



MEMORANDUM

AGENDA ITEM #V.E.

DATE: SEPTEMBER 12, 2011
TO: COUNCIL MEETING
FROM: STAFF
SUBJECT: FPL PROPOSED NEW NUCLEAR PLANT - TURKEY POINT 6 AND 7 UPDATE

The purpose of this memorandum is to provide updated information on the review and comment process for the proposed Turkey Point Expansion Application.

Background

Florida Power and Light (FPL) submitted a Site Certification Application to the Florida Department of Environmental Protection (DEP) on June 30, 2009. If approved, the application would allow FPL to expand nuclear energy production at its Turkey Point facility in Miami-Dade County. The proposed project consists of the construction of two new 1,100 megawatts (mW) nuclear units, 6 and 7, and supporting facilities, as well as the placement of new transmission lines. The State of Florida would license both the transmission lines and new electrical power plants in one proceeding pursuant to the State Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes (F.S.).

Project Details

The two nuclear generating units with supporting buildings, facilities and equipment are proposed to be located due south of the existing Turkey Point units, on a parcel currently within the industrial wastewater / cooling canal system. Associated facilities proposed in or around the new or existing plant units include parking areas; a nuclear administration and training building; a reclaimed water treatment facility and treated reclaimed water delivery pipelines; radial collector wells and delivery pipelines for cooling water backup; and an equipment barge unloading area. A new electrical substation (Clear Sky) will be constructed on the Turkey Point site. A 230-kV transmission line also will be needed to connect the new substation to the existing substation on the plant property.

The application requests transmission corridors within the following communities: unincorporated Miami-Dade County, Miami, Coral Gables, Doral, Homestead, Medley, Palmetto Bay, Pinecrest, and South Miami. FPL may allocate rights-of-way for transmission corridors up to 6.5 miles in width, to accommodate associated facilities. This approach provides broad latitude for the placement of the transmission lines and other system improvements within a corridor. Upon completion of the project, the transmission corridors would retain no more than one mile of right-of-way width. The application also requests the creation or expansion of access roads and bridges (between SW 328 Street and SW 359 Street and east of SW 137 Avenue). The Miami-Dade County Comprehensive Development Master Plan Amendments for these proposed access roadway activities were adopted by the County on April 28, 2010.

FPL has indicated that the existing transmission line infrastructure is insufficient to carry the load that will be generated by the new reactors. New 500 and 230 kilovolt (kV) electric transmission lines are needed to connect the proposed Clear Sky and existing Turkey Point substations to other existing FPL substations in Miami-Dade County. Because of the load requirements, two separate transmission line

corridors have been proposed, totaling approximately 88.7 miles. The East Preferred Corridor is a 36.7 mile area proposed by FPL to connect the existing Turkey Point substation to the new Clear Sky and existing Davis and Miami substations. The Davis to Miami portion will run through more urbanized sections of U.S. 1 from Palmetto Bay through Downtown Miami; one 230-kV line will be constructed along this 17.7 mile section of the corridor. The West Preferred Corridor will connect the new Clear Sky substation to the existing Levee substation, with two 500-kV lines; the West Preferred Corridor will also connect the new Clear Sky substation to the existing Pennsuco substation, with one 230-kV line. The Levee to Pennsuco portion will run through Doral and Medley. The full West Preferred Corridor is 52 miles in length; it is 43.6 miles from Clear Sky to Levee and 8.4 miles from Levee to Pennsuco. Three transmission lines are proposed to be constructed within a single right-of-way up to the existing Levee substation.

Review of Site Certification Applications

The South Florida Regional Planning Council is one of 17 affected agencies actively involved in the review of the application, as identified in Section 403.507(2)(a), F.S. The site certification process provides the Council the opportunity to assess the project's consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*.

Although power plant siting and transmission lines are treated as separate processes in Chapter 403, F.S., they have been combined into one application by the Applicant. The review process will be conducted on separate but parallel tracks. The transmission lines are being reviewed in an earlier timeframe than the power plant, although the transmission lines will only be necessary if the unit 6 and unit 7 installations are approved.

Both the power plant and transmission lines will be reviewed by each affected agency for:

- Completeness of information;
- Land use and zoning consistency (county only);
- Impact of the project on the public; and
- Consistency with applicable regional or local plans and land development regulations.

Completeness Determination

Transmission lines

Last October, Council staff determined that the information provided by FPL for the transmission line portion of the application was sufficient for review. A preliminary statement of issues pertaining to the transmission lines was also submitted at that time. After six rounds of completeness review, DEP found the transmission portion of the application complete on December 3, 2010.

In May of 2011, the Cities of Doral and Miami, the City of Coral Gables and the Village of Pinecrest, and the Miami-Dade Limestone Products Association proposed alternate corridors for the transmission lines. Subsequently, the Cities of Doral and Miami withdrew their submissions. The Alternate Corridor Applications were found incomplete by DEP on August 8, 2011. The Council will file a supplementary report on the alternate corridors that have been determined complete by December 7, 2011.

Plant and Non-Transmission Portion

Council staff found the plant and non-transmission portion of the application incomplete five times and requested additional information from FPL. DEP issued a 5th Completeness Determination on May 23, 2011, which disregarded the request for additional information submitted by Council staff. That request related to Council staff's belief that FPL should revise the analysis of the potential impacts of sea level rise by taking into consideration the planning assumptions adopted by the Miami-Dade Climate Change Advisory Task Force and by the Southeast Florida Regional Climate Change Compact. FPL submitted additional information on July 21, 2011, for agency review in attention to information requests submitted by other review agencies. DEP will make a sixth Completeness Determination on September 13, 2011.

Agency Report

The Council issued a Final Report on FPL's proposed transmission lines on June 15, 2011. The Report summarized the above review parameters and recommended conditions of certification if the application is approved. According to the current schedule, a report on alternate transmission lines corridors will be due at the end of the year. A similar report for the plant and non-transmission line portion of the project will be submitted early next year.

PROPOSED NINTH REVISED REVIEW SCHEDULE (as of August 9, 2011)		
Requirement	Alternate Transmission Lines Corridor	Power Plant/Facilities
Completeness Determination	August 8, 2011	February 28, 2011
Preliminary Statement of Issues	N/A	October 31, 2011
Final Report	December 7, 2011	January 16, 2012

This schedule is subject to change if there are additional delays in the determination of completeness.

Opportunities for Public Involvement

Public Informational Meetings

Section 403.50663, F.S., allows Miami-Dade County or the South Florida Regional Planning Council to hold an optional informational public meeting. The South Florida Regional Planning Council and Miami-Dade County Planning and Zoning Department co-hosted two informational public meetings. The meetings were held on Monday, August 31, 2009, at the City of Homestead's Council Chambers, and Wednesday, September 2, 2009, at University of Miami's BankUnited Center. Attendees were given an overview of the project and the review process. The public had an opportunity to provide comment. Information received has been used to formulate Council staff's recommendations regarding the application. Participation at these meetings will not be considered or used by the Administrative Law Judge (ALJ) to make a recommendation to the Governor and Cabinet regarding approval of new generator and transmission lines.

Alternate Transmission Line Corridor Proposal

Section 403.5271, F.S., allows any party the opportunity to propose alternate transmission line corridor routes. May 2, 2011 was the deadline to file notice of proposed alternate corridors for transmission lines. The necessary data supporting the alternate route proposal and the appropriate application fee was submitted by May 31, 2011. The alternate route application fee was \$750 per mile for each mile of the alternate corridor located in an existing right-of-way, and \$1,000 per mile if located outside of the existing right-of-way. Final transmission line corridor route approval would be determined by the ALJ during the certification hearing.

Land Use Hearing

Section 403.50665(4), F.S. allows a substantially affected party to file a petition for hearing on a local government's land use determination only as it applies to the Turkey Point Site and Associated Facilities. The hearing provides an opportunity for substantially affected parties to give testimony on how the proposed project is inconsistent the county's land use plan and zoning ordinances. If petitions for hearing are filed by December 8, 2011, the ALJ would schedule a hearing on land use on January 31, 2012. The hearing would take place February 15, 2012 through February 17, 2012.

Certification Hearing

Section 403.508(3)(c), F.S., allows non-listed agencies and public interest groups to file a notice of intent by September 14, 2009, to become a party to the proceeding. The final certification hearings provide an opportunity for any person to present oral or written communication regarding the project, to the designated ALJ. The Council is a named party to the certification hearing. The Council must file a notice of intent to be a party before the 90th day prior to the hearing or its right to be a party is waived. Any communication presented will become official record. If the Certification Schedule is not delayed, the hearing will be held from July 10, 2012 through August 10, 2012, according to 403.508(2)(a), F.S.

FINAL DISPOSITION OF APPLICATION

Upon conclusion of the certification hearings, the ALJ will make a recommendation based on the evidence presented at the Certification Hearing. The recommendation will be forwarded to the Governor and the Cabinet for approval.

Recommendation

Information only.