PMLevyCOLPEm Resource

From: Snead, Paul [paul.snead@pgnmail.com]
Sent: Thursday, December 09, 2010 2:28 PM
To: Bruner, Douglas
Cc: LevyCOL Resource
Subject: RE: Manatee Protection Plan - Levy
Attachments: CR Manatee Protection Plan - 2000.pdf

Doug:

I've been unable to find the document on the FDEP website. But it is a public document maintained by FDEP, so I'm attaching it for your information.
If you need something further, please let me know.

Thanks,

Paul Snead
Supervisor - Environmental Permitting
New Nuclear Projects & Initiatives
Progress Energy
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(919) 546-2836

From: Bruner, Douglas [mailto:Douglas.Bruner@nrc.gov]
Sent: Thursday, December 09, 2010 10:06 AM
To: Snead, Paul
Cc: LevyCOL Resource
Subject: Manatee Protection Plan - Levy

Paul,

The consultation letter from the FWS refers to a PEF "Manatee Protection Plan."

> "The BA refers to a "Manatee Protection Plan" approved by the Florida Department of Environmental Protection (FDEP) for the Crystal River Energy Complex (pg. F-164, beginning line 12) and states that Progress Energy of Florida (PEF) would "likely expand" this plan to include in-water work in the Cross FL Barge Canal and Old Withlachoochee River. The plan is cited as FDEP 2010 and the citation includes a website URL, which is presently not functioning. The Department requests a copy of this plan for review."

The URL is for the State's COC, and there is some discussion on manatees. However, I was not able to locate the Manatee Protection Plan. Do you know where I can locate the document on the FDEP website?

Thanks,

Doug

Hearing Identifier: Levy_County_COL_Public
Email Number: 732

Mail Envelope Properties (7FD614EFA33B03448166AF44364F42AE0D2ECF4EE8)

Subject: RE: Manatee Protection Plan - Levy
Sent Date: 12/9/2010 2:27:38 PM
Received Date: 12/9/2010 2:27:45 PM
From: Snead, Paul

Created By: paul.snead@pgnmail.com

Recipients:
"LevyCOL Resource" <LevyCOL.Resource@nrc.gov>
Tracking Status: None
"Bruner, Douglas" <Douglas.Bruner@nrc.gov>
Tracking Status: None

Post Office: WN000075.oak.zone1.progress-energy.com

Files	**Size**	**Date & Time**
MESSAGE	1488	12/9/2010 2:27:45 PM
CR Manatee Protection Plan - 2000.pdf	1168845	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

Florida Pc ;r Corporation - Crystal Rive Power Plant
Secondary Warm Water Refuge
Manatee Protection Plan

Purpose:

The purpose of this Manatee Protection Plan is to set forth Florida Power Corporation's procedures to comply with Specific Condition 13 of the facility's NPDES Permit Numbers FL0000159 and FL0036366. This Specific Condition reads:

13. The permittee shall develop a plan and procedures addressing potential manatee impacts. The plan shall include an implementation schedule and shall address:

(a) Reporting of intake and discharge water temperatures during the winter, as currently monitored by the Permittee.

(b) Provision of gross bathymetry for the discharge canal, using currently available information.

(c) Provision of a thermal infrared aerial photograph taken during the winter, as close to the passage of a cold front as possible.

(d) precautions to minimize hazards to manatees at intake and outfall areas.

(e) timely communication to manatee recovery program personnel of any long term changes in the availability of warm water.

(f) Provision to allow access for staff from the Florida Department of Environmental Protection (DEP), Florida Fish and Wildlife Conservation Commission (FWC) and the U. S. Fish and Wildlife Service (FWS) to conduct manatee monitoring and research activities.

The plan shall be developed and submitted to DEP and FWS within six (6) months from the issuance date of this permit. DEP shall review the plan within 60 days of its receipt and shall, in writing, either approve the plan or notify the permittee of deficiencies that must be corrected. The permittee shall either make such corrections and re-submit the plan within 60 days of DEP's notification or file a petition for formal or informal administrative proceeding, pursuant to Chapter 120, F.S., and Chapter 62-103, Florida Administrative Code, if it disagrees with or otherwise disputes DEP's determination. The petition must conform to the requirements of rule 62-103.155, F.A.C., and must be received by DEP's Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within twenty-one (21) days after receipt of written notice. Failure to file a petition within this time period shall constitute a waiver by the permittee of its right to request an administrative proceeding under chapter 120, F.S. The plan shall be implemented according to the proposed schedule upon expiration of the 21-day time period following DEP's determination if no petition is filed, or DEP's final order entered after any administrative hearing held pursuant to this paragraph.

Copies of the final plan shall be maintained at the plant site and submitted to DEP, FWS and FWC at the following addresses.

U.S. Fish and Wildlife Service
6620 Southport Drive, South
Suite 310
Jacksonville, FL 32216
Attention: Jim Valade

Florida Fish and Wildlife
Commission OES - BPS
620 South Meridian Street
Tallahassee, FL 32399-1600
Attention: Ron Mezich

Florida Department of Environmental
Protection, Bureau of Water Facilities
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Attention: Michael Hatcher

Florida Po er Corporation - Crystal Rive Power Plant
Secondary Warm Water Refuge
Manatee Protection Plan

Compliance With Specific Condition 13:

This Manatee Protection Plan will be in effect during the term of the permit (FL0002992). From November 15 through March 31 each year:

a) Florida Power Corporation will provide copies of the monthly Discharge Monitoring Reports to the BPSM each winter from the period of November 15 through March 31.

b) Florida Power Corporation will, within two (2) years of the effective date of this plan, provide a thermal infrared aerial photograph of the Crystal River discharge taken during the winter as close to the passage of a cold front as possible, as well as its gross bathymetry, at the mean rate of discharge when the ambient water temperature reaches a seasonal low.

c) Should Florida Power Corporation decide to retire the Crystal River units, notice will be provided to FDEP, BPSM and USFWS as soon as practical after a definite decision is made or, if possible, at least five years prior to the date of retirement.

d) If an unplanned shutdown occurs that is expected to result in no thermal discharge for 24 hours or longer, regardless of the ambient water temperature, FMRI should be notified within 24 hours of the shutdown at the contact numbers listed below.

   FMRI: (727) 893-2904

e) The DEP and BPSM shall be provided a schedule of any anticipated in-water work within the discharge canal during the period of November 15 through March 31 each year. No routine in-water maintenance work shall occur in the discharge canal from November 15 through March 31, unless it is considered essential by Crystal River Power Plant and approved by BPSM prior to the start of work. If emergency in-water work is needed, the BPSM will be notified and consulted no later than two weeks following the commencement of the activity. All vessels used in the operation or associated with the activity shall be operated pursuant to the attached standard manatee construction conditions.

f) Florida Power Corporation will provide personnel from the BPSM, USFWS, Florida Marine Research Institute (FMRI), U. S. Geological Service (USGS)-Sirenia Project, or a designee of these agencies, access to the Crystal River Power Plant Site to conduct manatee research or monitoring activities, including placing, maintaining and downloading data from temperature data loggers. If utilized at the Crystal River Facility, these temperature data loggers will be used to collect air and water temperature data in an ongoing research effort to better understand manatee behavior patterns in response to artificial warm water refugia and environmental variables. The temperature data loggers would be placed in the discharge canal and at designated control (ambient) locations. Access shall be limited to normal business hours (8:00am - 5:00pm) unless arrangements are made in advance with plant personnel.

g) Intake and Discharge Areas: If a distressed (i.e.; injured, orphaned, cold stress) animal(s) are observed at any time, the following notifications should be made:

FWC - Florida Marine Research Institute - Marine Mammal Pathology Lab: (727) 893-2904

USFWS - Jacksonville Field Office: (904) 232-2580

h) Florida Power Corporation will provide phone numbers for weekday and weekend notification of appropriate plant personnel for the purpose of allowing FWC or FWS to coordinate manatee rescue operations as necessary.

i) Within thirty days of approval of this plan, provide a site map of the facility as a part of the plan. Additionally, the site map will be updated and resubmitted to the DEP and BPSM within thirty days of any significant physical or operational changes to the facility which have the potential to affect manatees. The site map will include the following information:

j) The location of the intake pipes and outfall pipes.
Proximate streams, rivers, bays, etc.
The location of the condenser inlet and outlet temperature monitoring stations.
The location of any fuel barge docking facilities in relation to the discharge canal.
The delineation of the no-entry boundary at the discharge canal.

FLORIDA POWER CORPORATION – CRYSTAL RIVER PLANT

MANATEE PROTECTION PLAN

1a) STANDARD MANATEE CONSTRUCTION CONDITIONS FOR ARTIFICIAL WARM WATER REFUGIA DURING THE PERIOD OF NOVEMBER 15 THROUGH MARCH 31.

The permittee shall comply with the following manatee protection conditions:

a. The permittee shall instruct all personnel associated with in-water work within the warm water refuge of the potential presence of manatees and the need to avoid collisions with manatees. All vessels used in the operation or in association with the in-water work shall have an observer on board responsible for identifying the presence and location of manatee(s).

b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, The Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act.

c. All vessels associated with in-water work associated with the warm water refuge shall operate at "no wake/idle" speeds at all times while in the manatee warm water refuge area. All vessels will follow routes of deep water whenever possible.

d. If manatee(s) are seen within the warm water refuge area all appropriate precautions shall be implemented to ensure protection of the manatee(s). These precautions shall include the immediate shutdown of equipment if necessary. Activities will not resume until the manatee(s) has departed to a safe distance on its own volition.

e. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Fish & Wildlife Conservation Commission at (1-800-342-5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580).