maintain the means for restricting access, along with a schedule for enforcement/maintenance of those means, what speed limits will be posted, how and how often speed limits will be enforced, language/graphics for any wildlife crossing signage, locations where wildlife crossing signage will be posted and how those locations were selected, locations where the road crosses wildlife travel corridors but wildlife crossing signage will not be posted along with justification for why not, and information on what schedule of maintenance for the signage will be followed.

MDC-D-22 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC's responses MDC-A-23 (Third Round), MDC-A-26-2(Third Round), MDC-D-1(a) and MDC -D-1(b) (Third Round), MDC-D-9 (Third Round), MDC-D-12 (Third Round), MDC-D-13 (Third Round), MDC-D-21 (Third Round), MDC-D-23(Third Round).

MDC-D-22 (Second Round)
The Threatened and Endangered Species Evaluation and Management Plan presented in Appendix 10.7.1.3 of the SCA and the SCA sections referenced in FPL's response do not satisfy the requirements of Condition 11 of Z-56-07.

- FPL shall provide additional information on how this plan satisfies the requirements of Condition 11 of Z-56-07, including but not limited to when and how FPL fulfilled the requirement for consultation with DERM and the US Fish and Wildlife Service (USFWS), how the plan provides for management of all federal and state listed threatened or endangered species, documented within the proposed access area, and how the plan provides for preservation, to the maximum extent possible, of all habitat identified as critical to these species.
- FPL shall address short-term and long-term measures necessary to protect all critical habitats.
- FPL shall detail how the plan was reviewed and interpreted by DERM for compliance with the substantive requirements of applicable statutes and regulations and how FPL has modified the management plan as needed to satisfy compliance with such applicable statutes and regulations.

MDC-D-22 (First Round)
The application does not include the management plan for all federal and state listed threatened and endangered species documented within the proposed access area, as required under Condition 11 of Z-56-07. Please provide the required plan.

MDC-D-23 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

FPL's response stated, "Co-location of the temporary access roadways with these existing disturbed linear features [existing roadways and linear facilities, including existing FPL transmission line access roads] reduces the probability of adverse impacts to sensitive resources that are discovered at a later date." Miami-Dade County respectfully disagrees with this assertion and requires additional detailed information in order to assess the probability of adverse impacts to sensitive resources. FPL is proposing to convert the existing disturbed linear features south of SW 344 Street, which are unpaved, unmaintained, single or double lane roads that traverse otherwise contiguous and connected wetland habitats and whose use is generally limited to ORV, car, truck, and moderate-duty equipment, into multilane paved access roads that will be continuously used by heavy haul equipment. Impacts to wildlife resources are likely, which is why Condition 9 of Z-56-07 requires the use of wildlife protection features to address this issue.

FPL shall provide information on wildlife protection features that is sufficient to determine whether the requirements of Miami-Dade County Code and the CDMP as well as Condition 9 of Z-56-07 have been met. Pursuant to Condition 9 of Z-56-07, FPL shall provide locations, details, and descriptions of all wildlife protection features, including but not limited to location of any fencing and wildlife underpasses that will be provided for the construction access roads, how public access will be restricted from the construction access roads (especially for areas where those access roads occupy a public right-of-way), what steps FPL will take to enforce and/or maintain the means for restricting access, along with a schedule for enforcement/maintenance of those means, what speed limits will be posted, how and how often speed limits will be enforced, language/graphics for any wildlife crossing signage, locations where wildlife crossing signage will be posted and how those locations were selected, locations where the road crosses wildlife travel corridors but wildlife crossing signage will not be posted along with justification for why not, and information on what schedule of maintenance for the signage will be followed.

MDC-D-24 (Third Round)
FPL states in its response that "FPL acknowledges the requirement pursuant to Condition 9 of Resolution Z-56-07 to maintain sheetflow across roadways and to coordinate with DERM to develop a conceptual plan for the roadway elevations to account for increased water elevations

resulting from planned restoration activities in the area adjacent to the roads." No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

FPL's submittal shall include information on how this conceptual plan meets the requirements of Condition 17 of Z-56-07. Those proposed construction access roads that fall within the boundaries of the West Preferred Transmission Corridor qualify as "transmission corridor upgrades to this area" [*i.e.* "within the Biscayne Bay Coastal Wetlands CERP Project study boundaries"] and "improvements to sheet flow such that the corridors do not impede the flow of ground or surface waters" are required.

MDC-D-24 (Second Round)
The requested information is not outside the scope of a completeness request for additional information. FPL's response is incomplete because it fails to provide details on how multilane road construction will be made compatible with restoration features planned by CERP. FPL shall provide details including but not limited to road elevation, location and details on whether any segments of the proposed roads will be elevated, placement within the available right of way, reservations (if any) for planned CERP features including but not limited to Pump PU-M3 and the north-south spreader canal planned for the Tallahassee Road alignment, existing features (natural and man-made) that would be impacted by road construction, total acres of wetlands that will specifically be impacted by the installation of the access roads, and size and location of culverts intended to maintain hydrologic connectivity across the road, The information requested is required to evaluate whether the proposed project is consistent with Condition 9 of Z-56-07, Section 24-48.3 of the Miami-Dade County Code and objectives and policies in the CDMP that require consistency with CERP.

MDC-D-24 (First Round)
Most of the lands adjacent to the proposed roadway segment improvements occur within the boundaries of the Biscayne Bay Coastal Wetlands CERP Project, and several segments would be located where this CERP project proposes infrastructure for restoration of the surrounding wetlands and Biscayne Bay. These road improvements would directly interfere with CERP features associated with the Biscayne Bay Coastal Wetlands Project, including pumps and spreader canals. A pump station is proposed on the south side of the Florida City Canal at the Tallahassee Road (SW 137 Avenue) alignment. The purpose of this pump station is to transfer water south into the Model Lands Basin via a north/south spreader canal that would be constructed within the SW 137 Avenue road right of way. The CDMP requires that the FPL project be consistent with CERP, yet the lands that would be impacted by the FPL roadway improvement feature are the same lands that would be restored under CERP. Please address how the proposed roadway features would be constructed to be consistent with the proposed CERP features.

MDC-D-25 (Third Round)
See MDC's response MDC-D-24(Third Round).

MDC-D-26 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the timeframes prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-D-26 (Second Round)
The requested information is not outside the scope of a completeness request for additional information. The information requested is required to evaluate whether the
proposed project is consistent with Condition 9 of Z-56-07, Section 24-48.3 of the Miami-Dade County Code, and objectives and policies in the CDMP that require preservation of natural drainage and other wetland functions. As requested and pursuant to Condition 9 of Z-56-07, please provide locations, details and descriptions of all features that are intended to maintain sheetflow across the roadways.

MDC-D-26 (First Round)
Pursuant to Condition 9 of Z-56-07, "Sheet flow shall be maintained across roadway alignments by elevating portions of the roadway and through the installation of culverts in other areas." The application does not contain sufficient information to determine whether the requirements of Condition 9 of Z-56-07 have been met. Pursuant to Condition 9 of Z-56-07, please provide locations, details and descriptions of all features that are intended to maintain sheetflow across the roadways.

MDC-D-27 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

MDC-D-27 (Second Round)
The requested information is required to evaluate potential impacts of the project and determine if the project can be certified as proposed, or whether modification of the project is necessary for certification. Drainage plans and associated calculations for the proposed access roads are needed to evaluate the project for compliance with requirements of the CDMP and Miami-Dade County Code. Including but not limited to Section 24-48.3 of the Miami-Dade Code, which addresses potential adverse environmental impact and cumulative adverse environmental impact of the proposed work, including but not limited to the effect upon hydrology, water quality, water supply, wildlife habitats, floral and faunal values, rare, threatened and endangered species, wetland values, and any other environmental values, affecting the public interest.

MDC-D-27 (First Round)
Please provide drainage plans and associated calculations for the proposed access roads.

MDC-D-28 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-29 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Miami-Dade County reiterates the request for "... a detailed map identifying areas where roads or road improvements would not be completely contained within the boundaries of either FPL-owned land or an existing public right-of-way. The applicant must also identify adjacent property owners whose land may need to be obtained to accommodate the road or road improvements, including but not limited to the Miami-Dade Environmentally Endangered Lands, Program, and ex[plain the process by which the additional property will be obtained.".

MDC-D-30 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-31 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-32 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-33 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-34 (Third Round) Complete. The information submitted is considered sufficient.

MDC-D-35 (Third Round) Complete. The FPL response to MDC-D-35 is acknowledged and considered sufficient.

MDC-D-36 (Third Round) Complete. The *Supplemental Traffic Information* and *New Canal Road Option Traffic Study* submitted by FPL at the request of Miami-Dade County Department of Planning, and the FPL response to MDC-D-36 are acknowledged and considered sufficient.

FPL evaluated several issues related to the MDC alternative, including wetland impacts and cost. According to FPL the wetland impact analysis indicates that the difference in total wetland impacts of the FPL and MDC alternatives is only one acre, the MDC alternative would result in an additional $40 million dollars to the project cost, and the need for additional right-of-way acquisition. Also, FPL surveyed the land along the MDC alternative and found out that insufficient right-of-way exists to accommodate the roadway improvements associated with the MDC alternative.

On April 28, 2010, the Board of County Commissioners (BCC) passed Ordinance No. 10-26 adopting Standard Amendment Application No. 6 filed by FPL to amend the county's Comprehensive Development Master Plan (CDMP) Traffic Circulation Subelement to include a new Figure 3.1 showing the location of FPL's proposed temporary roads. The FPL's temporary roadway improvements include the alignment submitted in the SCA. The BCC adopted the FPL

Application with staff recommended changes. The BCC decided that all roadway improvements associated with the construction of Turkey Point Units 6 and & as shown in Figure 3.1 are to be temporary and must satisfy the following criteria:

1. The temporary roadway improvement serves to accommodate traffic during the construction of Turkey Point Units 6 and 7;
2. The temporary roadway improvements are designed in a manner that provide no more [capacity] than is required for safe roadway conditions and secure access to the construction site;
3. Construction of the temporary roadways and roadway improvements will commence no sooner than two (2) years prior to commencement of construction of Turkey Point Units 6 and 7;
4. Within two (2) years following the construction of Turkey Point Units 6 and 7 (a) all temporary roadway improvement on public owned rights-of-way will be returned to the status of the roadway(s) prior to the commencement of construction of the temporary roadways and roadway improvements, and (b) any privately owned roadway will be returned to the minimum roadway width required to provide maintenance to FPL facilities and shall not be more than two lanes;
5. FPL shall pay all costs associated with construction and removal of temporary roadway improvements;
6. Temporary roadways and roadway improvements shall be designated to meet the substantive requirements of Chapter 24, Miami-Dade County Code, as interpreted by DERM. In addition, the design of the temporary roadways and roadway improvements shall also be consistent with the goals, objectives and policies of the CDMP, the objectives of the Comprehensive Everglades Restoration Plan, County land use approvals, and other applicable County approved environmental management plans for public owned lands, as may be amended from time to time, and appropriate mechanism shall be provided to enhance protection for wildlife in the area, and the Miami-Dade County Department of Environmental Resources Management shall enforce the environmental regulations within its jurisdiction, to the extend allowable by law;
7. Temporary roadway improvements on privately owned property shall not be open to the general public. Miami-Dade County and other agencies with needed access shall, after providing proper notification to FPL, be granted access to this private roadway, and;
8. At FPL's expenses, all temporary roadway improvements south of SW 344 Street shall be patrolled by security personnel when in active use. In addition, FPL shall maintain security gates or other appropriate security measures during enactive periods on privately owned roadway improvements. To the greatest extend possible, FPL shall deter access by the general public on temporary roadways south of SW 344 Street.

MDC-D-37 (Third Round) Complete. The *Supplemental Traffic Information* and *New Canal Road Option Traffic Study* submitted by FPL at the request of the Miami-Dade County Department of Planning and Zoning, and the response to 2MDC-D-36 are considered sufficient.

MDC-D-38 (Third Round) Complete. The *Supplemental Traffic Information* and the *New Canal Road Option Traffic Analysis* submitted by FPL at the request of the Miami-Dade County Department of Planning and Zoning and the response to 2MDC-D-36 are considered sufficient.

MDC-D-39 (Third Round) Complete. The *Supplemental Traffic Information* and the *New Canal Road Option Traffic Analysis* submitted by FPL at the request of the Miami-Dade County Department of Planning and Zoning included SW 137 Avenue north of SW 328 Street. SW 152 Avenue between SW 328 Street and US 1 and SW 162 Avenue between 344 Street and South Dixie Highway (US 1) were not included. However, their omission in the analyses is not critical as SW 137 Avenue, SW 117 Avenue, SW 328 Street, and SW 344 Street are the corridors that will be most impacted by the construction traffic.

MDC-D-40 (Third Round) Complete. In the *Turkey Point Power Plant Peak Construction Traffic Study (June 2009)*, the traffic consultant assumes that approximately 3,650 workers will be involved in the construction of Units 6 and 7 (p. 1 of Traffic Study), and the trip generation was based on the conservative vehicle occupancy assumption of 1.0 workers per vehicle (p. 3 of the Traffic Study). The explanation provided in the traffic study regarding the maximum workforce of 3,650 workers was that this assumption was based on discussions held with individuals experienced in the construction of similar FPL facilities, and the vehicle occupancy rate is based on the fact that each construction worker brings his/her own equipment and use his/her own vehicle. County staff has requested a better justification of both assumptions such as simple derivation of the 3,650 workforce and the auto occupancy rate, especially if the county's average auto occupancy rate is 1.35. Even though detailed supporting data was not provided, the response provided for 2MDC-D-36 is accepted.

MDC-D-41 (Third Round) Complete. The *Turkey Point Power Plant Peak Construction Traffic Study (June 2009)*, the *Supplemental Traffic Information (September 2009)*, based the trip distribution and trip assignment based on existing traffic patterns associated with current employees. The current travel patterns indicate that the majority of the traffic arrives/departs via SW 137 Avenue, SW 344 Street and SW 328 Street. Therefore, these are the major corridors in the vicinity of the application site that will be highly impacted. In addition, two construction shifts are proposed, the first shift is scheduled from 6:00 AM to 4:30 PM and the second shift from 5:00 PM to 3:00 AM. In addition, 70 percent of the workforce will work in the first shift and 30 percent will work in the second shift. Hence the peak impact is projected to occur between 5:00 AM and 6:00 AM. Therefore, the corridors and the area analyzed are considered sufficient.

MDC-D-42 (Third Round) Complete. See response to 2MDC-D-40. County staff has requested a better justification of the workforce and trip generation assumptions and the consideration of the use of car pooling, van pooling, or other transportation demand management. Even though supporting documents were not provided, the response provided is considered sufficient.

MDC-D-43 (Third Round) Complete. The *Supplemental Traffic Information* and the *New Canal Road Option Traffic Analysis* submitted by FPL at the request of the Miami-Dade County Department of Planning and Zoning included SW 328 Street west of SW 137 Avenue, SW 344 Street west of SW 137 Avenue, and SW 312 Street west of SW 137 Avenue, and provided analyses for peak construction, normal operation and outage conditions. US 1/SR 5 and the HEFT were not considered in the analyses. However, their omission in the analyses is not critical as SW 137 Avenue, SW 117 Avenue, SW 328 Street, and SW 344 Street are the corridors to be most impacted by the construction traffic.

MDC-D-44 (Third Round) Completed during Second Round.

MDC-D-45 (Third Round) Complete. The FPL response is acknowledged and considered sufficient.

MDC-D-46 (Third Round) Complete. Attachment D in the *Supplemental Traffic Information* and *New Canal Road Option Traffic Analysis* submitted by FPL at the request of the Miami-Dade County Department of Planning and Zoning addressed this comment. The FPL response is acknowledged and considered sufficient.

MDC-D-47 (Third Round) Complete. The FPL response is acknowledged and considered sufficient.

MDC-D-48 (Third Round) Complete. The FPL response is acknowledged and considered sufficient.

MDC-D-49 (Third Round) Complete. Response to comment number 36, did not answer the comment satisfactorily however, supplemental traffic studies and data provided by the applicant during September and October 2009, along with traffic studies in original SCA application addressed the comment.

MDC-D-50 (Third Round) Complete. Even though detailed supporting documents are not provided, the provided explanation is accepted.

MDC-D-51 (Third Round) Complete. Response to comment number 36, did not answer the comment satisfactorily however, supplemental traffic studies and data provided by the applicant during September and October 2009 addressed the comment.

MDC-D-52 (Third Round) Complete. Even though revised data is not provided, the provided explanation is accepted.

MDC-D-53 (Third Round) Complete. Information submitted is sufficient for the County's review.

MDC-D-54 Completed during Second Round.

MDC-D-55 Completed during Second Round.

MDC-D-56 Completed during Second Round.

MDC-D-57 Completed during Second Round.

MDC-D-58 Completed during Second Round.

MDC-D-59 (Third Round) Complete. Information submitted is sufficient for the County's review.

MDC-D-60 Completed during Second Round.

MDC-D-61 (Third Round) Complete. Information submitted is sufficient for the County's review.

MDC-D-62 (Third Round) Complete. Information submitted is sufficient for the County's review.

MDC-D-63 (Third Round) Complete. Information submitted is sufficient for the County's review.

SECTION E - FPL-OWNED FILL SOURCE

Miami-Dade County comments that pertain to the FPL-owned fill source feature are no longer pertinent to this evaluation due to the fact that this project feature has been removed from FPL's Site Certification Application as of May 2010.

SECTION G - MISCELLANEOUS

MDC-G-1 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

With regard to the additional information required relating to Z-56-07, Condition 6 of the Unusual Use approved by the BCC (Resolution Z-56-07) states "That FPL shall prepare and submit a wastewater discharge plan...". It further states that "... The plan shall be developed in accordance with the substantive requirements of Chapter 24, Miami-Dade County Code and shall be reviewed by DERM for compliance with Chapter 24 as interpreted by DERM based upon the impacts of this application ..." To date FPL has not submitted the required report to Miami-Dade County. FPL shall submit to Miami-Dade County the required plan in order to allow the County to determine completeness of this particular issue. The plan shall include all data and supporting documentation evaluated by FPL in order to arrive at the determination that "... *using water after it passed through the cooling towers was not a feasible alternative for regional wetland rehydration project,...*". In addition, the same information needs to be provided to Miami-Dade County relating to wastewaters other than the blow down waste. The complete results of the required wastewater discharge plan as well as the associated feasibility study for potential rehydration of CERP wetlands are needed at this time.

Miami-Dade County acknowledges the information provided in FPL's response 2MDC-A-6. However, this response is inadequate and does not provide information in answer to the questions contained in MDC-G-1. FPL states that industrial wastewaters will not be acceptable for land application pursuant to Chapter 62-610 F.A.C. Has FPL concluded that the use of wastewater to rehydrate wetlands is not technically feasible based on Chapter 62-610? Has FPL concluded that other uses such as canal or aquifer recharge would not be acceptable under the applicable portions of Florida Administrative Code given appropriate treatment? If so, information is needed to demonstrate this including code references. What "other constituents", as mentioned by FPL, are proposed to be added that would render the water unacceptable from a technical perspective? Has FPL concluded that it is technically infeasible to remove any of these constituents prior to rehydration of wetlands? If so, information is needed including the specific constituents that cannot be feasibly removed.

MDC-G-2 (Third Round)
Previously determined to be complete

MDC-G-3 (Third Round)

No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-G-3 (Second Round)
Please see response to MDC-C-6 and MDC-A-21

MDC-G-3 (First Round)
The application predicts the potential for additional salinization throughout the area as a result of the project by drawing salty water landward via the radial collector wells and from deposition of salts as a result of cooling tower operations. In contrast, the CERP BBCW project seeks to reduce salinity levels in and adjacent to Biscayne Bay to restore more natural estuarine conditions. No documentation is provided to examine the specific impacts to the area from additional salinization generally and for CERP consistency specifically. A study is needed that includes a salt budget and an examination of the cumulative effects of existing and proposed operations at Turkey Point including but not limited to the existing chloride plume created by the cooling canal system and the additional salts that would be added to the area as a result of the proposed project. The study shall also be sufficient to determine the extent to which the radial collector wells would capture, redirect, or otherwise affect groundwater from the existing plume emanating from FPL's Cooling Canal System.

MDC-G-4 (Third Round)
Please see MDC's response MDC-C-24 (Third Round)

MDC-G-5 (Third Round)
Please see MDC's response MDC-C-24 (Third Round)

MDC-G-6 (Third Round)
This item remains incomplete because FPL did not provide any new information that is relevant to the County's request for information. Regarding the reports cited as provided on CD-1, please see MDC's response MDC-A-23 (Third Round).

FPL states in its response that the "proposed Units 6 & 7 Site is isolated and wholly contained within FPL's industrial wastewater treatment facility, a previously impacted area", however, in just one field visit with FPL in 2007, Miami-Dade County staff documented more than 15 species of shorebirds including Long Billed Curlew, Whimbrel, American Avocet and Wilson's Plover, which are rarely seen in Miami-Dade County. In addition, juvenile Wilson's Plover and Reddish Egret (a wading bird that is a state-listed species of special concern), were also observed, which may indicate that nesting occurs on site. The potential for nesting/breeding activity by shorebirds and/or other species protected at state or federal levels on a site considered by FPL to be "impacted" is one example of why Miami-Dade County is requesting seasonal biological surveys for all lands likely to be impacted by the proposed plant and associated non-transmission facilities. Information on wildlife breeding is not likely to be complete without a study whose timing is designed for this purpose.

FPL also states in its response that the "native upland tree resources protected by Chapter 24 of the Miami-Dade County Code are uncommon", however, the response remains incomplete because FPL has not provided the requested tree survey for the proposed plant site and associated facilities, including non-transmission linear facilities. Protected tree resources may occur on any upland portion of the proposed plant site and associated facilities, including non-transmission linear facilities. Miami-Dade County staff, for example, observed a spiny black olive (*Bucida molinetii*, fka *Bucida spinosa*) adjacent to one of the roads near the proposed plant site during a site visit. This rare hardwood species is protected under Section 24-49 of the Miami-Dade County Code and is an example of why such a tree survey is needed. This information is needed to determine whether the project fulfills the substantive requirements of Chapter 24 of the Miami-Dade County Code, including but not limited to Section 24-49, and to prepare the agency reports required by Section 403.526, F.S.

FPL also states in its response that the "SCA includes results from existing databases such as Florida Natural Areas Inventory (FNAI), consultation with FFWCC and USFWS, reconnaissance surveys of the area, ... surveys within the Site and surrounding areas were conducted in June 2009 (fish survey utilizing minnow traps, seines, and cast nests) and April 2009 (small mammal survey utilizing 345 trapnights with Sherman live traps)". Miami-Dade County acknowledges FPL's provision of this information, but the item remains incomplete because the number and type of recent studies that have been conducted to document flora and fauna for this area are inadequate to properly characterize the diverse habitats that are likely to be impacted by the proposed project. For example, Appendix 10.4 of the SCA cites FNAI-provided data as the source for a single occurrence of the golden leather fern (*Acrostichum aureum*, state-listed Threatened) near Black Point. Miami-Dade County staff, in contrast, has spent extensive time in the coastal wetlands surrounding the presumed site for the proposed plant and associated non-transmission facilities, and regularly encounters golden leather fern in the forested wetlands and mangrove swamps in this area. One recently discovered occurrence on public land was less than 3 miles from the proposed access roads in forested wetlands that are similar to those found along the access road corridor. This is a difficult species to distinguish from leather fern (*Acrostichum danaeifolium*) unless the individual is reproductive, which occurs during the late wet season. Table 3 in Appendix 10.4 of the SCA lists the likelihood as low for occurrence of the bracted colic root (*Aletris bracteata*, state-listed Endangered) near the West Preferred/Secondary Transmission Corridor, which overlaps with the construction access roads. Miami-Dade County staff, in contrast, has documented several populations on public land in the region, including one that is located in mixed graminoid prairie approximately 2 miles southwest of the proposed access roads. This species is difficult to identify without a seasonal study, since it consists of a basal rosette of leaves that is inconspicuous when the tall flower spike is not present.

Comprehensive information about flora and fauna within and surrounding the proposed plant site and associated non-transmission facilities, including the construction access roads, is needed to enable Miami-Dade County to evaluate the proposed primary and secondary impacts of the proposed plant and associated non-transmission facilities for consistency with the requirements of Sections 24-48.3 and 24-49 of the Miami-Dade County Code, plus relevant objectives and policies in the CDMP.

MDC-G-7 (Third Round)

No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within

the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-G-7 (Second Round)
The response is insufficient. Please provide complete and detailed water quality information on the treatment methodology, the resulting quality, volume, and timing of the discharge sufficient to determine whether the water quality of the proposed discharge water is sufficient to prevent degradation of the receiving wetlands and meet applicable restoration standards/targets such that mitigation credit would be appropriate. As mentioned in FPL's response, this shall include FPL's evaluation of the reclaimed water from the perspective of nutrients and in comparison with ambient water quality of the Florida City Canal.

MDC-G-7 (First Round)
The mitigation plan proposes to discharge wastewater into the Model Lands and to seek mitigation credit for this discharge. Since the area proposed for discharge is a sawgrass wetland, pollutant levels, including but not limited to nutrient levels, would need to be very low (e.g. less than 10 ppb phosphorous). The application, however, provides insufficient information on the treatment methodology, the resulting quality, volume, and timing of the discharge. The applicant shall provide complete and detailed water quality information for the proposed discharge water that is sufficient to determine whether the water quality of the proposed discharge water is sufficient to prevent degradation of the receiving wetlands.

MDC-G-8 (Third Round)
Complete. The FPL response is acknowledged and considered sufficient.

MDC-G-9 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

MDC-G-9 (Second Round)
See response to MDC-G-8.

MDC-G-9 (First Round)
Pursuant to Condition 21 of Z-56-07, FPL has agreed to allow water level increases on the project site on the order of one foot or more, pursuant to regional restoration projects, and will design the project to accommodate these water level increases at FPL's expense. Information in the application is not sufficient to determine whether the requirements of this condition have been met. The applicant shall provide detailed information on all project design elements that must be modified to meet Condition 21 of Z-56-07 that is sufficient to determine whether this requirement is being met.

MDC-G-10 (Third Round)

Please see MDC's response MDC-D-12 (Third Round)

MDC-G-11 (Third Round)
Please see MDC's responses MDC-G-6 (Third Round), as well as comments MDC-D-1 (Third Round), MDC-D-9 (Third Round), MDC-D-12 (Third Round), MDC-D-14 (Third Round), and MDC-D-16 (Third Round).

MDC-G-12 (Third Round)
No additional information has been provided specific to any other variances needed for this project. It is not possible for Miami-Dade County to provide a comprehensive determination of all aspects of FPL's project that would be prohibited by the Miami-Dade County Code until all information requested by Miami-Dade County under the SCA completeness reviews have been provided. However, based on a preliminary review of the information submitted thus far, it appears that the proposed wastewater treatment plant is prohibited pursuant to the Miami-Dade County Code in addition to the proposal to discharge to the boulder zone in lieu of connection to the sanitary sewer system. With regard to the proposed mitigation project involving the discharge of wastewater to the Model Lands wetlands, it appears that the effluent would not meet the water quality standards or criteria that Miami-Dade County has advised FPL are necessary for wetlands rehydration. FPL has also been advised by Miami-Dade County that the proposal to construct a well field in the Biscayne Aquifer for cooling water purposes would be in noncompliance with Z-56-07, most specifically with condition 4. With regard to the modeling that FPL has performed to date related to this proposed well field, condition 5 of Z-56-07 requires the approval of Miami-Dade County. However, this model has not been approved by Miami-Dade County and FPL has been advised that this model is inadequate and inappropriate to address the requirements of Z-56-07, Chapter 24 and the CDMP.

Please also see MDC's response MDC-A-7 (Third Round)

MDC-G-13 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

Please see also MDC's response MDC-C-6 (Third Round)

MDC-G-13 (Second Round)
The application and response does not contain sufficient information to adequately evaluate the potential impact of the project on groundwater, surface water, salt intrusion, movement of the hyper-saline plume associated with the cooling canal system, and to evaluate potential project related impacts to wetlands resources and Biscayne Bay. Furthermore, Miami-Dade County does not agree that the information provided satisfies Condition 15 of Z-56-07. FPL shall provide information detailing how the various reports and comments provided in the SCA and in the

Completeness Responses document were developed in accordance with the substantive requirements of Chapter 24, Miami-Dade County Code. FPL shall also provide documentation on how and when the information comprising the study was reviewed by DERM for compliance with Chapter 24 as interpreted by DERM based upon the impacts of this application. Please see comments provided in MDC-C6.

MDC-G-13 (First Round)
Pursuant to Condition No. 15 of the Unusual Use Approval Resolution Z-56-07, included in Appendix 10.3, a DERM approved hydrologic study and its results shall be provided that evaluates all impacts to surface and groundwater. This study should include consideration of seasonal differences in groundwater flow cited in Section 3.3.3.2 and determine the extent to which these differences are due to current operations at Turkey Point.

MDC-G-14 (Third Round)
Previously determined to be complete.

MDC-G-15 (Third Round)
Previously determined to be complete.

MDC-G-16 (Third Round)
Previously determined to be complete.

MDC-G-17 (Third Round)
Previously determined to be complete.

MDC-G-18 (Third Round)
FPL shall clarify the response provided in 2MDC-G-18. Will any impacts to wetlands or wetland vegetation, such as mangroves, in the in situ restoration areas, be required for maintenance, repair or other activities after restoration is complete? If so, FPL shall provide details of such impacts and shall also provide corrected UMAM scores that account for these future impacts.

MDC-G-19 (Third Round)
Previously determined to be complete.

MDC-G-20 and MDC-G-21 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. Miami-Dade County requires a detailed Mitigation Plan at this time to evaluate completeness of the application. The plan must identify the specific mitigation for each of the specific impacts proposed in order for the County to evaluate the mitigation and to prepare the reports required by Section 403.526 F.S. and shall include categorization of each specific mitigation type (i.e. direct, secondary, temporary, etc). In addition, as per Miami-Dade County's First Round Completeness comment for MDC-G-35, "the time lag associated with the proposed mitigation projects must be calculated from the initiation of the impacts to the time in which the mitigation reaches the proposed "with mitigation" score". FPL shall also clarify the comment that "some mitigation activities may be initiated prior to the time of impacts. Is FPL proposing to do "up-front" mitigation? If so, FPL shall provide details, including time frames relative to each specific impact.

MDC-G-22 (Third Round)
Previously determined to be complete.

2MDC-G-23 (Third Round)
Please see MDC's response MDC-G-11 (Third Round)

MDC-G-24 (Third Round)
Previously determined to be complete.

MDC-G-25 (Third Round)
Previously determined to be complete.

MDC-G-26 (Third Round)
This item remains incomplete because FPL did not provide the requested information.

Please see MDC's responses MDC-D-1 (Third Round), MDC-D-9 (Third Round), MDC-D-12 (Third Round), MDC-D-13 Third Round), MDC-D-21 (Third Round), and MDC-D-23 (Third Round).

MDC-G-27 (Third Round)
This item remains incomplete. FPL' s response indicates that the acreages derived for the functional lift are estimates based on anticipated volumes of water, size of receiving wetlands, and past modeling for the Everglades Mitigation Bank Weir constructed in Card Sound Road Canal. FPL proposes to perform detailed hydrologic modeling post certification to refine the projected estimates. However, Miami-Dade County requires a detailed Mitigation Plan at this time. The plan must identify the specific mitigation (with finalized functional lift calculations, not estimates) for each of the specific impacts proposed in order for the County to evaluate the mitigation and to prepare the reports required by Section 403.526 F.S. Please also see MDC-D-15 (Third Round)

MDC-G-28 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. Miami-Dade County acknowledges the UMAM score sheets for the hydrologic improvement mitigation projects. However, the initial information provided by FPL regarding risk and uncertainty remains inadequate (please refer to MDC-G-27 (Third Round) above).

MDC-G-29 (Third Round)
Previously determined to be complete.

MDC-G-30 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". The County acknowledges FPL's desire to provide information towards the completeness of this item at a later date and the County will review that information in a subsequent round of completeness.

MDC-G-30 (Second Round)

The requested information is required to evaluate proposed project mitigation prior to certification.

MDC-G-30 (First Round)
Please provide additional information on the quality, quantity, timing and reliability of the proposed reclaimed water for hydrologic improvements.

MDC-G-31 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP". FPL shall clarify the statement regarding modification of HID to UMAM. Since HID has not been modified to UMAM, the relevance of this statement is unclear. Miami-Dade County is trying to verify FPL's proposed mitigation ratios based on the current applicable Basis of Review requirements as they relate to use of the HID. The proposed ratios do not appear to be consistent with applicable Basis of Review requirements, which call for a minimum of 1.5/1. FPL shall provide information to reconcile the discrepancy between the proposed mitigation ratios and the minimum ratios required under State and County law.

MDC-G-32 (Third Round)
This item remains incomplete. Miami-Dade County acknowledges FPL's statement that they have submitted Revised Figure 2MDC-G-32 (Rev. 1) titled FPL Lands Proposed for Preservation/Restoration & Development within the Biscayne Bay Coastal Wetlands & Model Lands Basin, however, the item remains incomplete because the requested figure could not be found, either in hard copy or in electronic format (File name: Figure2MDC-G-32_09387652C014_Rev1_BBCW_ ModelLands.pdf). FPL shall resubmit this map.

MDC-G-33 (Third Round)
Previously determined to be complete.

MDC-G-34 (Third Round)
Previously determined to be complete.

MDC-G-35 (Third Round)
This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. Miami-Dade County requires a detailed Mitigation Plan at this time to evaluate completeness of the application. The plan must identify the specific mitigation for each of the specific impacts proposed in order for the County to evaluate the mitigation and to prepare the reports required by Section 403.526 F.S. In addition, as per Miami-Dade County's First Round Completeness comment for MDC-G-35, "the time lag associated with the proposed mitigation projects must be calculated from the initiation of the impacts to the time in which the mitigation reaches the proposed "with mitigation" score". FPL shall clarify the comment that "some mitigation activities may be initiated prior to the time of impacts". Is FPL proposing to do "up-front" mitigation, and if so, provide details, including time frames relative to each specific impact.

Please also see MDC-D-15 (Third Round).

MDC-G-36 (Third Round)
Previously determined to be complete.

MDC-G-37 (Third Round)
Previously determined to be complete.

MDC-G-38 (Third Round)
Previously determined to be complete.

MDC-G-39 (Third Round)
Previously determined to be complete.

MDC-G-40 (Third Round)
Please see MDC's responses MDC-A-26-1 (Third Round) and MDC-A-26-2 (Third Round).

MDC-G-41 (Third Round)
This item remains incomplete. The reference to MDC-C-26 is a typographical error. In the first round of Completeness Responses, FPL disagreed with assertions made by Miami-Dade County that water is migrating from the Cooling Canal System (CCS). Miami-Dade County reiterates that the application provides insufficient information with regard to MDC-G-41. FPL shall submit data and information to demonstrate that the water is not migrating from the CCS.

MDC-G-42 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

> **MDC-G-42 (Second Round)**
> Please see comments provided in MDC-A-26.
>
> **MDC-G-42 (First Round)**
> The application does not provide sufficient information to determine whether all construction operations involving earthwork, including disposal, are limited to clean fill. Further, it is not clear that disposal of materials will meet the clean fill definition in Chapter 24 as required pursuant to Condition 14 of Z-56-07. Please provide the required information necessary to demonstrate consistency with Condition 14 of Z-56-07 and Chapter 24, Miami-Dade Code. This shall include, but not be limited to characterization of materials proposed for disposal to demonstrate that they are free of contaminants.

MDC-G-43 (Third Round)
Previously determined to be complete.

MDC-G-44 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements

of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

In addition, FPL has not provided to the County the earthwork and materials disposal plan required pursuant to condition 7 of Z-56-07. The plan is required and shall include but not be limited to a description of how the fill material will be characterized in terms of its chemical composition, sampling methodologies proposed to be used to sample the fill material, a list of parameters proposed to be sampled, list of analytical methods including MDLs and PQLs of the proposed analytical methods, how the materials will be stored to prevent storm water runoff from entering adjacent water bodies and wetlands. The aforementioned plan must be submitted to the County for review and approved by DERM.

Please see MDC's response MDC-A-26-1 (Third Round)

MDC-G-44 (Second Round)
Please see comments provided in MDC-A-26.

MDC-G-44 (First Round)
Proposed Spoil Areas: Please submit the earthwork and materials disposal plan required under Condition 7 of Z-56-07. The plan should include, but not be limited to plans and sketches pertaining to the proposed Spoil Areas including elevation details and slope stabilization. The applicant should also provide the management plan for listed species required under Condition 2 of Z-56-07, which should include but not be limited to identifying the plans established to protect endangered or threatened species from impacts resulting from the proposed work.

MDC-G-45 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC's response MDC-A-26-1 (Third Round)

MDC-G-45 (Second Round)
Please see comments provided in MDC-A-26.

MDC-G-45 (First Round)
The application does not include the listed species management plan, as required under Condition 2 of Z-56-07. Please provide the required plan. Pursuant to Condition 2 of Z-56-07, the plan shall include but not be limited to identification, location, and description of features such as permanent physical barriers, visual buffers, and the establishment of development setbacks necessary to prevent both direct and indirect impacts to adjacent critical habitat and disruption of sensitive behaviors such as breeding, nesting and foraging within the adjacent critical habitat.

MDC-G-46 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC's response MDC-A-26-1 (Third Round)

MDC-G-46 (Second Round)
Please see comments provided in MDC-A-26.

MDC-G-46 (First Round)
The application states that muck removed from several construction sites will be stored in the spoil disposal site identified in Figure 5.1-1. It is not possible to determine from the information provided in the SCA whether the spoil disposal site meets the requirements of Chapter 24, Miami-Dade Code and the requirements of Condition 7 of Z-56-07. The applicant must provide the earthwork and spoil disposal plan required under Condition 7 of Z-56-07, which should include but not be limited to information on whether the disposal of spoil in the referenced location will be permanent or temporary, final slopes and elevations for the piles, what measures will be taken to address stormwater runoff from the spoil piles, characterization of the material including but not limited to contamination levels, potential impacts to threatened and endangered species including but not limited to potential impacts to critical habitat, and potential impacts to surrounding coastal wetlands.

MDC-G-47 (Third Round)
No additional information has been provided. This item remains incomplete and information previously requested must be provided to allow the County to determine whether the proposed project meets the substantive requirements of Miami-Dade County Code and the CDMP in order to prepare the reports required by 403.526 F.S. FPL's reference to a proposed plan that may be submitted to Miami-Dade County in the future to achieve compliance with the requirements of Resolution Z-56-07 is not responsive to this application completeness request. The requested information is required within the time frames prescribed in the "Fifth Revised Schedule for Review of Site Certification Application for Florida Power and Light Company's Turkey Point Units 6 & 7 Power Plant Siting App. PA03-45A3; DEP OGC Case No. 09-3107 DOAH Case No. 09-3575-EPP".

Please also see MDC's response MDC-A-26-1 (Third Round)

MDC-G-47 (Second Round)
Please see comments provided in MDC-A-26.

MDC-G-47 (First Round)
The application states that "FPL will prepare and submit an earthwork and materials disposal plan prior to the start of construction." It is not possible to evaluate whether the spoil disposal proposed in the application meets the requirements of Chapter 24 and Condition 7 of Z-56-07 without evaluating the earthwork and materials disposal plan required under Condition 7 of Z-56-07. The applicant must submit the required plan.