

## PMTurkeyCOLPEm Resource

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**From:** Orthen, Richard [Richard.Orthen@fpl.com]  
**Sent:** Wednesday, June 05, 2013 7:42 AM  
**To:** Terry, Tomeka; Williamson, Alicia  
**Subject:** USACOE RAI 20130604 - Transmission Features  
**Attachments:** 20130604 RAI transmission lines.pdf

FYI (I noted John was copied on this and you weren't).

Rick

*Richard F. Orthen*  
*Principal Licensing Engineer*  
*New Nuclear Projects NNP/JB B5514*  
*Florida Power & Light Company*  
*700 Universe Boulevard*  
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**Hearing Identifier:** TurkeyPoint\_COL\_Public  
**Email Number:** 804

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**Subject:** USACOE RAI 20130604 - Transmission Features  
**Sent Date:** 6/5/2013 7:42:28 AM  
**Received Date:** 6/5/2013 7:42:33 AM  
**From:** Orthen, Richard

**Created By:** Richard.Orthen@fpl.com

**Recipients:**  
"Terry, Tomeka" <Tomeka.Terry@nrc.gov>  
Tracking Status: None  
"Williamson, Alicia" <Alicia.Williamson@nrc.gov>  
Tracking Status: None

**Post Office:** GOXSA1707.fplu.fpl.com

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MESSAGE	313	6/5/2013 7:42:33 AM
20130604 RAI transmission lines.pdf		132668

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



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
Miami Regulatory Office  
9900 Southwest 107<sup>th</sup> Avenue, Suite 203  
Miami, Florida 33176**

Regulatory Division  
South Permits Branch  
Miami Regulatory Office  
SAJ-2009-02417 (IP-MLC)

June 4, 2013

Florida Power & Light Company  
Attn: Florette Braun  
700 Universe Boulevard  
Juno Beach, FL 33408

Dear Ms. Braun:

Reference is made to your application for a Department of the Army (DA) permit, received on June 30, 2009. The proposed project is located primarily at the existing Turkey Point facility with ancillary infrastructure at multiple locations throughout Miami-Dade County, Florida. The application has been assigned number SAJ-2009-02417 (IP-MLC). Please refer to this number in future correspondence. This correspondence is in reference to your submittal entitled, "U.S. Army Corps of Engineers, Request for Additional Information Response, Transmission Lines," dated December 21, 2011.

Please note that your submittal refers to an "already-conducted analysis" and "the entire body of work." If there is additional information that FPL would like the Corps to consider, please submit that information to the Corps and specifically explain how it demonstrates that an offsite alternative is either more environmentally damaging than FPL's preferred alternative or not practicable.

The supplemental information provided by FPL on December 21, 2011, also states, "FPL supports its West Preferred Corridor as the one affording the most available siting opportunities (e.g., collocation with existing linear facilities) and minimizing the most siting constraints (e.g., minimizing the number of non-FPL parcels crossed as compared to the other routes evaluated)" (page SI-18, see also SI-53). This is not the standard applied by the Corps in determining whether to issue authorization to discharge fill into jurisdictional wetlands pursuant to Section 404 of the Clean Water Act. The Corps must be able to

independently review and verify the information submitted by FPL to determine whether FPL's proposed alternative is the least environmentally damaging practicable alternative.

As per the continued review of your application, the Corps requests the following information:

- 1) Please provide the full extent of the build-out for the transmission line structures and verify conceptual transmission right-of-way assumptions (structure pad dimensions, span lengths, access roads). Please explain the difference between a 330-ft corridor and the centerline route. Can these transmission line structures be minimized to avoid and minimize impacts to wetlands to the maximum extent possible as per the 404(b)1 guidelines of the Clean Water Act? Is there an industry standard that prescribes corridor width based on the voltage lines that will run through it?
- 2) Figure 1 mentions that the right-of-way within the L-31N could not support the proposed transmission line corridor. Please explain why this is not feasible.
- 3) Since the proposed project has the potential to impact the L-31N, which was constructed by the Civil Works Section of the U.S. Army Corps of Engineers, a 408 review is required. Please submit a request to the South Florida Water Management District for their review and concurrence regarding your proposal.
- 4) Since this request for additional information response has been submitted, some lands in the Bird Drive Recharge Area may be surplus and available for purchase. In your analysis please explain why these alternatives are either more environmentally damaging or not practicable.
- 5) Your submittal provides a linear distance for the transmission line routes; however there is no wetland acreage quantified nor is there any type of wetland classification system utilized. Please provide the wetland acreage and classification system utilized to obtain this information. U.S. Fish and Wildlife Service, National Wetland Inventory maps may be useful to obtain this information.

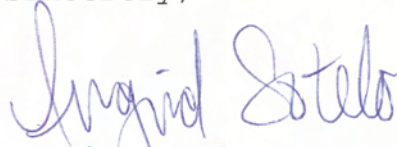
- 6) On page 17, there is a discussion that since FPL owns the right-of-way from the Turkey Point site to the southern edge of Everglades National Park, no other alternatives were considered, which does not satisfy the National Environmental Policy Act (NEPA), and does not help identify the least environmentally damaging practicable alternative (LEDPA). The transmission lines are connected actions to the proposed construction of Units 6 and 7; therefore, the transmission line corridors are considered with the NEPA scope of analysis and the Corps must consider reasonable alternate routes. Furthermore, FPL has proposed discharges of fill material into jurisdictional wetlands for the construction of the transmission lines. Thus, pursuant to the Clean Water Act ("CWA") Section 404(b)(1) Guidelines, FPL must clearly demonstrate that the proposed transmission corridor alignment is the least environmentally damaging practicable alternative ("LEDPA"). Finally, the Corps must ensure that resource losses are avoided to the extent practicable pursuant to the Corps' public interest review at 33 C.F.R. 320.4(r). Please provide a comparison of alternate routes for this portion of the transmission line pursuant to NEPA, CWA, and the Corps' public interest review. Some items that may be presented/evaluated in your comparison may include a discussion as to what is the significance of the Urban Development Boundary line. How does a third party's potential to develop an alternative indicate that the alternative is not available to FPL? If potential cost/schedule changes are of concern, that information needs to be provided to the Corps in a format that can be independently reviewed and verified.
- 7) On April 15, 2013, a supplemental project analysis report was submitted to the State of Florida, which outlined three potential transmission line corridors as proposed by the National Parks Conservation Association and the Miami-Dade Limestone Products Association. Were these proposed corridors evaluated and included in the request for additional information response supplied to the Corps on December 22, 2011? If so, were they carried forward for additional evaluation? If not, please provide a clear explanation of why these alternatives are either more environmentally damaging or not practicable.

- 8) What methodology was used to determine the distance measurements for Wood Stork colonies located in close proximity to the proposed western transmission line corridors?
- 9) Please provide the proposed wetland impacts for all corridors measure in acres, not linear feet, to assist in making the LEDPA determination.
- 10) Different criteria appear to be used to evaluate the western corridors. FPL's West Preferred Corridor does not mention conservation lands in the list of criteria evaluated yet the West Secondary Proposal involves impacts to Everglades National Park and does mention impacts to conservation lands. Can you please explain the rationale as to why the two western corridors would or would not be considered conservation lands?

Typically the State of Florida has a prescribed 25-foot buffer to calculate secondary impacts from the transmission lines. The Corps does not operate under the same authority or regulation. During our review of the application, it may be evident that a secondary impact may be observed from miles away, or the secondary impacts may be limited to the footprint of the project site. Please note, that after the issues regarding avoidance and minimization are resolved, the Corps will address this issue in greater detail and the 25-foot buffer may not be an acceptable measurement.

If you have any questions concerning this correspondence, you may contact Megan Clouser in writing at the letterhead address, by electronic mail at [Megan.L.Clouser@usace.army.mil](mailto:Megan.L.Clouser@usace.army.mil), or by telephone at 305-526-7182.

Sincerely,



Ingrid Sotelo  
Chief, Miami Permits Section

Cc:

File

Nguyen, John-Chau; Nuclear Regulatory Commission

Faehner, Bryan; National Park Service