

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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November 15, 2021

NEXTERA ENERGY POINT BEACH LLC
6610 NUCLEAR ROAD
TWO RIVERS, WI 54241

Subject: Water Use Individual Permit
Water Use Property #: 10208

Dear Permittee:

You were issued an Automatic Water Use Individual Permit on December 8, 2011. That permit coverage ends December 8, 2021 and **this is your renewed Water Use Individual Permit** effective December 8, 2021. This permit is based on the information submitted as part of your Water Use Individual Permit Renewal Application.

For purposes of this permit, you are authorized to withdraw water up to the level of the following withdrawal amount. Please be aware that you may have other DNR approvals, such as a High Capacity Well Approval or Chapter 30 permit, that may have other applicable conditions. You must continue to follow those conditions.

Total Property Withdrawal Amount (in Gallons per Day): 1,251,823,000

You are required to follow all the conditions in the attached permit. This includes annually reporting your water withdrawal information and requesting DNR approval for an increased withdrawal if you plan to withdraw more water than your withdrawal amount.

If you have any questions, please contact Nicole Clayton (608) 206-2510 or at nicole.clayton@wisconsin.gov.

Sincerely,

Adam Freihoefer
Chief, Water Use Section
Bureau of Drinking Water and Groundwater

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

Individual Water Use Permit
Property Number: 10208

NEXTERA ENERGY POINT BEACH LLC is hereby granted under s. 281.346(5)(j), Wis. Stats., an Individual Water Use Permit to withdraw water from the Great Lakes basin subject to all of the following conditions:

PERMIT CONDITIONS

1. The permittee shall comply with all conditions of the permit. Permit noncompliance is a violation of the permit and may be grounds for enforcement action, permit suspension or revocation, or denial of a redetermination or reissuance. If a permittee violates any terms of the permit, the permittee is subject to the penalties established in ch. 281, Wis. Stats.
2. You are authorized to withdraw a combined total of 1,251,823,000 gallons of water per day from the sources on your property. This is your established withdrawal amount. You must apply to the DNR and receive a modification to the permit to increase this established withdrawal amount.
3. The permittee shall measure and record the amounts of withdrawal monthly and shall annually report to the DNR following the requirements in ss. NR 856.30 and 856.31, Wis. Admin. Code. Annual reporting is required each calendar year for all permittees.
4. This automatic permit will expire on December 8, 2031. The DNR will notify permittees no later than December 8, 2030 that reissuance of the permit is required. If you intend to continue to withdraw at least 1,000,000 gallons per day for any 30 consecutive days, you shall apply for individual permit reissuance using the methods prescribed by the DNR by no later than June 11, 2031.
5. This permit does not convey any property or water rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state, or local laws, rules, or regulations.
6. The permittee shall allow an authorized representative of the DNR, upon presentation of credentials, to do all the following:
 - Enter, upon reasonable notice, the owner's premises where the regulated withdrawal is located or conducted, or where records are kept as required under the conditions of the permit.
 - Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit.
 - Inspect at reasonable times any facilities, equipment, including monitoring and control equipment, practices or operations regulated or required under the permit.
7. This permit is not transferable to another owner without prior approval from the DNR.
8. The permittee shall by March 1 notify the DNR of changes made in the previous calendar year to the information contained in the water use summary included with this Individual Permit.
9. All other permits and approvals that you have received for the withdrawal(s) remain in effect. This Water Use permit does not replace or change any of the conditions or requirements of the other permits or approvals.
10. The DNR may modify this permit as necessary pursuant to s. 281.346(5)(o), Wis. Stats.

11. The permittee shall implement the applicable water conservation and water use efficiency requirements of an approved water conservation plan under ch. NR 852, Wis. Admin. Code.
12. If a water supply service area plan is required by ss. 281.346 or 281.348, Stats., the withdrawal shall be consistent with the approved water supply service area plan.
13. Pursuant to s. 281.346(7m), Wis. Stats., the DNR may, without a prior hearing, order a permittee to immediately stop a withdrawal if the DNR determines that there is a danger of imminent harm to the public health, safety, or welfare, to the environment, or the water resources or related land resources of this state.
14. All information submitted to the DNR is a public record and is subject to Wisconsin's open records law under ss. 19.21 to 19.39, Wis. Stats. Open records requests for water withdrawal locational information will be subject to the requirements of s. NR 860.14, Wis. Admin. Code. Information provided to the DNR may be used by the DNR as it deems necessary.
15. After an opportunity for a hearing, the DNR may suspend or revoke this permit for cause, including obtaining the permit by misrepresentation or failure to disclose material facts or substantially violating the terms of the permit, pursuant to s. 281.346(5)(p), Wis. Stats.

CONCLUSIONS OF LAW

The Department of Natural Resources has the authority to issue individual permits for water withdrawals located in the Great Lakes basin under s. 281.346(5), Wis. Stats., and Chapter NR 860, Wis. Admin. Code.

FINDINGS OF FACT

1. The person receiving this permit is the owner, as defined in s. NR 860.11(7), Wis. Adm. Code, of the property.
2. The owner has the capacity or is approved to withdraw at least 1,000,000 gallons per day for 30 consecutive days.
3. The owner withdraws less than or equal to the withdrawal amount established pursuant to s. 281.346(4g), Wis. Stats.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.