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### Public Notice Notifications

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**Florida** - This includes all public notices for projects being reviewed for Standard Permits within the State of Florida.

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#### Tropical Storms & Other

**Emergencies** - These public notices provide information on procedures for emergency permitting requirements due to specific tropical storm events or other emergency situations.

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### SAJ-2009-02417 (SP-MLC)

Posted: 4/2/2015

Expiration date: 5/22/2015

### ATTACHMENTS

▶ Graphics

**TO WHOM IT MAY CONCERN:** The purpose of this Public Notice is to announce the release and availability of the Draft Environmental Impact Statement (DEIS), prepared by the U.S. Nuclear Regulatory Commission (NRC), the U.S. Army Corps of Engineers (Corps) and the National Park Service (NPS), and to solicit comments, about the work described below. This District has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403) and Section 14 of the Rivers and Harbors Act (33 USC § 408) (Section 408). The applicant, Florida Power & Light Company (FPL), has requested that the DA permit, if issued, be valid for a period of 30 years. At this time, no decision has been made as to whether or not a DA permit will be issued for the proposed work.

#### APPLICANT:

Florida Power & Light Company  
Attn: Randall LaBauve  
700 Universe Boulevard  
Juno Beach, FL 33408

**PROPOSED WORK:** The applicant proposes to construct two new 1,100 megawatt nuclear generating units (Units 6 & 7) within the existing Turkey Point facility. Portions of the proposed appurtenant structures lie within the Turkey Point facility. Other portions of the proposed project include both an eastern and western transmission line route, construction of additional access roads, a reclaimed water treatment facility, reclaimed and potable water pipelines, radial collector wells and associated pipelines, bridges, and expansion of an existing barge basin. The applicant proposes to expand the existing Davis substation within the upland area and to construct a new substation named Clear Sky within the fill area for the proposed nuclear units, which also includes nuclear administration buildings, parking lots, surface water management systems and other appurtenant structures. The applicant proposes to discharge fill material into approximately 1,000 acres of jurisdictional wetlands to construct the proposed project. Specifically, the applicant proposes to impact approximately 1,000 acres of jurisdictional wetlands for the construction two nuclear reactors and their appurtenant structures, an eastern and western transmission line route, construction of additional access roads, a reclaimed water treatment facility, reclaimed and potable water pipelines, radial collector wells and associated pipelines, bridges, expansion of an existing boat basin, and construction of a bridge over the L-31E canal.

**WATERWAY & LOCATION:** The project site for the proposed construction of two nuclear reactors is located within the existing Turkey Point facility east of Homestead, Florida and proposes dredge and fill activities in, over, or under waters of the United States. The appurtenant structures are located in various locations throughout Miami-Dade County but the proposed reactor site is located in predominantly coastal wetlands within the Southwest Biscayne Bay Wetland Basin in Sections 33 and 34, Township 57 South, Range 40 East, unincorporated Miami-Dade County, Florida.

To reach the project from Miami, travel south on the Turnpike (HEFT) to the exit for Palm Drive (Southwest 344th Street). Proceed east until Palm Drive turns south. Proceed to the guardhouse.

LATITUDE & LONGITUDE:

General Permits or Nationwide Permits, changes to guidance and policies, etc.

Latitude 25.425694

Longitude - 80.333072 (approximate center of proposed reactors)

**Administrative Penalty** - These public notices provide information associated with Administrative Penalties. An Administrative Penalty can be assessed to address violations associated with issued Department of the Army permits.

**PROJECT PURPOSE:** The U.S. Nuclear Regulatory Commission (NRC) is the lead agency for the preparation of an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA) for this project. As the lead agency for the NEPA analysis of the proposed project, the NRC is responsible for determining the purpose and need of the energy project for purposes of the NRC's NEPA document and the NRC licensing process. The NRC has been coordinating with the U. S. Army Corps of Engineers (Corps), which is a cooperating agency in the preparation of an EIS for this project, to ensure that the purpose and need, the suite of alternatives, and the evaluation presented in the NEPA document consider the views of the Corps (e.g., the Corps' definition of the overall project purpose per Section 404 of the Clean Water Act (CWA), the Corps' public interest review, and the Corps' determination of the least environmentally damaging alternative under the CWA Section 404(b) (1) Guidelines). The Corps will complete an independent record of decision in carrying out its regulatory responsibilities. The following statements of project purpose ("basic" for water dependency and "overall" for geographic scope of the alternatives analysis) are subject to change pending additional coordination between the Corps and NRC and receipt of comments in response to this public notice. The NRC's final definitions of project purpose and need for purposes of NEPA may be slightly different from the Corps' final definition of overall project purpose for the purposes of the CWA. The National Park Service (NPS) is also a cooperating agency in the preparation of this EIS, providing special expertise. To date, the NPS does not have any pending regulatory actions in regards to the proposed Units 6 & 7.

**Basic:** The basic project purpose is to meet the public's need for electric energy.

**Overall:** The overall project purpose is to meet the public's need for reliable increased electrical baseload generating capacity in Florida Power & Light's service territory.

**ENVIRONMENTAL IMPACT STATEMENT (EIS):** The primary purpose of an EIS is to ensure that the policies and goals of NEPA are considered in ongoing programs and actions by the Federal government. An EIS provides a full and fair discussion of significant environmental impacts, and informs decision-makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment. The Corps' role as a cooperating agency in the preparation of this EIS is to assist the lead agency in matters of its expertise, and to ensure to the maximum extent practicable that the information presented is adequate to fulfill the requirements of the Corps' regulations. The Corps' permit decision will be made following the issuance of the final EIS (FEIS), and will be documented in the Record of Decision (ROD). The Corps's ROD will reference information in the FEIS and present any additional information required by the Corps to support its permit decision.

**NOTICE OF AVAILABILITY OF THE DEIS:** Notice is hereby given that the NRC has published NUREG-2176, "Environmental Impact Statement for Combined Licenses (COLs) for Turkey Point Nuclear Plant Units 6 and 7, Draft Report for Comment," and is available for public inspection.

The DEIS can be accessed either online at: <http://www.nrc.gov/reactors/new-reactors/col/turkey-point/documents.html>, or from NRC's Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at: <http://www.nrc.gov/readingrm/adams.html>. The accession numbers for the DEIS are ML 15055A103 and ML 15055A109.

In addition, the following public libraries have agreed to make the DEIS available to the public:

Homestead Branch Library  
700 North Homestead Blvd  
Homestead, FL

South Dade Regional Library  
10750 SW 211th Street  
Miami, FL

Any interested party may submit comments on the DEIS for consideration by NRC staff and the Corps.

**SUBMISSION OF COMMENTS ON THE DEIS:** Comments may be accompanied by additional relevant information or supporting data. This DEIS is being issued with a 75-day comment period. The comment period begins on the date that the U.S. Environmental Protection Agency published a Notice of Filing in the Federal Register Vol. 80, Number 43, page 12043, NRC-2009-0337, which was March 5, 2015. The end

date of the comment period is May 22, 2015.

Members of the public may submit comments on the DEIS by (1) email or (2) mail. Comments submitted via email should be sent to: TurkeyPoint.COLEIS@nrc.gov.

Electronic submissions should be sent no later than the end date of the comment period. Written comments on the draft EIS should be mailed to the Chief, Rules, Announcements, and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mail Stop: OWFN-12-H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the Docket ID: NRC-2009-0337. Comments submitted in writing or in electronic form will be posted on the NRC website and on the Federal rulemaking website: [www.Regulations.gov](http://www.Regulations.gov). Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. To be considered, written comments should be postmarked by the end date of the comment period.

#### EXISTING CONDITIONS:

##### 1) New Transmission lines

Although some of the areas within the transmission corridors have been altered for residential, agricultural, or industrial uses, a variety of native plant communities of varying quality exist within the corridors. Upland communities include herbaceous dry prairie, shrub and brushland, mixed rangeland, upland hardwood forests, pine rocklands, Brazilian pepper, Melaleuca, hardwood/conifer scrub, and Australian pine.

Surface waters within the corridors include canals, ditches, channelized river/stream/waterway, reservoirs, and reservoirs less than 10 acres. Most are vegetated by a variety of floating or emergent plants.

A variety of forested and herbaceous wetlands occur in the transmission corridors, with sawgrass marsh, wet prairies, exotic wetland hardwoods, and mixed wetland hardwoods most prevalent. The quality of wetlands ranges due to hydrologic alteration and proliferation of nuisance exotic species of vegetation. The drainage system (canals/ditches) that has been constructed in the region has altered the historical hydrology of the wetland communities in the corridors with an associated change to structure and functional attributes.

##### 2) Unit 6 & 7 Site

The approximately 300-acre site consists of the 218-acre plant area for Units 6 & 7, and adjacent areas designated for laydown. The site is located on a mudflat adjoining the existing industrial wastewater treatment facility, and is dominated by sparsely-vegetated hypersaline mud flats surrounded by man-made canals. Additional vegetative communities include remnant canals within the industrial wastewater facility and associated spoil berms, previously filled areas/roadways, mangrove heads associated with historical tidal channels, dwarf mangroves, and open water.

##### 3) Pipelines (potable and reclaimed water)

The approximately 9-mile reclaimed water pipeline corridor is co-located with existing roadways, transmission, and canal rights-of-way between the Miami-Dade County South District Wastewater Treatment Plant and the Site. Dominant land use and vegetative communities within and adjacent to the corridor include tree nurseries, Brazilian pepper, several man-made canals, solid waste disposal facilities, maintained grassed roadside rights of-way, exotic wetland hardwoods, mangrove, freshwater marsh, and mixed hardwood wetlands.

The approximately 9-mile potable water pipeline corridor from the MDWASD potable water main will originate near Florida's Turnpike and SW 137th Avenue/Tallahassee Road (i.e., SW 137th Avenue and SW 288th Street/Bougainville Road) and end at the Site. The potable water pipeline corridor is located within previously disturbed areas along or under existing roads, some of which will also be improved. Dominant land use within and adjacent to the corridor include a number of residential developments of varying densities, commercial, light industrial, and military properties, and airports. Agricultural land uses and vegetative communities within and adjacent to the corridor include croplands, citrus groves, tree nurseries, herbaceous dry prairie, shrub and brushland, Brazilian pepper, Melaleuca, mixed hardwood-conifer forest, canals, and reservoirs.

##### 4) Equipment Barge Unloading Area

Modification of the existing equipment barge unloading area is limited to expansion of a previously excavated area adjacent to an existing boat ramp on the north side of the turning basin. The turning basin is adjacent to Biscayne Bay northeast of Turkey Point Units 1 through 4. Vegetation along the shoreline of the basin includes sparse buttonwood, red mangrove, half-flower, sea grape, and Brazilian pepper. Sparse patches of

seagrass occur along the northern shore of the basin, in the vicinity of the existing boat ramp and equipment barge unloading area. Small areas with 5- to 20-percent coverage of turtlegrass and shoal grass occur within the area, comprising a total of approximately 170 ft<sup>2</sup> (0.004 acre).

#### 5) Transmission line crossing under the Miami River.

A short section of the proposed Davis-Miami 230 kV transmission line, at the crossing of the Miami River adjacent to the existing FPL Miami substation, is proposed to be constructed as an underground extruded dielectric cable system using cross-linked polyethylene insulating cables. This subaqueous crossing will be constructed from upland to upland, within developed urban areas adjacent to the Miami River east of Interstate I-95.

#### 6) Access Roads

The roadway improvements corridor is located adjacent to and along established paved and unpaved roadways and transmission rights-of-way. Dominant land use and vegetative communities within and adjacent to the corridor include tree nurseries, Brazilian pepper, canals, maintained grassed roadside rights-of-way, exotic wetland hardwoods, freshwater marshes, and mixed hardwood wetlands.

The improvements to existing paved roadways consist of widening from two lanes to four lanes the following: SW 328th Street/North Canal Drive from SW 137th Avenue/Tallahassee Road to SW 117th Avenue (approximately two miles); SW 344th Street/Palm Drive from SW 137th Avenue/Tallahassee Road West to SW 137th Avenue/Tallahassee Road East (approximately 0.3 mile); and SW 117th Avenue from SW 328th Street/North Canal Drive to SW 344th Street/Palm Drive (approximately one mile).

Improvements to existing unpaved roadways consist of the following: SW 359th Street will be improved to three lanes from SW 137th Avenue/Road to SW 117th Avenue; and to four lanes from SW 117th Avenue to the Units 6 & 7 construction parking areas and Site (approximately five miles). This segment will require a bridge over the L 31E Canal. SW 137th Avenue/Tallahassee Road will be improved to three lanes from SW 344th Street/Palm Drive south to SW 359th Street (approximately one mile). SW 117th Avenue will be improved to four lanes from SW 344th Street/Drive south to SW 359th Street (approximately one mile).

7) Radial collection wells located below Biscayne Bay, off Turkey Point.

The proposal contains four radial collector well caissons located on the Turkey Point Peninsula. The footprint for each caisson is approximately 30 feet in diameter and will extend beneath the surface to a depth between -35 to -45 feet. Approximately 8-12 radial laterals will radiate from each well. This collection system is proposed as a backup water supply with reclaimed water as the primary source.

#### 8) Pre-treatment building – associated with the reclaimed and potable water pipelines.

The proposal would provide the pre-treatment facilities prior to the water entering the nuclear reactors. The reclaimed water treatment facility is proposed in an area of lower quality wetlands on the Turkey Point Plant site, historically dredged for test cooling evaluations, which currently consists of upland spoil piles dominated by Australian pine, excavated open water canals, an upland access pathway, sawgrass marsh, dwarf mangroves, and exotic wetland hardwoods.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. Jurisdictional determinations and delineation lines have not been verified by Corps personnel.

MITIGATION: If it is determined that the issuance of a DA permit is appropriate, mitigation will be required for unavoidable impacts. Evaluation of the final wetland mitigation proposal will be based on the Wetlands Rapid Assessment Procedure (WRAP), Uniform Mitigation Assessment Method (UMAM) or Wetland Assessment Technique for Environmental Review (WATER) for the Florida Power & Light (FPL) Everglades Mitigation Bank (EMB). Time lag and risk will be a required component of any mitigation requirement.

The applicant has submitted a mitigation plan that would include the purchase of mitigation credits at the Florida Power & Light (FPL) Everglades Mitigation Bank (EMB), and purchase of mitigation credits at the Hole-in-the-Donut, in-lieu-fee program as well as permittee responsible mitigation. Please note that at this time, Hole-in-the-Donut is currently not a federally approved in-lieu-fee program.

ENDANGERED SPECIES: The NRC, as lead federal agency for the EIS for this project, is responsible for consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT: The NRC, as lead federal agency for the EIS for this project, is responsible for consultation with the National Marine Fisheries Service for EFH pursuant to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

**CULTURAL RESOURCES:** The Army Corps is the lead agency responsible for coordination and consultation with the State Historic Preservation Office and the Advisory Council on Historic Preservation pursuant to the National Historic Preservation Act.

**AUTHORIZATION FROM OTHER AGENCIES:** The applicant has submitted a Site Certification Application to the State of Florida and a Combined License Application to the Nuclear Regulatory Commission. Both applications were submitted to the respective agencies on June 30, 2009.

Comments regarding this application should be submitted in writing to the District Engineer at the above address no later than May 22, 2015. All comments will be forwarded to the NRC to be addressed in the final EIS.

If you have any questions concerning this application, you may contact Megan Clouser of the Miami Office by letter at the letterhead address, by telephone (305) 526-7182, by fax (305) 526-7184 or by e-mail at TurkeyPoint@usace.army.mil .

**IMPACT ON NATURAL RESOURCES:** Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with the Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

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