



BY OVERNIGHT MAIL

April 27, 2012

Cindy Mulkey, Program Administrator
Office of Siting Coordination
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, FL 32399-2400

Re: FPL Riviera Beach Energy Center (PA 09-54)
Petition to Modify Conditions of Certification (Mod C)
Request for Additional Information Responses

Dear Ms. Mulkey:

Enclosed please find Florida Power & Light Company's (FPL) responses to the April 2, 2012 Department of Environmental Protection's (Department) "Request for Additional Information" for the modification to the Riviera Beach Energy Center Site Certification. FPL is concurrently distributing copies of these responses to the statutory parties, and to others who received copies of the application. A copy of the distribution list is attached.

If you have any questions about this submittal, please contact me at 561-691-7518 or Jena Mier at 561-691-2209.

Sincerely,


Barbara P. Linkiewicz
Senior Director of Environmental Licensing

Enclosure

Cc: Michael Tammaro, FPL
Toni Sturtevant, DEP OGC

**DISTRIBUTION LIST FOR
REQUEST FOR ADDITIONAL INFORMATION RESPONSES
FLORIDA POWER & LIGHT
MARTIN PLANT TO RIVIERA BEACH ENERGY CENTER LATERAL PROJECT**

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26. Linda Knoeck, U.S. Army Corps of Engineers, 4400 PGA Blvd., Suite 500, Palm Beach Gardens, Florida 33410
27. Tom Lundeen, Deputy Director, Port of Palm Beach, One East 11th Street, Suite 600, Riviera Beach, FL 33404
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Responses to Request for Additional Information

Petition to Modify Riviera Beach Energy Center (RBEC) Certification

Proposed Martin Plant to RBEC Lateral Project

April 27, 2012

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Introduction

On February 28, 2012 Florida Power & Light Company (FPL) submitted a Petition to the Florida Department of Environmental Protection's (FDEP's) Siting Coordination Office to modify the Site Certification for the Riviera Beach Energy Center (RBEC) to construct, own, and operate the Martin Plant to RBEC Lateral Project (the 'Project') as an associated facility to RBEC. As part of this modification process, all participating agencies are given the opportunity to ask completeness questions about the Petition. On April 2, 2012, FPL received the Request for Additional Information from the FDEP Siting Coordination Office. This document provides the responses to the April 2, 2012 Request for Additional Information.

Additionally the Treasure Coast Regional Planning Council, Department of Agriculture and Consumer Services (DACS) - Florida Forest Service, and Palm Beach County identified some corrections to the Petition and these are provided in Attachment 1 of this document as corrected pages of the Petition. These included the following corrections:

- Pages 23 and 25 misidentify Levee-Midway transmission line
- There is an incorrect reference to the Dupuis Management Area on some maps (Figure 9.3-2, 9.3-3, 9.3-5, etc.)
- There is an incorrect waterbody classification for the C-18 Canal. It is listed as a Class III waterbody. County records show the fresh water portion of the C-18 is a Class I waterbody.

Florida Department of Environmental Protection Southeast District

FDEP-1

Question / Comment

The discharge of hydrostatic pressure test and horizontal directional drill (HDD) operation water to surface waters of the State would require an individual NPDES permit.

Response

During detailed design, a hydrostatic pressure test water and HDD operation water source/discharge plan would be developed. If necessary, FPL will obtain the appropriate NPDES permit as required.

FDEP-2

Question / Comment

The licensee should be advised to, wherever possible, attempt to retain all hydrostatic pressure test water and HDD operation water, on-site or at a nearby location where the water can be contained and be recharged to groundwater aquifer by ground infiltration only. This can be achieved by transferring the recovered groundwater and hydrostatic pressure test water to a nearby dry retention area, a temporarily bermed catchment basin, or a stormwater retention pond with the overflow structure blocked temporarily. Please clarify how this issue will be addressed as well as the following:

- a. Please confirm that there is no off-site discharge to an adjacent property unless consent is obtained by the facility from the property owner.
- b. Please clarify the best management practices to protect ambient water quality that will be provided, such as settling tanks for energy dissipation and the prevention of erosion prior to any land application.

Response

Where overland discharge is feasible or appropriate, BMPs will be instituted to ensure water is retained for groundwater infiltration, erosion control, and minimizing direct overland flow to a waterbody or wetland.

- a. FPL will seek and obtain consent from property owners for any off-site discharge.

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b. FPL acknowledges that energy dissipation devices may need to be utilized, as appropriate, for water discharges in order to prevent unwarranted erosion and protect water quality. Specific best management practices will be developed during detailed engineering and design.

FDEP-3

Question / Comment

The licensee should be advised to, wherever possible, attempt to retain all the groundwater recovered from the construction dewatering activities, on-site or at a nearby location where the groundwater can be contained and recharged to groundwater aquifer by ground infiltration only. This can be achieved by transferring the recovered groundwater and hydrostatic pressure test water to a nearby dry retention area, a temporarily bermed catchment basin, or a stormwater retention pond with the overflow structure blocked temporarily. In the event that recovered (produced) groundwater is discharged to an adjacent surface water body, or a stormwater drainage appurtenance that has a direct nexus to such surface water bodies, the discharge for an uncontaminated site may be authorized under the following FDEP permitting instrument – NPDES Generic Permit for the Discharge of Produced Groundwater from Any Non- Contaminated Site Activity, promulgated under Rule 62-621.300 (2), Florida Administrative Code (F.A.C.). General information pertaining to the generic permit rule document, the sampling and procedural requirements to seek coverage under the generic permit, can be found at the FDEP website: <http://www.dep.state.fl.us/water/wastewater/iw/genperm.htm>.

Response

Specific best management practices and a dewatering plan will be developed prior to pipeline construction. These plans will be developed in accordance with the applicable nonprocedural requirements of Rule 62-621.300 (2), Florida Administrative Code (F.A.C.).

FDEP-4

Question / Comment

Page 132 states solid wastes and hazardous material would be generated during construction of the pipeline facilities and will be disposed of in accordance with applicable federal state and local regulations. Since equipment maintenance, storage and fueling areas will be part of this operation and stated as such on page 134, waste oil filters and used lubricating oil need to be properly managed, handled and disposed of in accordance with 62-730, Florida Administrative Code (F.A.C.).

Response

FPL will properly manage, handle and dispose of waste oil filters and used lubricating oil and other wastes generated by the Project in accordance with 62-730, Florida Administrative Code (F.A.C.).

FDEP-5

Question / Comment

With regard to Waste Program issues, what specific procedures would be followed by the applicant in the event drums, solid wastes, tanks or potentially contaminated soils are encountered during pipeline construction? Please be advised that, Chapter 62-780, 62-770, 62-777, 62-782 and 62-785 F.A.C., may be found at the following website: <http://www.dep.state.fl.us/waste/>

Response

In the event that FPL encounters drums, solid wastes, tanks or potentially contaminated soils during construction, FDEP will be notified and these areas will be handled in accordance with Chapter 62-780, 62-770, 62-777, 62-782 and 62-785 F.A.C.

FDEP-6

Question / Comment

What specific steps does the applicant propose in order to dispose of land clearing debris and construction and demolition debris generated during facility construction? Chapter 62-701, F.A.C. contains regulations governing solid waste management.

Response

All solid waste will be disposed of in accordance with the applicable nonprocedural requirements of Chapter 62-701, F.A.C. Vegetative debris may be disposed of on-site as appropriate through methods such as, but not limited to, chipping and burning. Prior to any on-site burning, FPL will obtain necessary authorizations and make notifications regarding on-site burning in accordance with the Conditions of Certification. Other debris will be disposed of at approved off-site facilities.

FDEP-7

Question / Comment

A staging area, with controlled access, should be planned in order to safely store raw material paints, adhesives, fuels, coatings, solvents, etc. that will be used during construction. All containers need to be properly labeled. The project developers should consider developing a written construction Contingency Plan in the event of a natural disaster (e.g. hurricane), spill, fire or environmental release of hazardous materials stored/ handled for the project construction. Contingency planning should also include details on how construction and hazardous materials would be safely stored and secured prior to a hurricane or natural disaster.

Response

The project environmental control program will include a Spill Prevention, Control, and Countermeasures (SPCC) Plan, a Hurricane Preparedness Plan, and an Emergency and Employee Safety Plan, all of which will be developed prior to construction. The plans will address the handling and storage of raw and waste materials during construction and identify contingency measures to be taken in the event of natural disasters or emergency situations.

South Florida Water Management District

SFWMD-1

Question / Comment

The SFWMD Operation and Maintenance Division has several concerns regarding the proposed crossing through the C-18W Canal right of way (MM 23.5 within the Hungryland Slough adjacent to SR710):

- a. There is an existing Right of Way Permit (No. 6786) to FPL for an 18" fuel oil line to the Riviera Beach Plant. There are also Palm Beach County Water Utilities Force Main and Water Main pipelines in this area. How will conflicts with the County's pipelines be avoided?
- b. There is additional corridor area identified as "Extra Workspace" (see page ATT-17 under Section K). This location is a staging area for SFWMD vehicles and equipment, and upgrades to the levee road were recently completed here. Please clarify the proposed use for this area and how the area will be restored.
- c. Heavy equipment utilizes the SFWMD's maintenance access road frequently. Please confirm that proposed buried pipeline in the SFWMD's right of way will be capable of withstanding heavy load requirements (specifically FDOT load rating HL-93).
- d. The application discusses several methods for the pipeline to cross the C-18W Canal, one of which is an open-cut crossing. If an open-cut crossing is proposed, please clarify how the canal overbank and bank slope will be restored. Please be advised that soils in this area are very sandy and that restoration/stabilization of the bank slope area may require revetment rather than only re-sodding.
- e. How much time would an open cut crossing require to complete?
- f. Please be advised that sheet piling or coffer dams in the canal (as shown in Figures 9.4-4 and 9.4-5) would interfere with canal conveyance and may be contrary to Rule 40E-6.221(2)(a), F.A.C. If no other feasible alternatives exist for construction of the pipeline in this area, please clarify how the crossing construction will be sequenced and what provisions would be implemented to maintain canal conveyance capability (i.e. bypass pumping, equipment staging for emerge removal, and/or a high water overflow weir).

Response

- a. FPL is aware of the existing utility infrastructure within the Preferred Corridor. FPL will perform civil surveys, identify, and consider the location of all existing infrastructure within the Preferred Corridor. During detailed engineering and design, FPL will coordinate with all affected utilities to avoid, or mitigate impacts to existing infrastructure during construction.

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b. Our proposed use for the area identified as “Extra Workspace” is for temporary staging of vehicles and excavated or other materials. FPL will coordinate with the SFWMD in order to ensure that the property is available when needed for SFWMD’s use. The area will be restored to pre-construction conditions upon completion of construction activities.

c. At the maintenance access road for the C-18 Canal, the pipeline will be capable of withstanding heavy truck load requirements (specifically FDOT load rating HL-93.)

d. If the C-18 Canal is crossed utilizing the open cut method, FPL will document pre-construction conditions and restore the canal overbank and the bank slope. Typically an open cut canal crossing can be accomplished within five days. Restoration would begin after the pipe crossing is completed. Restoration will be completed in approximately five days but may vary somewhat depending upon the final restoration requirements.

e. The crossing and canal conveyance methodology will be developed during detailed engineering. Canal conveyance capability will be maintained in accordance with applicable SFWMD requirements.

SFWMD-2

Question / Comment

The existing Certification contains specific conditions (Section B.VI.D.1.) authorizing the use of the C-17 Canal for hydrostatic testing and make up water for directional drilling. In Appendix G, Section E.VII.c. “Water Use” states that “This Petition to Modify the RBEC Certification serves as the application for that permit” (i.e. use of water for hydrostatic testing). In order for the SFWMD to authorize a use of water for this modification, please identify any additional sources of water necessary for these or other purposes. Please describe how those uses will meet SFWMD criteria related to water use. Contrary to statements made in Appendix L, please be advised that direct discharge of hydrostatic test water to surface waters, wetlands or off-site without permission is not allowed pursuant to Specific Condition of Certification Section B.I.C.

Response

The primary sources of water for the hydrostatic testing or HDD make-up water for the Martin Plant to RBEC Lateral would be surface waters at the FPL Martin Plant, the C-44 (St. Lucie) Canal, the C-18 Canal, or potable water. Similar to Condition B.VI.D.1.a of the existing Conditions of Certifications, through this application for modification FPL is requesting that the surface waters used for hydrostatic testing be allowed to be returned to the source waterbody upon hydrostatic test completion. Specific volumes of water for hydrostatic testing and make-up water for HDD will be calculated during detailed design and would also be withdrawn from these identified sources.

SFWMD-3

Question / Comment

Section 9.4.2.1 states that “Dewatering structures are anticipated to be placed in some wetland areas” and also that “During construction, temporary impacts to waterbody water quality from trench dewatering are anticipated”. Please describe how the anticipated dewatering will meet the requirements of Ch. 40E-2/20, F.A.C for dewatering. Please be advised that discharge of dewatering effluent into surface water bodies or wetlands is not preferable and that turbidity monitoring will likely be required to ensure natural resources are protected. Please also be advised that in the vicinity of Indiantown, the pipeline project corridor includes several petroleum contaminated sites and is in close proximity to Florida Steel Corporation (an EPA National Priorities List Site) with documented off-site groundwater contamination. The potential for movement of pollution will need to be addressed if dewatering or groundwater withdrawals are contemplated to occur in these areas.

Response

The locations where dewatering will be required will be identified prior to construction. FPL understands that discharge of dewatering effluent to surface waters, wetlands or off-site must meet the applicable non-procedural requirements set forth in Chapters 40E-2 and 40E-20 F.A.C.. FPL anticipates that these water uses will be in accordance with the applicable nonprocedural requirements of either the No-Notice Short Term Dewatering General Water Use Permit requirements, pursuant to 40E-20.302 F.A.C. or the Dewatering General Water Use Permit requirements pursuant to 40E-20.301 F.A.C.

FPL acknowledges that the potential for movement of pollution would need to be addressed if dewatering is contemplated near existing contaminated sites. A review of environmentally regulated sites within 0.25 mile of the Preferred Corridor resulted in identification of one Resource Conservation and Recovery Act (RCRA) site and one Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) site. Due to the distance between the Preferred corridor and the contaminated areas, no impact to or from the Project is anticipated. The sites in question are:

- **The United Technologies-Pratt Whitney site.** A portion of this site is located within the 0.25-mile radius of the Preferred Corridor. This contaminated site has been managed as a Resource Conservation and Recovery Act (RCRA) site by the Florida Department of Environmental Protection (FDEP) since 1979, and it is not part of the Superfund program. All contaminated areas of the site have been delineated and are in various stages of remediation. Upon review of the FDEP records for the site, although the subject property is within 0.25 mile of the Preferred Corridor, the area of contamination is greater than 0.25 mile away; therefore, no impact to the Project is anticipated.
- **The Florida Steel Corporation Superfund site.** This site is located within a 0.25-mile radius of the Preferred Corridor. This site had historical releases that resulted in soil and groundwater contamination of lead, zinc, and polychlorinated biphenyls (PCBs), and groundwater cleanup is ongoing. United States Environmental Protection Agency (USEPA) site records on contamination for the site were accessed from the FDEP, and the closest groundwater plume to the Preferred Corridor is at a

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distance of 1,290 feet. Due to the distance from the Preferred Corridor, this site is not anticipated to affect the Project.

City of West Palm Beach

WPB-1

Question / Comment

Florida Power and Light's (FPL) preferred corridor option for the construction of a natural gas pipeline is immediately adjacent to the City's Water Catchment Area, also referred to as Grassy Waters Preserve (the "Preserve") and to sensitive mitigation lands. The Preserve consists of 12,800 acres of pristine but sensitive wetlands, all of which have a potential to be impacted as a result of any leak or spill from the natural gas pipeline. The City – as well as the Towns of Palm Beach and South Palm Beach rely on the Preserve and the adjacent wetlands as their source of potable water. In addition, the Preserve is a state designated natural preserve providing regional ecological and environmental benefits, including water recharge, water quality and wetland habitat for numerous listed species, including the critically endangered Everglade Snail Kite and the Wood Stork. The Preserve is an integral and critical component of the South Florida Water Management District's restoration of the Loxahatchee River. The proposed pipeline has the potential to adversely impact both the water resources within the Preserve and on adjacent wetlands, resulting in direct, secondary and cumulative impacts to the City's potable water supply and wetland habitats.

a. The petition from Florida Power & Light for a modification to the Site Certification does not include adequate information on the risks of a gas pipeline rupture or leak and the potential impact to the Preserve should a rupture or leak occur. The poisoning of the City's potable water supply under those circumstances could mean the loss of drinking water for more than one hundred thousand Palm Beach County residents and would be accompanied by the permanent destruction of part or all of 12,800 acres of pristine habitat of some highly endangered species.

b. The petition does not include sufficient information on how a rupture or leak will be detected, nor is information provided on how a rupture or leak will be contained should it occur to ensure that there no contamination of the Preserve's water resources.

c. The petition does not provide adequate information on how construction activities for the pipeline will impact the Preserve. It mentions that staging areas will be required and that easements will be required to access the pipeline corridor. The City needs more information on the construction activities and areas impacted.

d. The petition fails to thoroughly evaluate the potential threats to the conservation areas that will result from this project. It does not ensure protection for the Conservation areas; specifically, there has been insufficient evaluation to show that there will be no adverse impacts to the biological and/or hydrological conditions of the extremely sensitive areas adjacent to the proposed project. This failure is inconsistent with the City of West Palm Beach's Comprehensive Plan, which requires protection and conservation of the environmentally significant conservation areas and their associated wildlife, including listed species. This specifically requires protection of the Grassy Waters Area Preserve as it is an environmentally significant ecosystems. The proposed pipeline will have neighboring direct, secondary and cumulative impacts to these areas that are within the City's jurisdiction. The proposed use and its impacts are inconsistent with the Conservation Future Land use designation on the Future Land Use Map of the City; indeed, any impact to the Conservation area's

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uses or purposes of conserving/protecting natural resources or environmental quality is a violation of the City's Comprehensive Plan.

Response

At the initiation of the Project planning process FPL performed an extensive corridor alternatives analysis as detailed in Section 9.3.1 of FPL's Petition to Modify the Site Certification for the RBEC. The alternatives analysis considered many factors in routing of the corridor including avoiding, minimizing, and mitigating impacts to publically owned conservation lands. Through this process FPL evaluated eleven feasible corridors to determine which corridor would result in the least overall environmental impacts. Only two corridors did not traverse publically owned conservation lands - the selected Preferred Corridor and Alternative 10. Alternative 10 is collocated with the Preferred Corridor at the point it passes near the Grassy Waters Preserve. As described in Section 9.4.2 of FPL's Petition, no direct, secondary or cumulative adverse impacts are anticipated to water resources as a result of this Project. With the exception of the installation of valve stations along the pipeline, impacts to wetlands within the Preferred Corridor are temporary. The removal of dense colonies of invasive, exotic vegetation such as Brazilian pepper, Australian pine and melaleuca will provide a positive environmental benefit to the Project area.

a. As presented in Section 9.2.1 of FPL's Petition, the proposed natural gas pipeline will be designed, constructed and maintained in accordance with applicable federal, state and local regulations. USDOT Pipeline Integrity requirements are incorporated into FPL's pipeline management program to ensure that the Project will provide the lowest possible risk to the community and environment. In the unlikely event of a leak or rupture, the natural gas would dissipate into the atmosphere and would not contaminate the City's potable water source or adversely impact adjacent wetlands

As is customary in pipeline operations, pipeline pressures, temperatures and flow rates will be continuously monitored by FPL pipeline controllers at the FPL pipeline control center located in Riviera Beach. The pipeline's Supervisory Control and Data Acquisition (SCADA) system would present alarms to the controllers if abnormal changes in gas pressure or flow rates occur. As outlined in USDOT Regulations 49 CFR Part 192, controllers are trained and qualified to identify abnormal operating conditions and would initiate corrective actions including the capability to remotely execute a pipeline shutdown to contain a potential leak and limit the release of natural gas to the atmosphere.

Section 9.2.1 of the application addresses pipeline safety and reliability as shown in the excerpts below.

9.2.1 Pipeline Safety and Reliability

"The Project will be constructed, operated, and maintained in accordance with the most stringent federal, state and, local regulations. Specifically, the USDOT has detailed regulations regarding pipeline safety under Title 49, United States Code (U.S.C.) Chapter 601. The USDOT Office of Pipeline Safety (OPS) administers the national regulatory program to ensure the safe transportation of natural gas and other hazardous materials by pipeline. It maintains safety regulations and other approaches to risk management that ensure safety in the design, construction, testing, operation, maintenance, and emergency response of pipeline facilities. The OPS ensures that people and the environment are protected from the risk of pipeline incidents. This work is shared with state agency partners and others at the federal, state, and local levels.

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In comparison with all means of energy transportation, the National Transportation Safety Board (NTSB) has found that natural gas pipelines provide the safest mode of delivering fuel to the market. The NTSB data indicate that less than 1/100th of 1% (0.01%) of all transportation accidents in the United States occurs on interstate natural gas pipelines. For complete and up-to-date statistics regarding pipeline safety, the USDOT maintains [http://phmsa.dot.gov/...](http://phmsa.dot.gov/)

9.2.1.2 Operations and Maintenance Programs

“FPL will institute a comprehensive operations and maintenance program for the Project similar to other pipelines currently within the FPL system and in accordance with USDOT pipeline safety regulations. FPL’s operations and maintenance program includes: a comprehensive pipeline integrity management program utilizing state of the art inline inspection tools; regularly scheduled aerial and ground patrols of the pipeline ROW and leak inspection surveys; participation in the existing Sunshine State One-Call of Florida system. The One-Call of Florida system allows anyone planning excavation activities to call a single number to alert all utilities, and thus prevent unintentional contact with the pipeline. Additionally, FPL representatives will visit any construction site close to the pipeline and mark the location identifying the existence of FPL’s underground facilities. They also remain on site during excavation activities within the pipeline ROW...”

9.2.1.3 Emergency Response Capabilities

“FPL maintains 24-hour emergency response capabilities, including an emergency-only toll-free phone number. The number is included in informational mail-outs, and on the following website: <http://www.fpl.com/pipelinesafety> (Spanish version: www.fpl.com/seguridadtuberias). The number will be posted on all pipeline markers and provided to local emergency agencies in the vicinity of the pipeline. As part of FPL’s public safety efforts, FPL representatives meet regularly with the emergency responders and public officials of the municipalities and counties along its pipeline facilities. FPL personnel and local emergency responders are trained in response procedures. FPL personnel consult with local fire departments and emergency response agencies to determine if additional equipment, training, and support are needed. FPL provides these departments with the 24-hour emergency numbers and verbal, written, and mapping descriptions of the pipeline system.”

In addition, during construction, the pipeline will be hydrostatically tested to confirm structural integrity.

b. There is no risk of contamination to adjacent waters or wetlands from the construction or operations of the Project. Natural gas is lighter than air, and in the unlikely event of a release, it would result in dissipation of the compressed natural gas into the atmosphere. As previously discussed in the answer to (a), the controllers, with the assistance of sophisticated monitoring systems, will know of an event immediately. Corrective actions will be taken to close valves as appropriate to contain a potential leak and minimize the release of natural gas into the air.

c. No construction activities, staging or temporary work spaces will be located within the Grassy Waters Preserve. FPL will implement best management practices, as described in Appendix L of the Petition to Modify, to ensure that there are no adverse impacts from work taking place on adjacent properties. These BMPs include the use of erosion and sedimentation controls so

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that turbid waters would not enter the Grassy Waters Preserve. Furthermore, Grassy Waters Preserve is separated from the Project by the elevated CSX Railroad berm or SR 710, reducing the potential for any construction-related erosion or turbidity to reach the Preserve. No easements from the City will be required for either access or construction of the Project.

d. FPL acknowledges the sensitive nature of the Grassy Waters Preserve and the corridor was specifically selected to avoid this preserve Project construction activities, including staging and access, are collocated with existing linear facilities such as the CSX and SR 710 ROWs. FPL will implement best management practices, as described in Appendix L of the Petition to Modify, to mitigate impact to adjacent properties. Additionally, as shown in Appendix D of FPL's Petition to Modify the Site Certification for RBEC, the Project does not traverse the Conservation Land Future Land Use Designation. The proposed land use is consistent with the present use of the utility and transportation corridor within which the pipeline will be located.

As described in Section 9.3.7.2 of the Petition to Modify, natural gas pipelines are exempt from the State of Florida's definition of "development" and therefore are not subject to any comprehensive land use plans and zoning regulations.

WPB-2

Question / Comment

It appears that south boundary of the pipeline corridor adjacent to West Palm Beach is north of the CSX tracks. Please verify that this is the case (i.e. pipeline will not be installed south of the CSX tracks).

Response / Comment

The City's assessment is correct. The Preferred Corridor is primarily between the center of the tracks and SR 710. No installation is planned to occur south of the tracks in this area.

WPB-3

Question / Comment

Will there be any land acquisition from the City? There appears to be a portion of the corridor which extends outside (south) of the ROW just west of Mile Marker 30 and into the Preserve. Florida law does not permit the City to grant rights to this land as doing so would be inconsistent with water supply, environmental, educational or conservation purposes. See Chapter 67-2169, Laws of Florida, Section 2.

Response

FPL does not anticipate the need to acquire any land from the City of West Palm Beach. Within the municipal boundary of the City of West Palm Beach, the Preferred Corridor is contained within the CSX ROW and SR 710 ROW. The Preferred Corridor does not extend into the Preserve. See the attached Figure 1.



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WPB-4

Question / Comment

Will a block valve facility be required adjacent to or within the West Palm Beach corporate limits?

Response

Mainline block valves will be installed in accordance with USDOT safety requirements. The locations of mainline block valves have not yet been determined. Locations will be identified during engineering and design.

City of Palm Beach Gardens

PBG-1

Question / Comment

There are two (2) areas that construction related activities may impact land and/or vegetation. Both areas are currently disturbed but are in close proximity to the Hungryland Slough Natural Area that lies within City of Palm Beach Gardens.

a. Attached is a copy of Sheet 1 of Appendix C, showing an aerial photo of the two (2) areas, and two close-up aerial photos of each individual sites. The most northern site is labeled Area # 1 and the southern site is labeled Area #2.

b. According to the City's Future Land Use Map, Area #1 is within a Conservation Land Use. Area #2 is immediately adjacent to the Conservation Land Use. Therefore, any trees impacted should be replaced and strict environmental protection provisions should be implemented for the local upland and wetland plant and wildlife habitat during the construction, operation and maintenance of the natural gas pipeline.

Response

a. The Project is not located within the Hungryland Slough Natural Area and construction activities, including staging and access, will not occur within the Hungryland Slough Natural Area. FPL will implement best management practices, as described in Appendix L of the Petition to Modify, to prevent impact to adjacent properties. Specific best management practices will be developed during detailed engineering and design.

b. FPL recognizes the City's concerns regarding the use of the staging areas identified near the Hungryland Slough Natural Area (labeled #1 and #2). Due to the temporary nature of the use of these areas during construction, minor short term impacts may occur and FPL will attempt to minimize to the extent practicable use of these locations. No long term impacts are expected in the areas identified by the City. Additionally as described in Section 9.3.7.2 of the Petition, natural gas pipelines are exempt from the State of Florida's definition of "development" and therefore are not subject to any comprehensive land use plans and zoning regulations.

Martin County

Martin-1

Question / Comment

The Indiantown Neighborhood Advisory Committee (NAC) is involved with community efforts to assist the redevelopment of the area on both sides of the right of way (ROW) for Warfield Boulevard (SR 710). The NAC is involved in efforts to coordinate road improvements with the Florida Department of Transportation (FDOT) to enhance the appearance and the function of the Boulevard as a transportation corridor to function positively for the community and the affected property owners. It is difficult to assess where the ROW will be located and the actual impact on adjacent property owners. Does the pipeline involve only roadway ROW? Alternatively, will the selected pipeline corridor of 50 to 100 feet be shared between the Boulevard ROW and the Seaboard Railway ROW? Will it impact future roadway projects that maybe planned for Indiantown? Finally, the Indiantown NAC would welcome a presentation by FPL during the processing of the modification to the site certification for the subject request.

Response

The final pipeline right of way will be identified within the Preferred Corridor identified in the Petition to Modify. FPL has contacted all property owners within 0.25 mile of the boundaries of the Preferred Corridor. Although the final ROW is still being designed, the majority of the pipeline is anticipated to be installed within the CSX ROW. FDOT is a reviewing agency of this Petition to Modify and has met with FPL to discuss the Project and existing FDOT roadway projects in the area of Indiantown.

In response to the recommendation from Martin County, FPL provided a presentation to the Indiantown NAC on April 4, 2012.

Department of State – Division of Historical Resources

DHR-1

Question / Comment

The Department of State – Division of Historical Resources (DOS) commented that portions of the pipeline corridor were surveyed for a previous pipeline project, and DOS concurred with that finding. Only staging and storage locations, access routes, etc., that have not previously been subjected to a cultural resource survey investigations will require such surveys. The DOS asked to be provided with location information for such anticipated areas and that sufficient documentation to show that no historic properties will be affected be provided within the post-certification submittal process as outlined within the existing Conditions of Certification (Section A, Condition XXII. Procedures for Post-Certification Submittals and Section B. Condition V. Department of State-Division of Historical Resources).

Response

FPL will comply with existing Condition of Certification, Section A, Condition XXII and Section B. Condition V. On March 27, 2012, FPL provided additional information to DOS regarding temporary work space areas that have not previously been subjected to a cultural resource survey investigation. On April 18, 2012 FPL received communication from the DOS concurring with FPL's determination that cultural surveys are not needed for extra work spaces.

City of Riviera Beach

CRB-1

Question / Comment

The City recommends approval of the petition to modify with continued compliance to the existing conditions of certification and with the inclusion of the additional condition of burying the electrical transmission lines along State Road 5.

Response

This Petition to Modify pertains solely to the proposed natural gas pipeline from the Martin Plant along SR 710 and the CSX ROW to the Florida Turnpike. Transmission lines along SR 5 are not related to the Project. FPL will continue to comply with existing Conditions of Certification.

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Attachment 1

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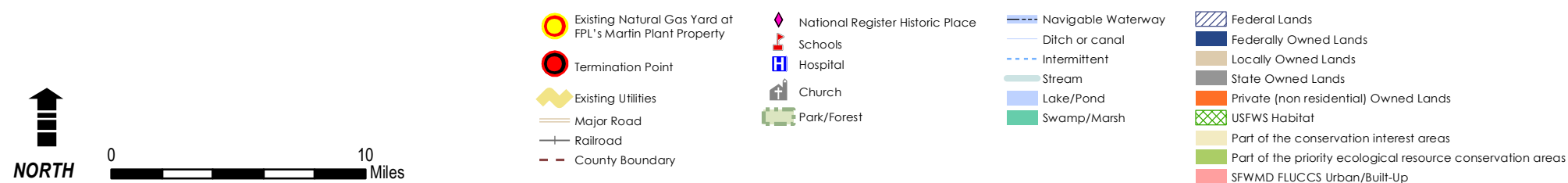
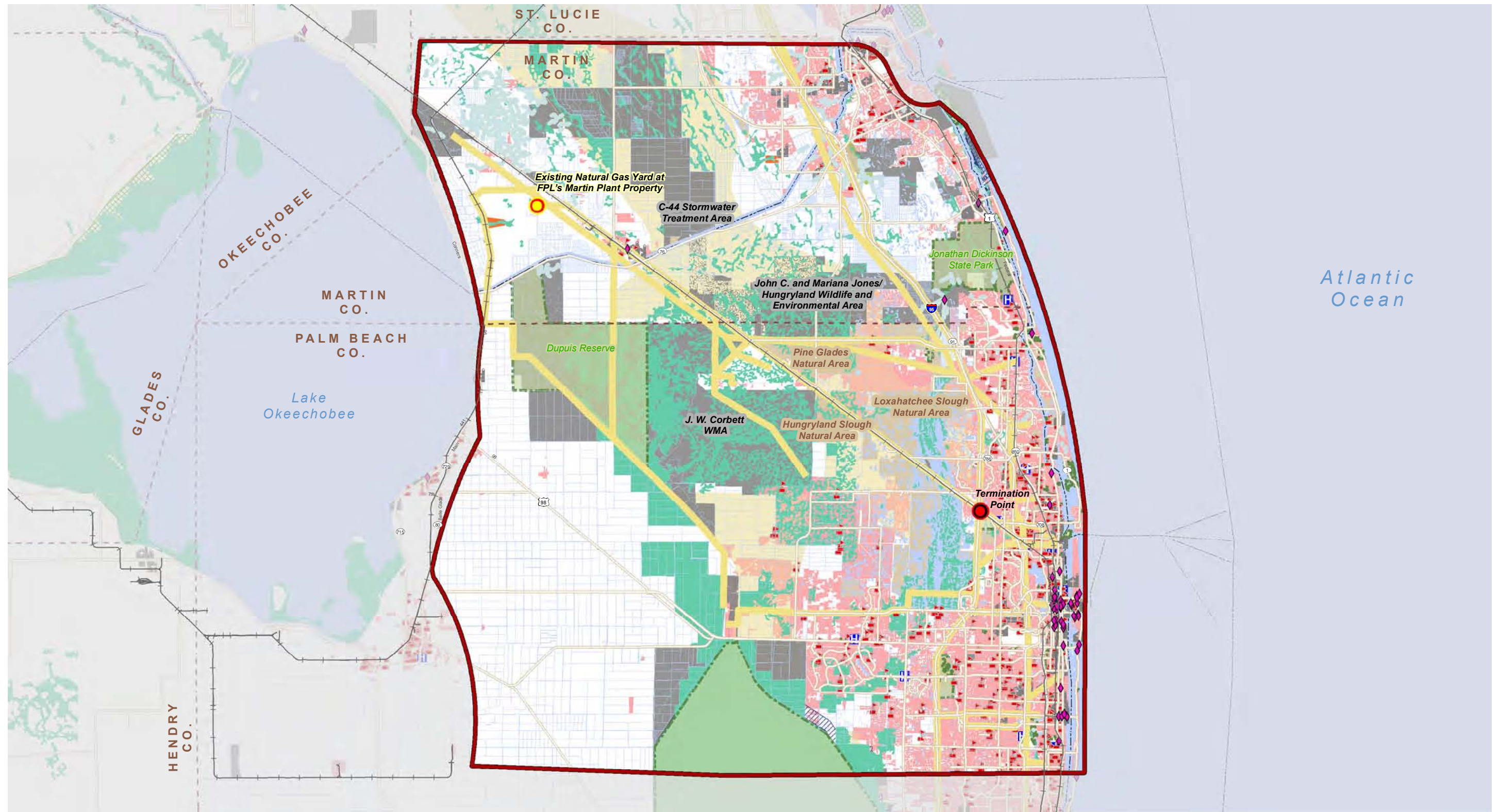
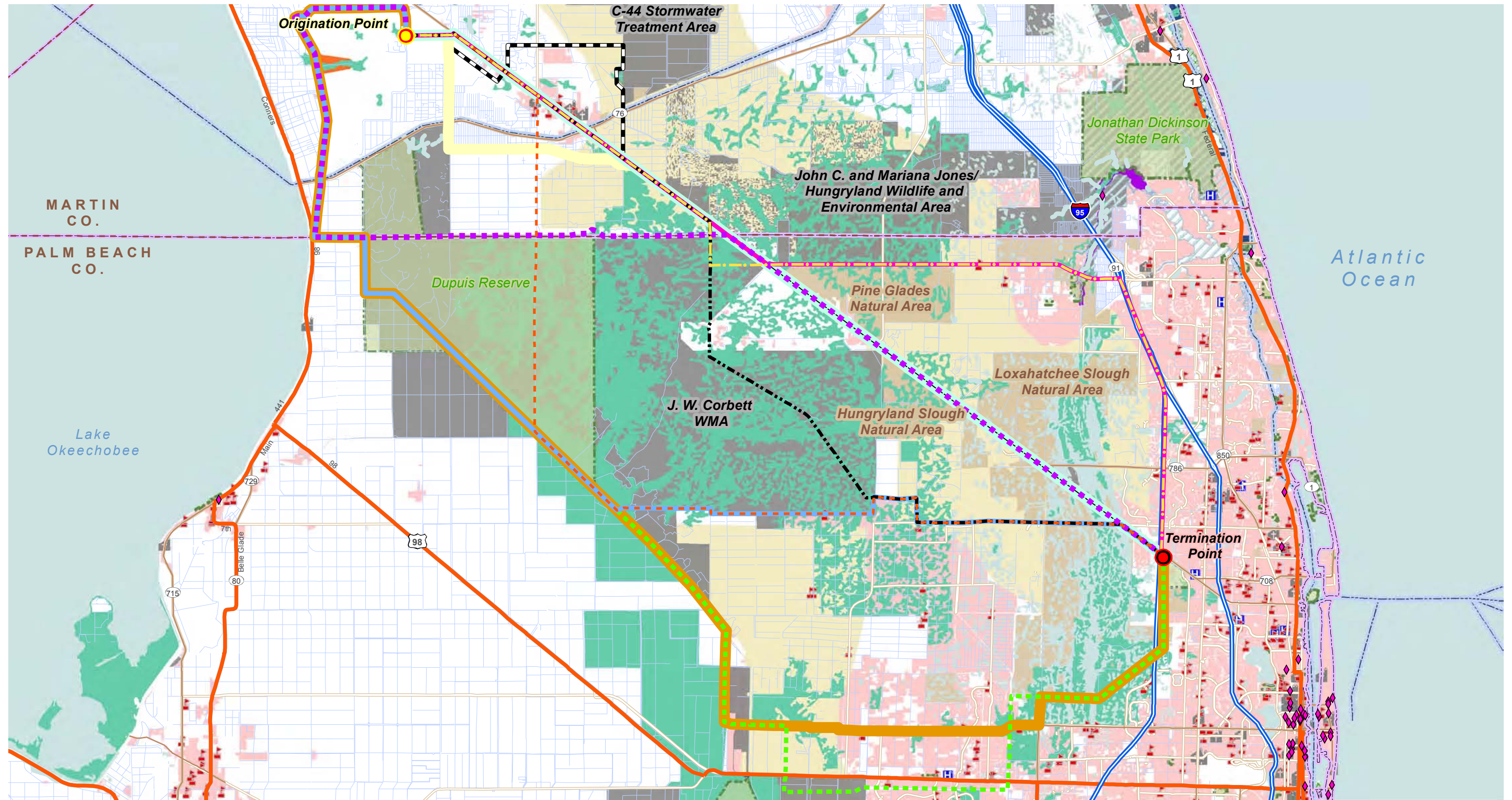


Figure 9.3-2
Tier 1 Siting Criteria
Martin Plant to RBEC Lateral
Florida Power & Light Company

Date: 2/22/2012
Source : ESRI 2010; USGS NHD 2008; FNAI 1991, 2011; FWCC 2004; South Florida Water Management District 2005.

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- Alternative 1
- Alternative 2
- Alternative 3
- Alternative 4
- Alternative 5
- Alternative 6
- Alternative 7
- Alternative 8
- Alternative 9
- Alternative 10
- Alternative 11

- Existing Natural Gas Yard at FPL's Martin Plant Property
- Termination Point
- National Register Historic Place
- Schools
- Hospital
- Church

- Park/Forest
- Ditch or canal
- Intermittent
- Stream
- Navigable Waterway
- Major Road
- County Boundary
- Lake/Pond
- Swamp/Marsh

- Wild and Scenic River
- Outstanding Florida Waters
- Federal Lands
- Federally Owned Lands
- Locally Owned Lands
- State Owned Lands
- Private (non residential) Owned Lands

- USFWS Habitat
- Part of the conservation interest areas
- Part of the priority ecological resource conservation areas
- SFWM FLUCCS Urban/Built-Up

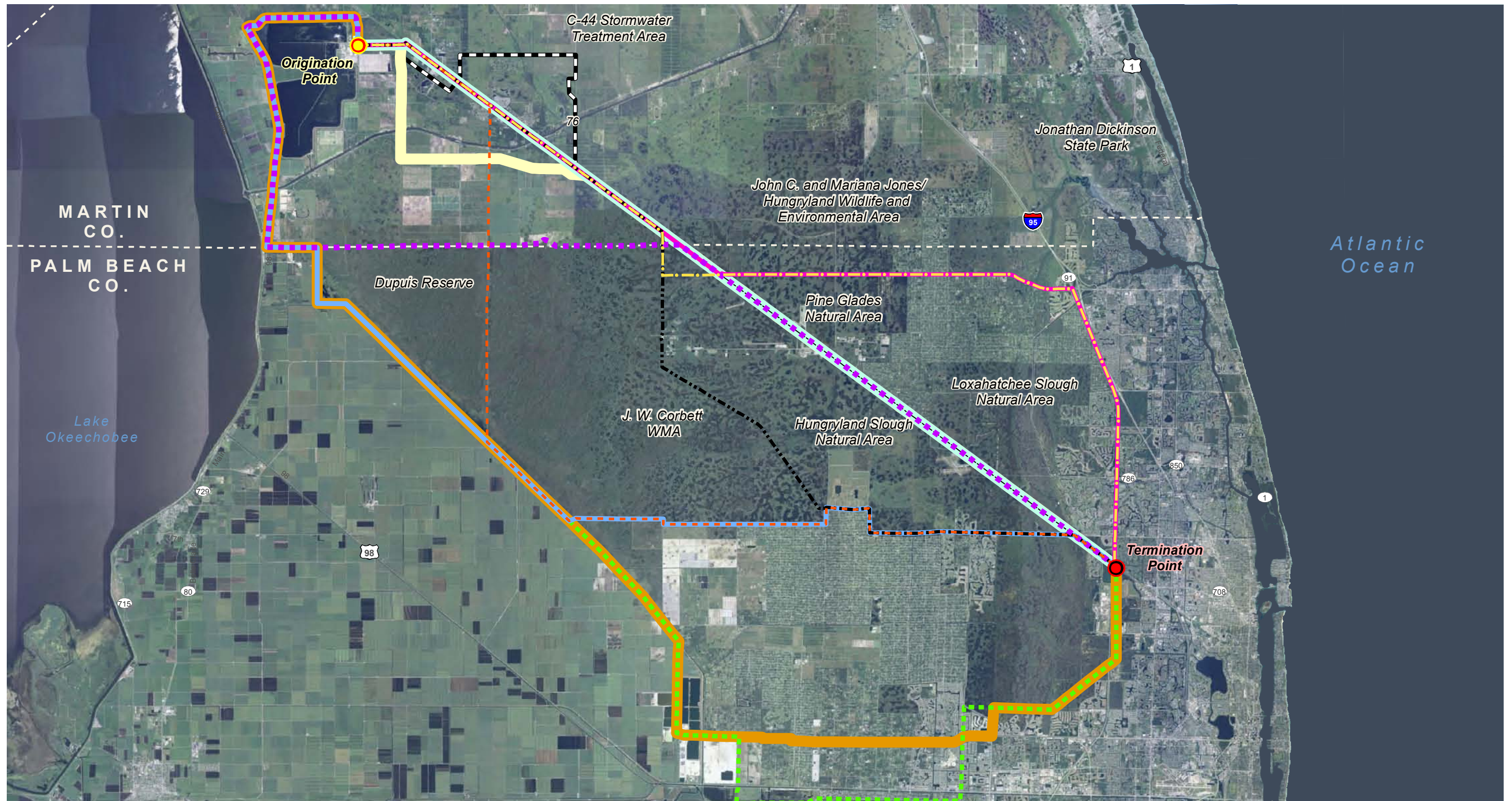


Date: 2/22/2012

Figure 9.3-3
Alternative Corridors
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source : ESRI 2010; USGS NHD 2008; FNAI 1991, 2011; FWCC 2004; South Florida Water Management District 2005.

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- | | | |
|---------------|----------------|--|
| Alternative 1 | Alternative 6 | Existing Natural Gas Yard at FPL's Martin Plant Property |
| Alternative 2 | Alternative 7 | Termination Point |
| Alternative 3 | Alternative 8 | County Boundary |
| Alternative 4 | Alternative 9 | |
| Alternative 5 | Alternative 10 | |
| | Alternative 11 | |

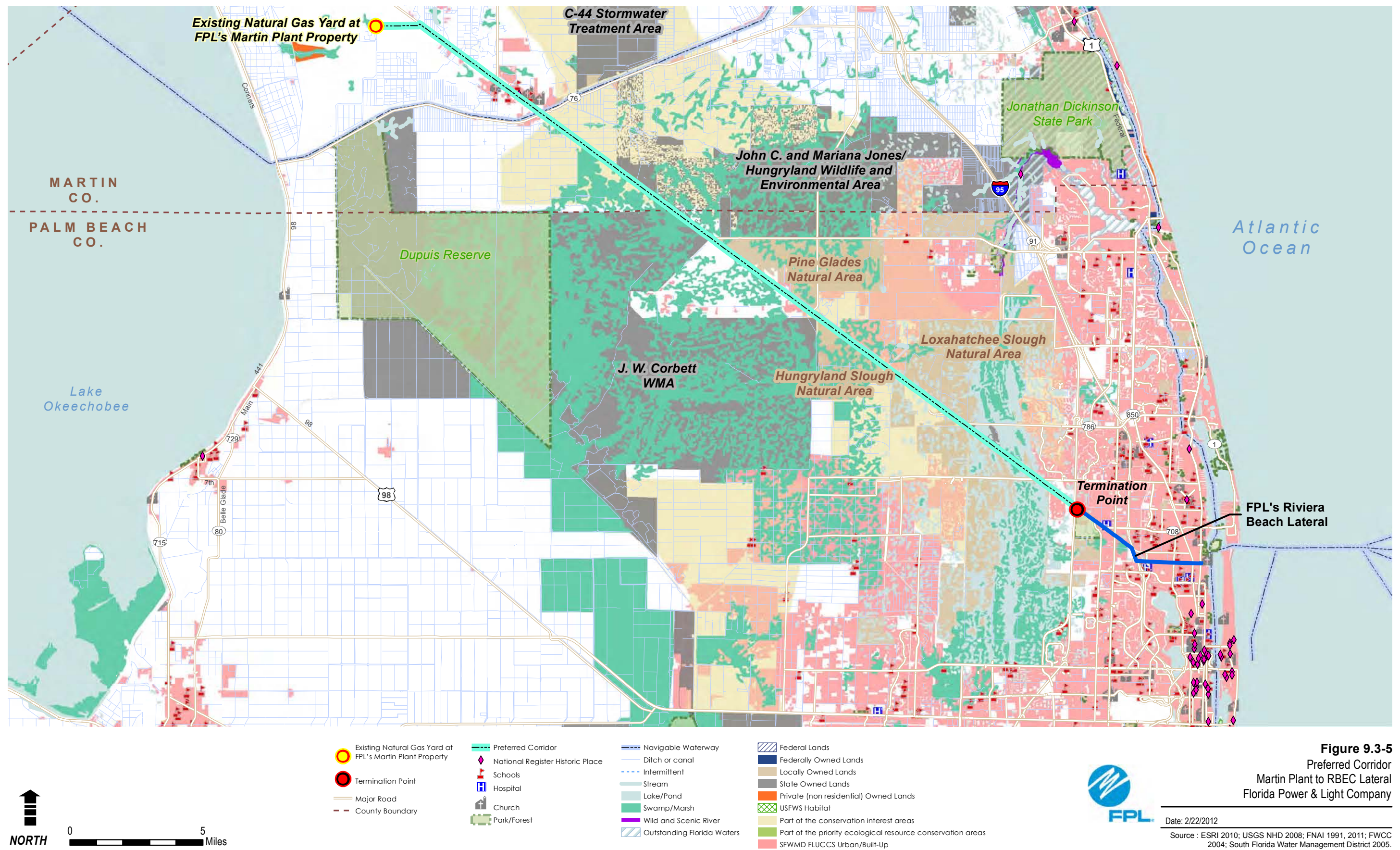


Date: 2/22/2012

Figure 9.3-4
Alternative Corridors
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source : ESRI 2010; USGS NHD 2008; FNAI 1991, 2011; Microsoft Virtual Earth Aerial 2009.

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9.3.2 Corridor Description

The Preferred Corridor would be located entirely within Martin and Palm Beach Counties (see Figure 9.2-1; see also Appendix A). Appendix A depicts the Preferred Corridor on aerial imagery. All aerial imagery was collected by the United States Geologic Survey (USGS) National Aerial Imagery Program at a 1-meter resolution during 2010. From the Origination Point the preferred corridor would be collocated with the existing FPL 18-inch fuel pipeline from milepost (MP) 0.0 to MP 1.6², east until the preferred corridor meets the CSX Rail Line ROW and SR 710 ROW. At SR 710, the preferred corridor would turn southeast and would be collocated with SR 710, the existing FPL 18-inch fuel pipeline, and the CSX Rail Line ROW from MP 1.6 to MP 32.2 to the Termination Point. Table 9.3-3 details the length of the Preferred Corridor within counties and incorporated municipalities.

Table 9.3-3		
Length of the Preferred Corridor within Counties and Incorporated Municipalities		
County or Incorporated Municipality	Beginning Milepost	Ending Milepost
Martin County	0.0	13.5
Palm Beach County	13.5	32.2
City of Palm Beach Gardens	22.1	22.2
City of Palm Beach Gardens ^(a)	23.4	23.4
City of Palm Beach Gardens	27.1	27.3
City of West Palm Beach	27.3	32.2
Note:		
(a) Second crossing of the City of Palm Beach Gardens is less than 0.1 mile, crossing is 0.02 mile in length.		

The Preferred Corridor generally varies from 100 to 1,360 feet in width. Following Site Certification and based on field survey data and final engineering design, much narrower construction and permanent pipeline ROWs (approximately 50 to 100 feet) would be identified within the certified corridor. After the property interests required have been obtained and construction has been completed by FPL, the boundaries of the certified corridor would be narrowed to include only that land within the permanent pipeline ROW. Portions of the Martin Plant property are certified under the PPSA (PA-89-27L). Where the Project would overlap the areas certified under the PPSA from approximately MP 0.0 to 1.5, this Petition to Modify is proposed to serve to modify the Martin Plant Site Certification as needed. Near MP 3.4, the Preferred Corridor would overlap with the FPL Levee – Midway 500kV Transmission Line Certified Corridor (TA89-07). This corridor received its certification on April 20, 1990, from FDEP. From MP 21.4 to 24.4, the Preferred Corridor overlaps with the FPL Crane – Bridge – Plumosus 230kV Transmission Line Certified Corridor (TA88-06) which was most recently modified on December 12, 2006 from the FDEP. Near the Termination Point of the Preferred Corridor from MP 32.1 to MP 32.2, an overlap with the previous modification to RBEC for the Riviera Beach Lateral occurs. Figure 9.3-6 (*series*) illustrates the location of these overlapping certified boundaries. Other non-certified utilities are illustrated on the topographic maps in Appendix B.

9.3.3 Accessways

The numbers and types of accessways necessary to access work areas will be determined post-certification once the specific pipeline alignment has been determined within the Preferred Corridor. Existing highways and roads are expected to be used as the principal means of accessing the construction areas. Temporary accessways would be used during the construction period. The accessways would allow for the delivery of materials and equipment to the pipeline work areas and would provide construction, inspection, and maintenance personnel daily access to the work sites.

² Milepost designations have been identified for this Project as a reference point only, based on a hypothetical centerline of the corridor.

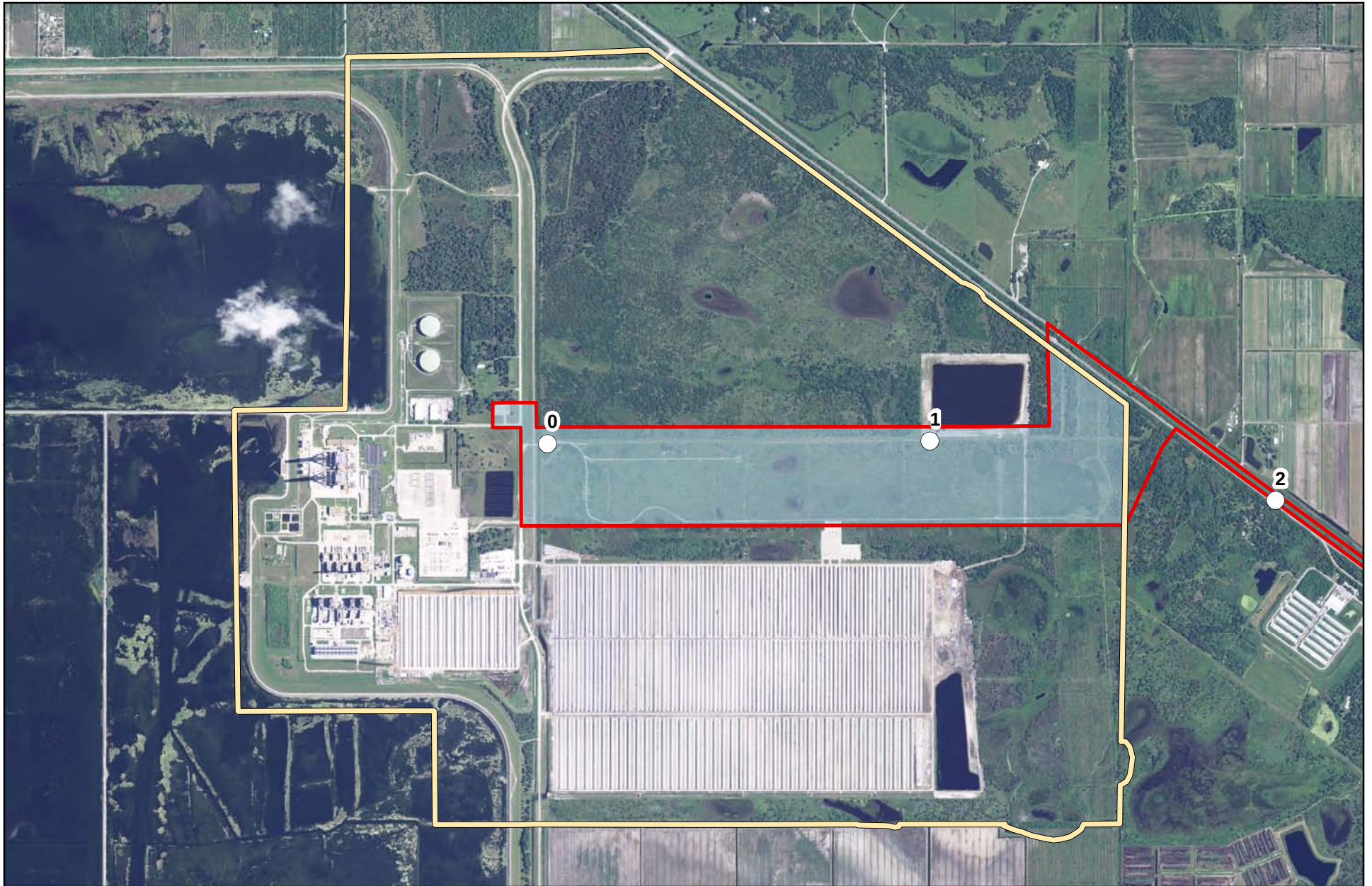


Figure 9.3-6 (Sheet 1 of 5)
 Overlapping Certified Boundaries
 Martin Plant to RBEC Lateral
 Florida Power & Light Company



NORTH

0 2,000
 Feet

- Milepost
- Martin Plant Certified Area
- Preferred Corridor
- Certified Area Intersection



Date: 3/29/2012

Source - ESRI 2010; NAIP 2010.



- Milepost
- Preferred Corridor
- Levee-Midway 500 KV Certified Corridor
- Certified Area Intersection



Date: 3/30/2012

Figure 9.3-6 (Sheet 2 of 5)
Overlapping Certified Boundaries
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source - ESRI 2010; NAIP 2010.



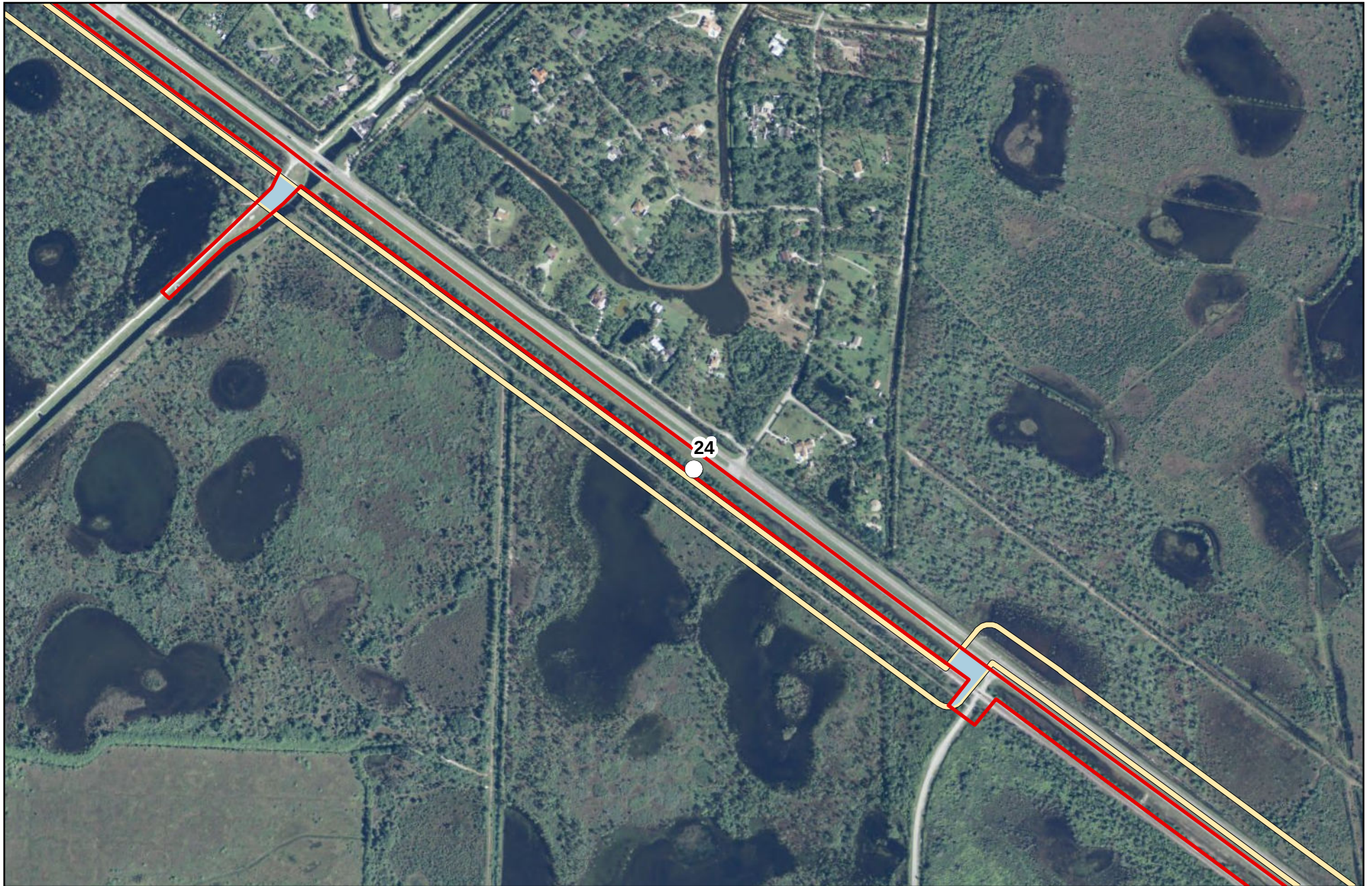
- Milepost
- Bridge-Plumosus 230 KV Certified Corridor
- Preferred Corridor
- Certified Area Intersection



Date: 3/29/2012

Figure 9.3-6 (Sheet 3 of 5)
Overlapping Certified Boundaries
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source - ESRI 2010; NAIP 2010.



- Milepost
- Bridge-Plumosis 230 KV Certified Corridor
- Preferred Corridor
- Certified Area Intersection



Date: 3/29/2012

Figure 9.3-6 (Sheet 4 of 5)
Overlapping Certified Boundaries
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source - ESRI 2010; NAIP 2010.



- Milepost
- Preferred Corridor
- Riviera Beach Lateral Certified Corridor
- Certified Area Intersection



Date: 3/29/2012

Figure 9.3-6 (Sheet 5 of 5)
Overlapping Certified Boundaries
Martin Plant to RBEC Lateral
Florida Power & Light Company

Source - ESRI 2010; NAIP 2010.

Petition to Modify RBEC Certification

Proposed Martin Plant to RBEC Lateral Project

**Table 9.3-12
Surveyed Waterbodies within the Preferred Corridor**

Waterbody ID	Milepost	Waterbody Name	Flow Type	Waterbody		Approximate Water Depth (feet)	CLASS
				Width ^(a) (feet)	Bank Height (feet)		
WB 01	0.0	Unnamed ditch	Nontidal, lower perennial	47	6-8	2	III
WB 02	0.0	Unnamed ditch	Nontidal, lower perennial	47	6-8	2	III
WB 03	1.0	Man-made reservoir	Nontidal, lower perennial	26	2	2	III
WB 04	1.3	Railroad ditch	Nontidal, lower perennial	29	5-6	3	III
WB 05	5.7	Canal	Nontidal, lower perennial	36	12	2	III
WB 06	6.4	Railroad ditch	Nontidal, lower perennial	29	3	0.25	III
WB 07	6.8	Railroad ditch	Nontidal, lower perennial	26	5	0.25	III
WB 08	7.2	St. Lucie Canal	Nontidal, lower perennial	262	18	5-10	III
WB 09	10.1	Railroad ditch	Nontidal, lower perennial	61	4-8	2	III
WB 10	10.2	Railroad ditch	Nontidal, lower perennial	20	4-8	2	III
WB 11	12.6	Railroad ditch	Nontidal, lower perennial	35	4-8	3	III
WB 12	12.7	Railroad ditch	Nontidal, lower perennial	25	4-8	3	III
WB 13	19.1	Railroad ditch	Nontidal, lower perennial	72	4-8	3	III
WB 14	19.3	Railroad ditch	Nontidal, lower perennial	16	4-8	3	III
WB 15	19.9	Railroad ditch	Nontidal, lower perennial	38	4-8	2	III
WB 16	20.4	Railroad ditch	Nontidal, lower perennial	26	4-8	2	III
WB 17	22.1	Railroad ditch	Nontidal, lower perennial	32	4-8	3	III
WB 18	22.2	Railroad ditch	Nontidal, lower perennial	43	4-8	3	III
WB 19	23.4	C-18 Canal	Nontidal, lower perennial	13	4-8	5	I
WB 20	23.4	Canal	Nontidal, lower perennial	44	4-8	5	III
WB 21	23.4	Canal	Nontidal, lower perennial	96	4-8	5	III
WB 22	24.4	Railroad ditch	Nontidal, lower perennial	20	4-8	2	III
WB 23	24.4	Railroad ditch	Nontidal, lower perennial	27	4-8	2	III
WB 24	29.2	Unnamed Stream	Nontidal, lower perennial	158	5-10	6	III
WB 25	30.3	Canal	Nontidal, lower perennial	85	5-10	5	III

Note:

(a) Waterbody widths based upon jurisdictional limits and therefore may include wetlands within distance measurement.

9.3.6.2.2 *Stream & River Characteristics and Uses (Canals/Intermittent/Ditches)*

In addition to waterbodies such as rivers, the majority of the waterbodies crossed by the Preferred Corridor are smaller waterbodies that flow year-round (perennial) or intermittently based on climate and precipitation. Many of the smaller waterbodies are identified as canals and ditches. Canals and ditches vary widely from small irrigation ditches to larger water supply and conveyance canals. The WMDs manage larger canals used for flood protection, conveyance, and water supply. WMDs manage conveyance through the major canals according to waterbody flows and flow levels throughout the system. As such, WMDs own, manage, and maintain control structures throughout the intricate canal systems. The SFWMD manages the bulk of the larger canal systems to ensure proper water supply to meet the population, agricultural, and environmental water demands in south Florida. Other drainage features identified as artificial paths are manmade conveyances for irrigation, agriculture, commercial, and residential uses.

9.3.6.2.3 *Major Drainage Basins Traversed*

The Preferred Corridor would cross two major basins in southeastern peninsular Florida: St. Lucie/Loxahatchee Rivers, and Lake Worth Lagoon/Palm Beach Coast Basins. This section provides a general description by county from north to south of the basins that would be traversed.

St. Lucie/Loxahatchee River Basin. The majority (99.5%) of the Preferred Corridor is located in the St. Lucie/Loxahatchee River Basin. The St. Lucie/Loxahatchee Basin extends approximately 1,328 square miles and includes the 1,050-square-mile St. Lucie River watershed in its northern portion and the Loxahatchee River watershed to the south. The basin lies within St. Lucie, Martin, and Palm Beach Counties. The St. Lucie watershed includes the southern segment of the Indian River Lagoon (IRL) as well as a system of canals, originally part of the Central and Southern Florida Project for Flood Control and Other Purposes (C&SF Project) and related activities. The IRL is a unique and diverse estuary that extends over 150 miles from Palm Beach County, north to Volusia County. In addition, the basin includes the Loxahatchee River and Estuary, Intracoastal Waterway, Tenmile Creek, Cypress Creek, and two state aquatic preserves, the North Fork and St. Lucie River Preserves. While there are a number of designated OFWs within the basin, all designated OFWs within this watershed are geographically separate from and unaffected by the Preferred Corridor. In addition, the St. Lucie Canal is subject to a navigational servitude in favor of the United States Army Corps of Engineers (USACE) as a part of the Cross-Florida Waterway.

Many changes in hydrological patterns have greatly affected the basin's water and ecological resources. In the St. Lucie watershed, development is concentrated along the coastal areas. Along the southern portion of the St. Lucie watershed, surface waters are susceptible to pollution from stormwater runoff and treated wastewater effluents. Primarily wetlands and agricultural lands cover the Loxahatchee watershed.

Stormwater and agricultural runoff, along with other contaminants, ultimately flow into the IRL and the St. Lucie Estuary via an intricate network of agricultural and drainage canals managed by private owners, counties, water control districts, and the SFWMD. The SFWMD manages the major canals and associated flow control structures. During large storm events, water along the major canals is released to tide, releasing significant freshwater flows into the estuarine systems.

Lake Worth Lagoon/Palm Beach Coast Basin. A 0.3-mile section of the Preferred Corridor is in the Lake Worth Lagoon/Palm Beach Coast Basin. The basin covers approximately 700 square miles, mostly within Palm Beach County, and includes the Atlantic Intracoastal Waterway, Lake Worth Lagoon, and several major SFWMD canals. Eastern Palm Beach County is highly urbanized, with almost half of the land cover being urban. The Lake Worth Lagoon, the county's major estuarine resource is about 20 miles long and susceptible to stormwater runoff from the surrounding urban environment. Stormwater runoff flows into the lagoon via multiple major canal systems (C-15, C-16, C-17, and C-51). In addition

Petition to Modify RBEC Certification
Proposed Martin Plant to RBEC Lateral Project

to stormwater runoff, the lagoon continues to be adversely impacted by large freshwater releases into the system that result in high nutrient and sediment loads.

9.3.6.2.4 *Waterbodies Traversed*

A field survey was performed to determine the water features occurring within and crossed by the Preferred Corridor. Datasets from the USGS and the FDEP were compiled to identify other surface water features and water quality data. The following sections describe the waterbodies evaluated. Figure 9.3-8 (*series*) provides an overview of the waters and wetlands surveyed within the Preferred Corridor. Detailed waterbody and wetland drawings are provided in Appendix K “Ecological Assessment & Wetland Delineation Report”.

Within the Preferred Corridor, 25 waterbodies were identified. The Preferred Corridor would not cross any waterbodies with an OFW designation. However, the corridor would cross two SFWMD canals: the C-44 (St. Lucie Canal) at MP 7.3 and the C-18 Canal at MP 23.4. Additionally, the C-18 Canal has a Class I designation, as it may be used as a potable water source.

Table 9.3-12 provides a detailed list of waterbodies traversed by the Preferred Corridor, showing MPs, hydrologic basin names, location information, and any special designation.

9.3.6.2.5 *Sediment Quality*

The waterbodies located within the Preferred Corridor have no known sediment contaminant exceedances. In its 2008 report to the USEPA, FDEP reported that sediments in urban estuaries in Florida contain heavy metals and organic contaminants (FDEP 2008). This issue was identified as one of the primary concerns for the state, and most of the sediment sampling has focused on these urban estuarine areas.

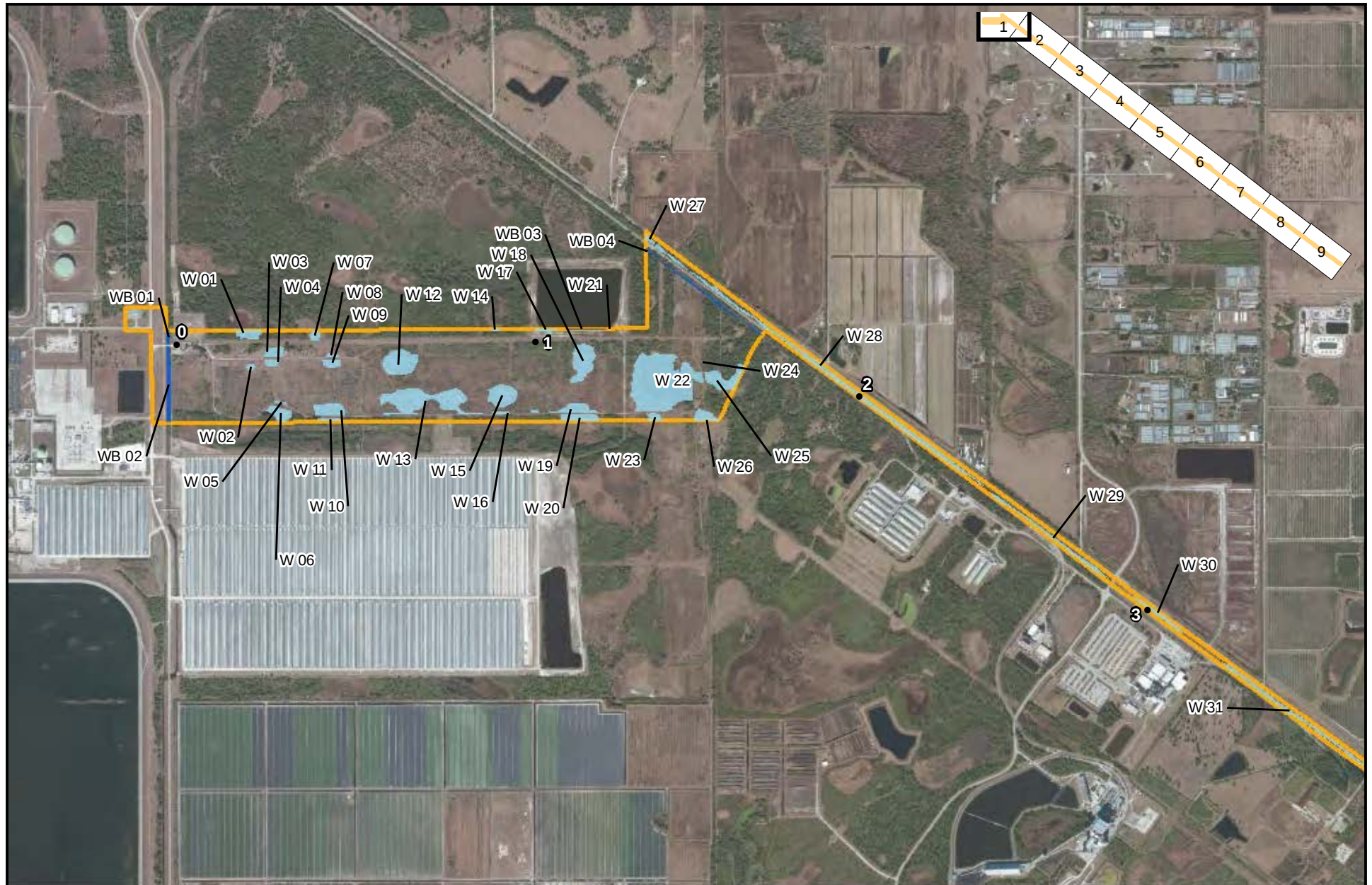
Since there are no sediment quality standards, FDEP developed statistical analysis tools to assess sediment quality in lakes and streams. The agency developed high and low quantitative measures for each contaminant to serve as guidelines for each pollutant. In 2004, they completed sampling for sediments in 284 freshwater systems throughout the state, including waterbodies within the basins traversed by the Project. The basins that were found to have sediment quality issues are not traversed by the Project. Additionally, there are no known areas that have, or may have, caused sediment quality concerns to the waterbodies crossed by the Preferred Corridor.

9.3.6.2.6 *Public Water Supplies*

Surface public water supplies in Florida are few in number. South Florida relies almost entirely on groundwater for the potable water needs. This section describes the public water supply sources that would be crossed by the Preferred Corridor.

Surface Water

The Preferred Corridor does cross one waterbody, the C-18 Canal, which is designated as Class I, for Potable Water Use.



Legend

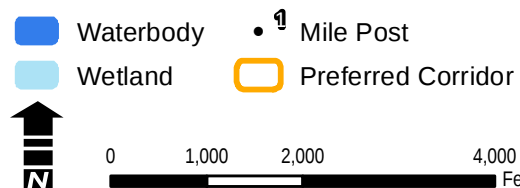


Figure 9.3-8 (Sheet 1 of 9)
 Wetland Overview Map
 Martin Plant to RBEC Lateral
 Florida Power & Light Company



Date: 2/20/2012

Source - BING, 2011; FPL, 2011; ECT, 2011.