

PMLevyCOLPEm Resource

From: Snead, Paul [paul.snead@pgnmail.com]
Sent: Tuesday, August 23, 2011 6:32 PM
To: 'Hambrick, Gordon A SAJ'
Cc: Bruner, Douglas; Dierolf, Amy C.; Hunter, John J (Jamie); Kitchen, Robert
Subject: Proposed Agenda for Aug 26 Meeting re: Levy (SAJ-2008-00490)
Attachments: Agenda 08.26.11.pdf; Response Matrix.pdf

Don:

Attached is a proposed agenda for our meeting at your office in Panama City on Friday, August 26th at 0900 CDT. Also attached is a matrix that outlines our planned submittal of information in response to your Corps Position Letter and from discussions of information needs to support the FEIS and 404 Permitting activities that we would like to review with you during the meeting.

Amy Dierolf and Jamie Hunter will be joining me when we meet with you on Friday. We look forward to seeing you on Friday.

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Meeting to Facilitate Response to Corps Position Letter
and FEIS / 404 Permitting Needs
for PEF – Levy Nuclear Plant
(SAJ-2008-00490)

August 26, 2011

Panama City, Florida

AGENDA

- LNP Groundwater Modeling Resolution
- Proposed Condition for USACE Approval of LNP as the LEDPA Site
- Cultural Resource Surveys and Coordination with Seminole Tribe of Florida
- Corps Position Letter Responses (review attached matrix)
- Establish Future Meeting Dates, suggested options:
 - Sept 26 – 28
 - Oct 24 – 28
 - Nov 21 – 23
- Other Items

Levy Nuclear Plant USACE Position Letter Responses

| AGENCY COMMENT NO. | DESCRIPTION | PLANNED RESPONSE | PLANNED SUBMITTAL DATE |
|--------------------|---|---|------------------------|
| EPA #1 | Conduct alternative analysis for pipeline installations to minimize impacts to wetlands by tunneling or directional drilling. | An analysis of alternative pipeline installations including tunneling and directional drilling will be provided. | 9/23/2011 |
| EPA #2 | Wetland functional site analysis should be prepared for the non-preferred alternative site locations. | A functional analysis of wetlands for the non-preferred alternative sites is being prepared. | 9/23/2011 |
| EPA #3 | Requests a CFBC and Withlacoochee River Survey and Monitoring Plan, with specific monitoring recommendations and/or requirements EPA may include. | NRC provided EPA with copies of PEF's November 2010 <i>Cross Florida Barge Canal and Withlacoochee River Survey and Monitoring Plan – Levy Nuclear Plant</i> . In accordance with the Site's Conditions of Certification, PEF negotiated this plan with the Florida Fish and Wildlife Conservation Commission. Response will be documented. | 9/23/2011 |
| EPA #4 | Transmission line right-of-ways (ROWs) should be reduced to as minimum dimensions as practical. | Will be included in the discussion for the rights of way on the plant property as well as the transmission lines south of CR40. | 10/21/2011 |
| EPA #5 | Provide information on both the South and North parcels to show why the detailed site layout was selected. | The entire property (including North and South parcels) was evaluated from a geotechnical basis for the plant's foundation with the North parcel providing preferred siting characteristics. Response will be documented. | 10/21/2011 |
| EPA #6 | Temporary impact areas should be restored back to forested and mixed forested wetland systems, if there are no safety or other serious operational reasons that would require these areas to be open grassy areas. | A temporary impacts restoration plan will be prepared and will be provided. | 11/18/2011 |
| EPA #7 | Provide project plan and cross-sectional drawings in sufficient detail to clarify both temporary and permanent impacts to wetlands from the facility site, parking lots, stormwater facilities, laydown areas, buffers, fencing, blowdown pipeline, blowdown discharge structure/work, haul road, barge slip and associated components (i.e., boat docks, piers, pilings, boat ramps, dredging, filling, revetments, seawalls, dredge spoiling, etc.), water intake structure, utilities, water wells, access roads, transmission lines, switchyards, substations, etc. | A narrative will document the facilities that were originally described as "miscellaneous" and are now identified and detailed. The Dredge and Fill Drawings along with a table of impacts by FLUCCS Code and type of impact for all facilities are being prepared. | 10/21/2011 |
| EPA #8 | Establish alternate blowdown pipeline route to avoid impacts to 4.5 acres of salt marsh wetland. | PEF modified the blowdown pipeline corridor to allow the pipeline to avoid any salt marsh wetland impact in Mod C to the Site Certification approved by FDEP on 01/25/11. A figure of the revised route will be submitted. | 10/7/2011 |
| EPA #9 | The forested wetland systems should be replanted in order to insure impacts are temporary only (rather than allow wetlands to regenerate from the existing seed bank). | A temporary impacts restoration is being prepared. | 11/18/2011 |

Levy Nuclear Plant USACE Position Letter Responses

| AGENCY COMMENT NO. | DESCRIPTION | PLANNED RESPONSE | PLANNED SUBMITTAL DATE |
|-------------------------------|---|---|------------------------|
| EPA #10 | Conduct a wetland functional analysis on the adjacent wetlands (along pipelines and structures with temporary dewatering for installation) and any adverse wetland impacts that are identified due to dewatering be mitigated. | A wetland functional analysis of the effects of temporary dewatering on the adjacent wetlands is being prepared. | 9/23/2011 |
| EPA #11 | Provide a detailed mitigation plan and the UMAM scores for the impact and mitigation sites. | The detailed wetland mitigation plan is being developed and will be submitted. | 10/7/2011 |
| EPA #12 | Provide an analysis of other alternative sources of water to support the LNP project. | Item pending consideration of permit condition and USACE resolution of groundwater modeling and LEDPA issues following 07/28/11 meeting. | -- |
| EPA #13 | Stronger narrative is needed with more details, including additional technical rationale, regarding the strategic considerations for why the LNP site is preferable to collocating at the Crystal River Energy Complex. | A stronger narrative will be provided. | 10/21/2011 |
| NMFS EFH #1/ Corps NMFS #1 | Develop minimum five-year baseline survey to determine site-specific, year-round impacts to fish and invertebrate resources present at the cooling water intake site. | The Cross Florida Barge Canal and Withlacoochee River Survey and Monitoring Plan previously approved by the FWC (per COC) outlines a 3-5 year baseline monitoring plan and should be used as the basis to address this recommendation. Response will be documented. | 10/7/2011 |
| NMFS EFH #2/ Corps NMFS #1 | Conduct minimum three-year SAV survey in portions of the Gulf of Mexico offshore of the cooling water discharge canal at the CREC to determine if discharge of addition cooling water from LNP operations is resulting in adverse impacts to SAV. | The Levy Nuclear Plant and Crystal River Energy Complex Combined Discharge Survey and Monitoring Plan previously approved by the FWC (per COC) outlines a survey/monitoring plan and should be used as the basis to address this recommendation. Response will be documented. | 10/7/2011 |
| NMFS EFH #3/ Corps NMFS #2 | Realign proposed pipeline corridor through available upland areas between LNP and the existing Crystal River Energy Complex facility to prevent filling of approximately 4.5 acres of estuarine emergent marsh habitats. | PEF modified the blowdown pipeline corridor to avoid any salt marsh wetland impact in Mod C to the Site Certification approved by FDEP on 01/25/11. PEF will provide a map/drawing of the revised route. | 10/7/2011 |
| NMFS EFH #4/ Corps NMFS #3 | Benthic surveys should be conducted if dredging in the Gulf of Mexico immediately offshore form the Cross Florida Barge Canal is determined. | PEF has evaluated this issue and determined that no dredging will be needed to support the Levy project's needs. Information supporting this conclusion will be provided. | 10/7/2011 |

Levy Nuclear Plant USACE Position Letter Responses

| AGENCY COMMENT NO. | DESCRIPTION | PLANNED RESPONSE | PLANNED SUBMITTAL DATE |
|--------------------|---|--|------------------------|
| NMFS EFH #5 | Develop conceptual compensatory mitigation plan for impacts to marine habitats if hardbottom/SAV impacts are expected to occur, and include a description of the mitigation, quantification of anticipated impact acreage, scientific criteria for determining mitigation success, schedule for mitigation implementation, targeted climax communities, materials and methods to be used to achieve the intended mitigation, five-year monitoring and reporting schedules, and any contingency plans. | See answer to NMFS EFH #4 | 10/7/2011 |
| LEPDA - CORPS # 1 | Noting that more wetlands have been identified by ground-truth delineations than indicated by FLUCCS on the Levy site, request that alternative sites be reviewed by other means such as aerial photography and soils to be comparable to LNP alternative. | A wetland functional analysis for the non-preferred alternative sites compared to the LNP site is being prepared. | 9/23/2011 |
| LEPDA - CORPS # 2 | If adverse impacts from groundwater withdrawals are detected or predicted through required environmental monitoring, aquifer performance tests, or groundwater modeling mitigation or selection of an alternate water supply project must be provided. Evaluate the two scenarios at the LNP site: PEF's proposed project, for groundwater withdrawals for plant operations, using the recalibrated model to quantify wetland impacts ("LNP/RM" alternative site); and an alternative at the LNP site, which would use an alternative water source, and thus no operational groundwater withdrawals ("LNP" alternative site). | Item pending consideration of permit condition and USACE resolution of groundwater modeling and LEDPA issues following 07/28/11 meeting. | -- |
| LEDPA - CORPS # 3 | Use the decile ranking scale for specific criteria, which are evaluated using quantifiable data. | USACE conclusions are consistent with our conclusions and we have no further comment. Response will be documented. | 9/23/2011 |
| LEDPA - CORPS # 4 | Verify the table that should be referenced in Section 4.1.1 of the <i>Revised Section 404 Alternative Analysis</i> (Table 4.1.6.1-2) and the data used and revise where necessary. | USACE conclusions are consistent with our conclusions and we have no further comment. Response will be documented. | 9/23/2011 |
| CORPS - OTHER #1 | Provide project plan drawings in sufficient detail to accurately show <u>all</u> impacts both permanent and temporary to wetlands and other waters associated with this project. | Dredge and Fill Drawings of the project's impacts will be submitted. | 9/23/2011 |
| CORPS - OTHER #2 | Demonstrate impacts minimized to the maximum extent practical. Provide written justification as to why specific project components must be located in wetlands or other waters, rather than reconfigured so as to avoid wetlands and other water. | An analysis of avoidance and minimization of wetland impacts is being prepared. | 10/21/2011 |
| CORPS - OTHER #3 | Provide a wetland restoration plan for all temporary impacted wetlands. | A temporary impacts restoration plan will be submitted. | 11/18/2011 |

Levy Nuclear Plant USACE Position Letter Responses

| AGENCY COMMENT NO. | DESCRIPTION | PLANNED RESPONSE | PLANNED SUBMITTAL DATE |
|--------------------|---|---|-------------------------|
| CORPS - OTHER #4 | All remaining wetlands associated with the plant site and support facilities should be preserved under conservation easement granted to FDEP. | <ul style="list-style-type: none"> •Unimpacted wetlands are <u>not</u> part of the mitigation proposal. Preservation is <u>not</u> needed for compensatory mitigation. •Permanent preservation unwarranted to satisfy compensatory mitigation based on functional assessment •Demand for encumbrance/conservation easement unsupported by 33 CFR 332.7(a), 40 CFR 230.97(a) Response provided in PEF letter, NPD-MISC-2011-010, dated 7/22/11. | 7/22/2011 (complete) |
| CORPS - OTHER #5 | Provide an enforceable exotic and invasive plant control plan, which will effectively monitor and control invasive and exotic species within areas to be impacted or otherwise disturbed by the proposed project. | An invasive and exotic control plan will be prepared and submitted. | 11/18/2011 |

Other Activities in Support of USACE Review of Levy Nuclear Plant Application

| ITEM | DESCRIPTION | PLANNED RESPONSE | PLANNING DATE |
|------|---|---|-------------------------------------|
| 1 | Transmission Line Jurisdictional Wetland Delineations | Final survey information was submitted to the USACE by letter, NPD-MISC-2011-012, dated 8/12/11. | 8/12/2011 (complete) |
| 2 | Wetland Mitigation Plan | The Conceptual Wetland Mitigation Plan was submitted to FDEP in April 2010. A Detailed Wetland Mitigation Plan is currently in development. | 10/7/2011 |
| 3 | Consultation with US Fish and Wildlife Service | Information has been provided to support USFWS development of a Biological Opinion for Levy. Additional materials to be provided to USFWS include: <ul style="list-style-type: none"> - Summer survey of selected plant species on Transmission ROWs - Wood Stork assessment on Transmission ROWs - Fall survey of selected plant species on Transmission ROWs | 9/16/2011 9/16/2011 11/4/2011 |
| 4 | Section 10 Dredge Information | CFBC Facilities Dredge & Sediment Evaluation | 10/21/2011 |
| 5 | Consultation with Seminole Tribe of Florida | USACE to draft a proposed special condition for STOF review requiring Cultural Resource surveys of Transmission Line preferred routes to be completed prior to construction. | 9/15/2011 ? |