



FLNA-08-0288

December 21, 2008

Mr. Bob Hoffman
NOAA Fisheries Services
Southeast Regional Office
263 13th Ave. South
St. Petersburg, FL 33701

SUBJECT: Request for Information on Federal Listed Species in Miami-Dade
County, Florida

Dear Mr. Hoffman:

Florida Power & Light Company (FPL) is preparing permit and license applications to the U.S. Nuclear Regulatory Commission (NRC), the Florida Department of Environmental Protection (FDEP) and the United States Army Corps of Engineers (USACE) to allow construction and operation of two new nuclear units and associated project features at our existing Turkey Point property in Miami-Dade County, Florida (the "proposed action"). As part of the permitting and licensing process, FPL is required to assess impacts of the proposed action, including those on Federal listed species in accordance with the Endangered Species Act. Consistent with 10 CFR Part 51, FPL requests that the U.S. Fish and Wildlife Service ("Service") provide it with information in your possession showing known occurrences of federal listed (or proposed for listing) species that could potentially be affected by the proposed action. FPL will include a copy of this request and your response in both the State of Florida Site Certification Application and the NRC Combined Operating License Application Environmental Report. Information about the property and the proposed action follows.

The Turkey Point property is located in Miami-Dade County Florida, adjacent to Biscayne Bay and Card Sound, about 25 miles south of Miami (Figure 1). The total, non-contiguous property area is approximately 11,000 acres. The developed portion of the property includes a natural gas fueled generating unit; two oil/gas-fired generating units, and two nuclear-powered generating units. The proposed action would further develop approximately 300 acres of the property west and south of these existing units, primarily within an existing cooling canal system. In addition, FPL will construct (1) pipelines to convey dual cooling water supplies (reclaimed and saline) to new cooling towers, (2) power transmission lines to connect the new units with the regional electric grid, and (3) a reclaimed water treatment facility to condition the reclaimed water for cooling water uses. In addition, because fill material is necessary for the unit foundations, FPL is proposing to place fill sourced from a commercial mine and/or from a nearby FPL-owned property approximately 4 miles northwest of the proposed site. These areas are shown in Figures 2 and 3. Figures 2A and 2B include the project features in the vicinity of the proposed plant area. Figure 3 also provides an expanded view of the area showing the proposed transmission corridor.

Thank you for your attention to this request; I will follow-up with you to confirm receipt and to address any information needs or questions you may have. Should you need to talk to me earlier, please reach me by telephone at 561-691-7518.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Linkiewicz". The signature is written in black ink and is positioned above the printed name.

Barbara Linkiewicz

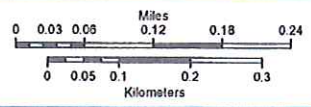
Director, Environmental Licensing

cc: Jocelyn Karazsia, NOAA Fisheries Services

Figure 1



Turkey Point Units 6 and 7 Site



GIS Map Code: US-TURK-000082-R000C

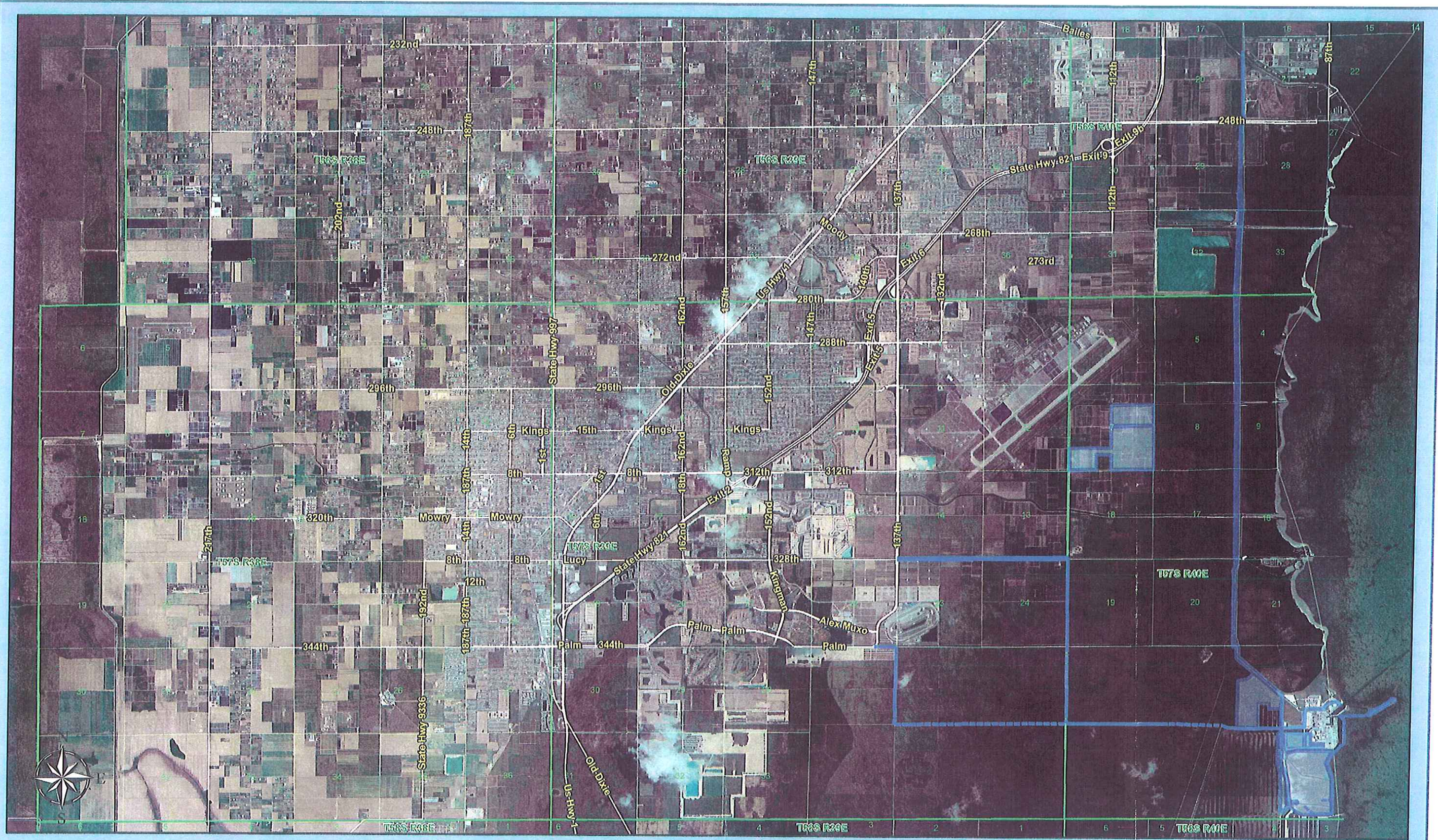
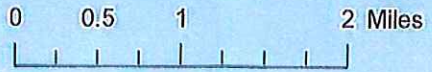


Figure 2A: Turkey Point Units 6 & 7 Potential Project Features (without transmission)



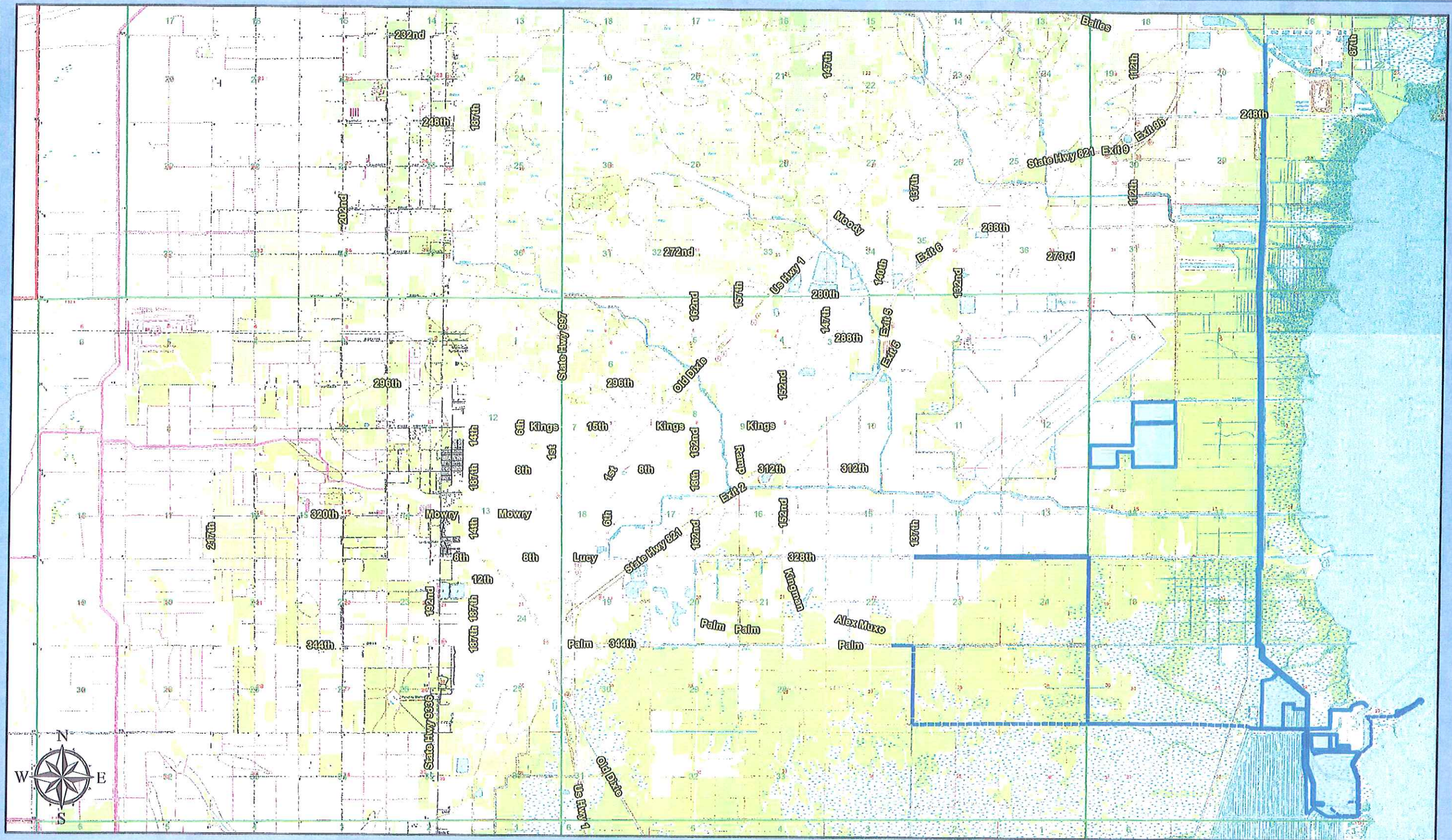


Figure 2B: Turkey Point Units 6 & 7 Potential Project Features (without transmission)

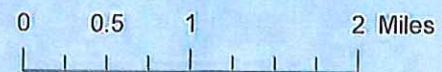
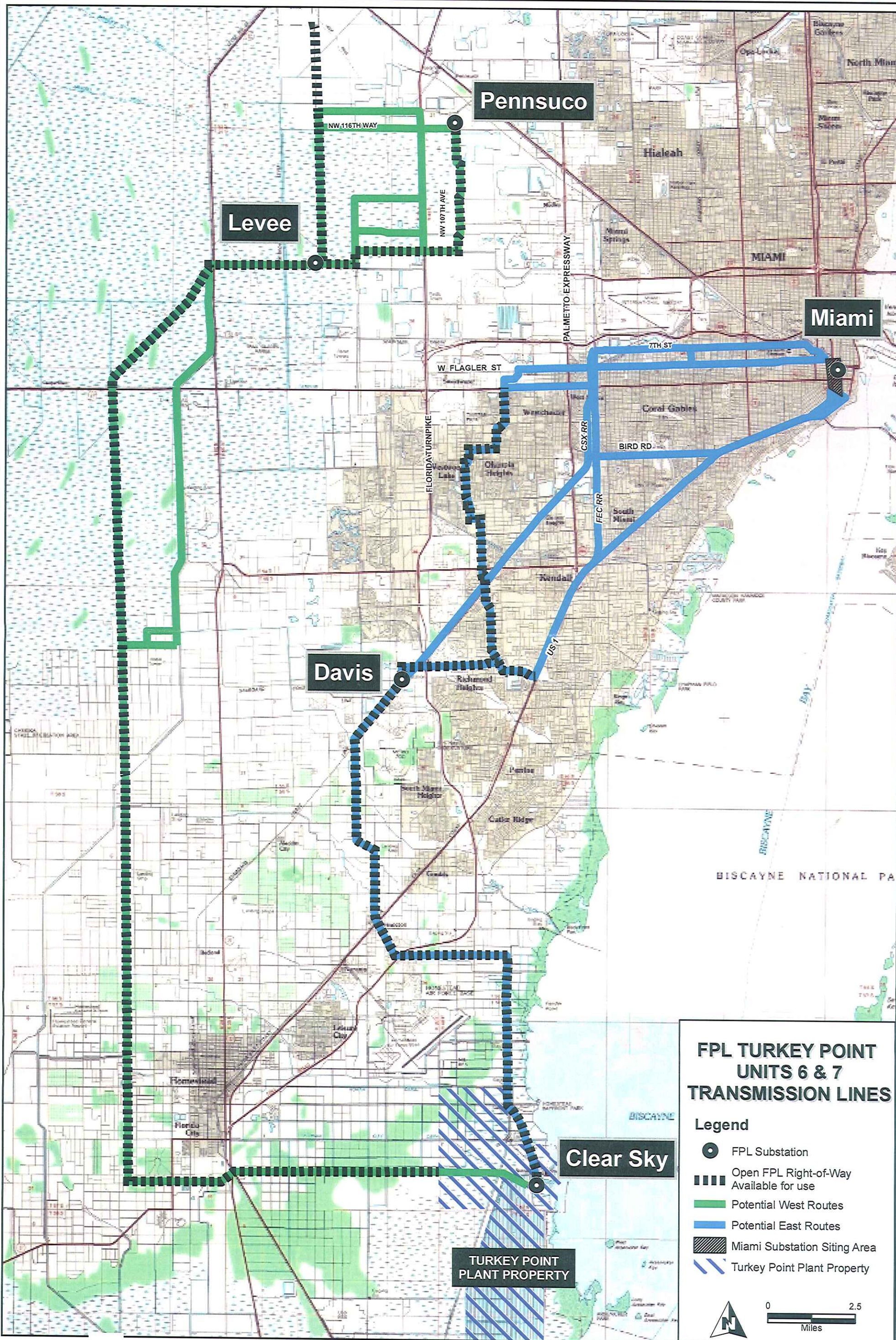


FIGURE 3. POTENTIAL TRANSMISSION ROUTES BEING STUDIED





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701
(727) 824-5312, Fax 824-5309
<http://sero.nmfs.noaa.gov>

JAN 09 2009

Dear Colleague:

Pursuant to section 7(a)(2) of the Endangered Species Act (ESA), the Protected Resources Division of NOAA's National Marine Fisheries Service (NMFS) has reviewed your letter dated December 21, 2008, requesting information on federal listed species in Miami-Dade County, Florida.

 There are no ESA-listed species or designated critical habitat under our purview in the action area.

 We cannot determine impacts to threatened or endangered species, or designated critical habitat, under NOAA Fisheries purview because the letter lacks sufficient information to evaluate the project.

Enclosed are guidelines to conduct a proper biological evaluation.

 Please provide a letter from the lead federal action agency designating you to conduct ESA section 7 consultation with this office.

 X Enclosed is a list of federally-protected species under the jurisdiction of NMFS for the state of Florida. Biological information on federally-protected species and candidate species can be found at the following website addresses: http://www.nmfs.noaa.gov/prot_res/prot_res.html; <http://www.cccturtle.org>; <http://noflorida.fws.gov/SeaTurtles/seaturtle-info.htm>; <http://endangered.fws.gov/wildlife.html#Species>; <http://www.cmc-ocean.org/main.php3>; <http://floridaconservation.org/psm/turtles/turtle.htm>; http://obis.env.duke.edu/data/sp_profiles.php; www.mote.org/~colins/Sawfish/SawfishHomePage.html; www.floridasawfish.com; www.flmnh.ufl.edu/fish/sharks/InNews/sawprop.htm; Gulf sturgeon critical habitat rule and maps (<http://alabama.fws.gov/qs/>).

 It is NMFS' opinion that the project will have no effect on listed species or critical habitat protected by the ESA under NOAA Fisheries purview. No further consultation with NOAA Fisheries pursuant to section 7(a)(2) of the ESA is required unless the project description changes.

Consultation with NMFS' Habitat Conservation Division (HCD), pursuant to the Magnuson-Stevens Fishery Conservation and Management Acts requirements for essential fish habitat consultation, may be required. Please contact HCD at (727) 824-5317. If you have any ESA questions, please contact our ESA section 7 Coordinator, Eric Hawk, at (727) 824-5312 or by e-mail at eric.hawk@noaa.gov

Sincerely,

Teletha Mincey
Administrative Support Assistant
Protected Resources Division

Enclosure

File: 1514-22.B





Florida-Atlantic

Species Proposed for Listing
None

Proposed Critical Habitat
None

Candidate Species ²	Scientific Name
None	

Species of Concern ³	Scientific Name
Fish	
Atlantic sturgeon	<i>Acipenser oxyrinchus oxyrinchus</i>
dusky shark	<i>Carcharhinus obscurus</i>
key silverside	<i>Menidia conchorum</i>
largetooth sawfish	<i>Pristis pristis</i>
mangrove rivulus	<i>Rivulus marmoratus</i>
Nassau grouper	<i>Epinephelus striatus</i>
night shark	<i>Carcharhinus signatus</i>
opossum pipefish	<i>Microphis brachyurus lineatus</i>
saltmarsh topminnow	<i>Fundulus jenkinsi</i>
sand tiger shark	<i>Carcharias taurus</i>
speckled hind	<i>Epinephelus drummondhayi</i>
striped croaker	<i>Bairdiella sanctaeluciae</i>
Warsaw grouper	<i>Epinephelus nigritus</i>
Invertebrates	
ivory bush coral	<i>Oculina varicosa</i>



² The Candidate Species List has been renamed the Species of Concern List. The term "candidate species" is limited to species that are the subject of a petition to list and for which NOAA Fisheries Service has determined that listing may be warranted (69 FR 19975)

³ Species of Concern are not protected under the Endangered Species Act, but concerns about their status indicate that they may warrant listing in the future. Federal agencies and the public are encouraged to consider these species during project planning so that future listings may be avoided.



Endangered and Threatened Species and Critical Habitats
under the Jurisdiction of the NOAA Fisheries Service

Florida-Atlantic

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
blue whale	<i>Balaenoptera musculus</i>	Endangered	12/02/70
finback whale	<i>Balaenoptera physalus</i>	Endangered	12/02/70
humpback whale	<i>Megaptera novaeangliae</i>	Endangered	12/02/70
North Atlantic right whale	<i>Eubalaena glacialis</i>	Endangered	12/02/70
sei whale	<i>Balaenoptera borealis</i>	Endangered	12/02/70
sperm whale	<i>Physeter macrocephalus</i>	Endangered	12/02/70
Turtles			
green sea turtle	<i>Chelonia mydas</i>	Threatened ¹	07/28/78
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	06/02/70
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	Endangered	12/02/70
leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	06/02/70
loggerhead sea turtle	<i>Caretta caretta</i>	Threatened	07/28/78
Fish			
shortnose sturgeon	<i>Acipenser brevirostrum</i>	Endangered	03/11/67
smalltooth sawfish	<i>Pristis pectinata</i>	Endangered	04/01/03
Invertebrates			
elkhorn coral	<i>Acropora palmata</i>	Threatened	5/9/06
staghorn coral	<i>Acropora cervicornis</i>	Threatened	5/9/06
Seagrasses			
Johnson's seagrass	<i>Halophila johnsonii</i>	Threatened	09/14/98

Designated Critical Habitat

Right whale: Between 31°15'N (approximately the mouth of the Altamaha River, Georgia) and 30°15'N (approximately Jacksonville, Florida) from the coast out to 15 nautical miles offshore; the coastal waters between 30°15'N and 28°00'N (approximately Sebastian Inlet, Florida) from the coast out to 5 nautical miles.

Johnson's seagrass: A final rule designating Johnson's seagrass critical habitat was published on April 5, 2000 (65 FR 17786) and 10 geographic areas (units) within the range of the species were identified along the east coast of Florida.

¹ Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico which are listed as endangered



FLFW-08-0287

December 21, 2008

Mr. John Wrublik
U.S. Fish and Wildlife Service
South Florida Field Office
1339 20th Street
Vero Beach, FL 32960

SUBJECT: Request for Information on Federal Listed Species in Miami-Dade
County, Florida

Dear Mr. Wrublik:

Florida Power & Light Company (FPL) is preparing permit and license applications to the U.S. Nuclear Regulatory Commission (NRC), the Florida Department of Environmental Protection (FDEP) and the United States Army Corps of Engineers (USACE) to allow construction and operation of two new nuclear units and associated project features at our existing Turkey Point property in Miami-Dade County, Florida (the "proposed action"). As part of the permitting and licensing process, FPL is required to assess impacts of the proposed action, including those on Federal listed species in accordance with the Endangered Species Act. Consistent with 10 CFR Part 51, FPL requests that the U.S. Fish and Wildlife Service ("Service") provide it with information in your possession showing known occurrences of federal listed (or proposed for listing) species that could potentially be affected by the proposed action. FPL will include a copy of this request and your response in both the State of Florida Site Certification Application and the NRC Combined Operating License Application Environmental Report. Information about the property and the proposed action follows.

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proposed plant area. Figure 3 also provides an expanded view of the area showing the proposed transmission corridor.

Thank you for your attention to this request; I will follow-up with you to confirm receipt and to address any information needs or questions you may have. Should you need to talk to me earlier, please reach me by telephone at 561-691-7518.

Sincerely,

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Barbara Linkiewicz

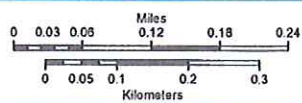
Director, Environmental Licensing

cc: Patrick Pitts, USFWS

Figure 1



Turkey Point Units 6 and 7 Site



GIS Map Code: US-TURK-000082-R000C

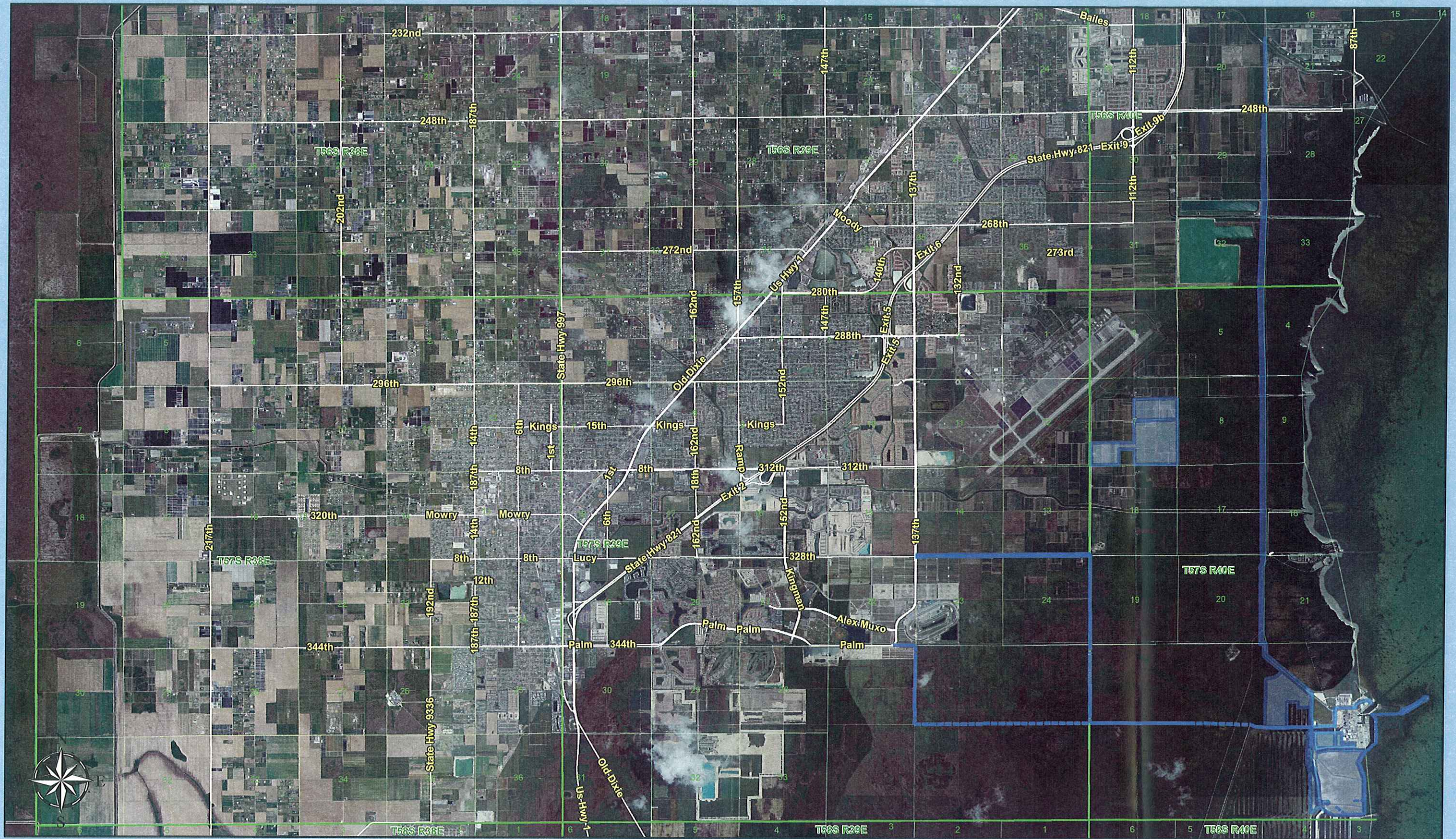


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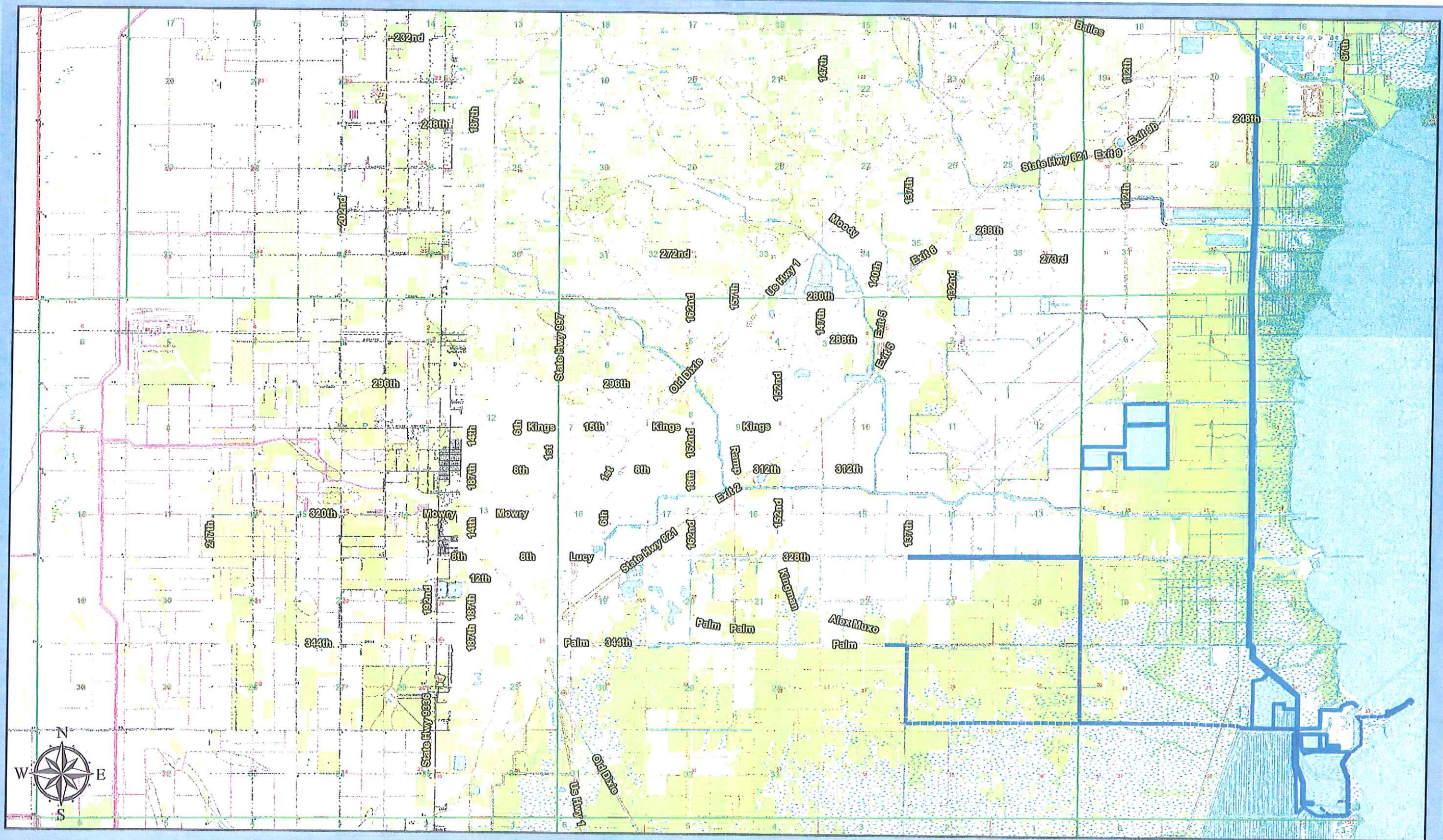


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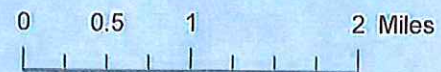
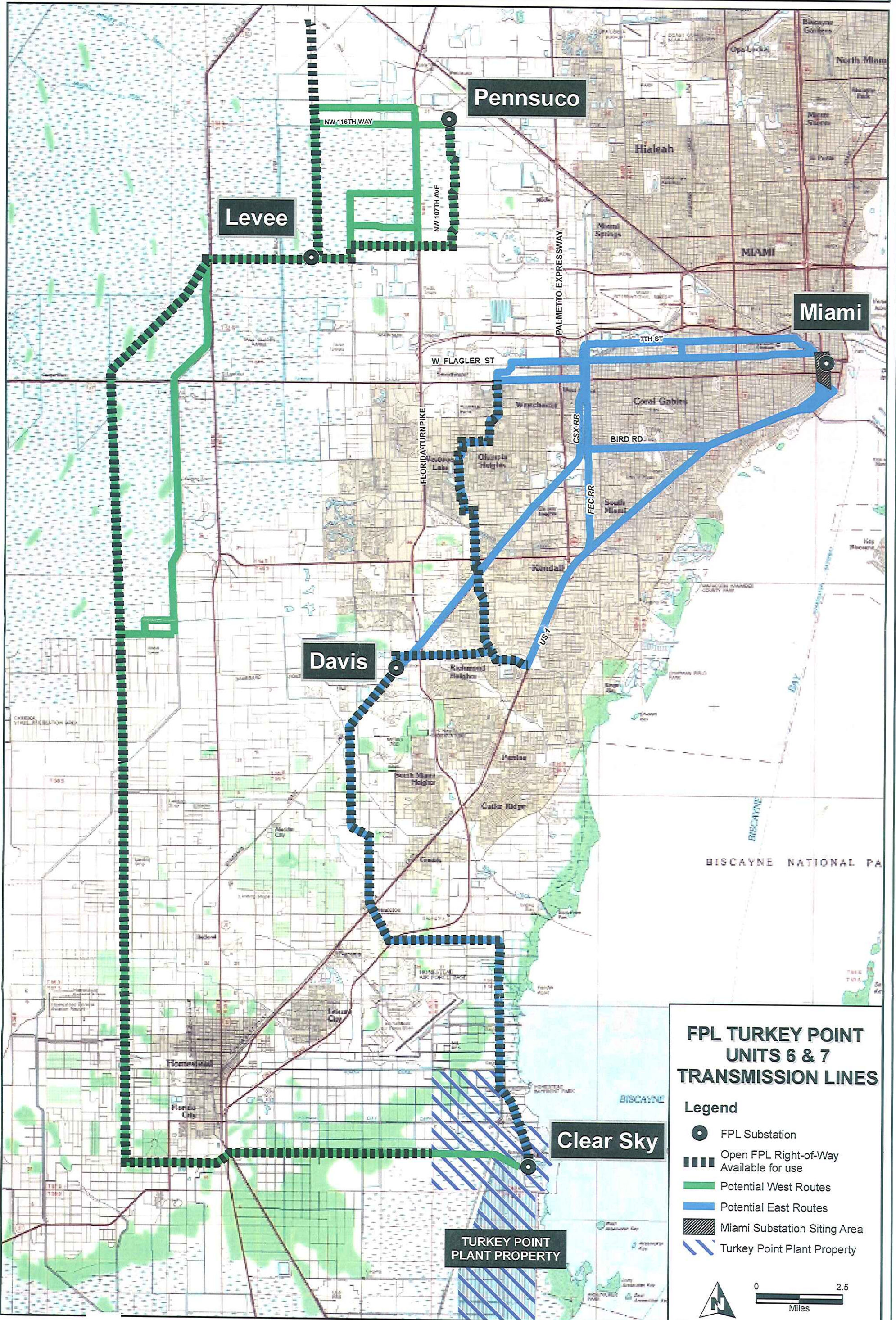


FIGURE 3. POTENTIAL TRANSMISSION ROUTES BEING STUDIED



From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Wednesday, January 14, 2009 10:13 AM
To: Linkiewicz, Barbara P
Subject: Two New Nuclear-Powered Generating Units at Turkey Point

January 14, 2009

Barbara Linkiewicz
Florida Power and Light Company
Post Office Box 14000
Juno Beach, Florida 33408-0420

Service Federal Activity Code:	41420-2009-FA-0180
Service Consultation Code:	41420-2009-TA-0098
Date Received:	December 23, 2008
Project:	Two New Nuclear-Powered Generating Units at Turkey Point
County:	Miami-Dade

Dear Ms. Linkiewicz:

The Fish and Wildlife Service (Service) has received your letter dated December 23, 2008, for the project referenced above. We offer the following comments.

PROJECT DESCRIPTION

The proposed action would construct two new nuclear-powered electrical generating units at the Turkey Point Power Facility on 300 acres of undeveloped land located west and south of the existing units. The project will also include the construction of cooling pipes, cooling towers, and power transmission lines, and reclaimed water treatment facility. The project is located in Miami-Dade County, Florida.

THREATENED AND ENDANGERED SPECIES

American crocodile

The project is located within the geographic range of the threatened American crocodile (*Crocodylus acutus*). The American crocodile is known to occur and nest at the Turkey Point Power Plant within the cooling canal system.

No other records of federally listed species were not identified on your project site. The Service

has not conducted a site inspection to verify species occurrence or validate the GIS results.

However, we assume listed species occur in suitable ecological communities and recommend site surveys to determine the presence or absence of listed species. Ecological communities suitable for listed species can be found in the species accounts in the *South Florida Multi-Species Recovery Plan*. This document is available on the web at:

<http://www.fws.gov/verobeach/index.cfm?Method=programs&NavProgramCategoryID=3&programID=107&ProgramCategoryID=3>. We have also provided for your consideration two computer links: (1)

<http://www.fws.gov/verobeach/index.cfm?Method=programs&NavProgramCategoryID=3&programID=37&ProgramCategoryID=3>, and (2) <http://migratorybirds.fws.gov/>. The first link provides links to lists of species protected under the Endangered Species Act of 1973 (as amended, 87 Stat. 884; 16 U.S.C. 1531 *et seq.*) for each county in south Florida. The County lists do not include State-listed species. Please contact the Florida Fish and Wildlife Conservation Commission to identify potential State-listed species occurring in the vicinity of your project. The second link provides information on species the Service is required to protect and conserve under other authorities, such as the Fish and Wildlife Coordination Act of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*) and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 *et seq.*). A variety of habitats in south Florida occasionally provide resting, feeding, and nesting sites for a variety of migratory bird species. As a public trust resource, migratory birds must be taken into consideration during project planning and design.

Thank you for the opportunity to comment. If you have any questions, please contact me at 772-562-3909, extension 282.

Sincerely yours,

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288