ATTACHMENT D

FLORIDA POWER & LIGHT
OKEECHOBEE CLEAN ENERGY CENTER
WELL INTERFERENCE MONITORING, AVOIDANCE AND MITIGATION PLAN

Background

Florida Power & Light's (FPL) Okeechobee Clean Energy Center (OCEC) will use groundwater from the Upper Floridan Aquifer (UFA) and the surficial aquifer for plant purposes. As part of the St. Johns River Water Management District's (SJRWMD) non-procedural review criteria, FPL (or "Licensee") must demonstrate that these proposed uses of groundwater will not interfere with prior existing legal users or, if such interference does occur, that Licensee will mitigate for such interference. The groundwater modeling performed as part of the OCEC Site Certification Application (SCA) demonstrated that water withdrawals will not interfere with any prior existing legal user of the surficial aquifer. The modeling, however, did indicate that, although unlikely, a potential exists for OCEC groundwater withdrawals from the UFA to interfere with a limited number of prior existing legal user wells that withdraw from the UFA. This document outlines Licensee's plan for monitoring for interference, avoiding interference, and then mitigating such interference in the unlikely event it occurs.

Scope of Applicability

The scope of this well interference monitoring, avoidance and mitigation plan is limited to adverse effects to prior existing legal users caused by OCEC UFA withdrawals. Based upon groundwater modeling accepted by the SJRWMD as part of the SJRWMD's review of the OCEC SCA, the geographic area in which prior existing legal users of the UFA may be potentially interfered with by OCEC UFA withdrawals is shown on Exhibit 1 to this plan.

Additionally, as further described in the OCEC SCA, a small quantity of the OCEC water needs will be withdrawn directly from the surficial aquifer through surficial aquifer wells. The extent of reduction in surficial aquifer potentiometric surface resulting from these withdrawals was modeled and determined not to interfere with any prior existing legal user. Furthermore, groundwater modeling demonstrated that OCEC UFA withdrawals would not cause a drawdown in the potentiometric surface of the surficial aquifer sufficient to interfere with any prior existing legal user of the surficial aquifer. Therefore, this plan does not apply to any prior existing legal user of the surficial aquifer or any prior existing legal user of surface water.

This well interference monitoring, avoidance and mitigation plan applies only to prior existing legal users of the UFA located within the area shown on Exhibit 1 to this plan. A prior existing legal user under this plan is an entity legally entitled to withdraw, and actually withdrawing, groundwater from the UFA as of September 25, 2015, the date of submission of the OCEC SCA.

Entities that first initiated their legal withdrawal of groundwater from the UFA after September 25, 2015, are not prior existing legal users and are not covered by this plan.
Monitoring for Potential Interference
Licensee will install a monitoring well(s) and monitor the potentiometric surface and water quality to determine the effects of OCEC pumping on the UFA. The specific location and nature

of the monitoring well(s) and the means of monitoring will be set forth in a monitoring plan submitted post certification as required by the conditions of certification. This monitoring plan shall specify the location and construction specifics of the monitoring well(s) and should include, at a minimum:

1. Monitoring of the UFA between the proposed production well sites and the closest adjacent legal users. This monitoring well shall measure water levels and water quality of the same zone of use of the closest adjacent legal user(s). The best available well depth and casing information for closest adjacent legal users must be used to determine the monitoring zone.
2. Determine an appropriate monitoring well drawdown threshold (i.e., number of feet of drawdown) that would trigger the actions described in “Avoiding Potential Interference” below
3. Quarterly major ion chemical analyses for all production and monitoring wells.
4. Daily water level measurements of the UFA monitoring wells.

The monitoring plan shall be reviewed and approved by SCO and SJRWMD in accordance with Condition XX, “Procedures for Post Certification Submittal.” Licensee will use this monitoring information to assist in evaluating claims of interference as further described below.

Avoiding Potential Interference

If the potentiometric surface of the UFA in the monitoring well is below the monitoring well drawdown threshold established in the Monitoring Plan, Licensee will rotate pumping from its OCEC UFA wells to attempt to avoid potential interference so long as the pumping rotation does not impact plant operation or production from the wells.

Notification to Floridan Aquifer Well Owners within Area of Potential Interference

For those existing legal users entitled to interference mitigation prior to commencement of commercial operation of OCEC Unit 1 pursuant to the terms of OCEC Condition of Certification number 27, Licensee will notify in writing those existing legal users of Licensee’s offer of well mitigation payment, as specified in this Plan, no later than 90 days after the SJRWMD approves the updated modeling report referenced in that condition. For all other existing legal users covered by this Plan, Licensee will utilize publicly available Okeechobee and Indian River County well databases, and the SJRWMD consumptive use permitting database and well completion search tool to obtain the mailing address for property owners located within the area depicted on Exhibit 1 that are known to have an UFA well. Licensee will then mail a letter to these property owners informing them that the OCEC’s UFA use may have the potential to interfere with the operation of UFA wells, and describe Licensee’s willingness to investigate and mitigate for wells that have suffered interference. The letter will give the well owner a Licensee (FPL) contact phone number to call if they experience difficulties with the operation of their well. This notice will be sent 90 days after final issuance of the OCEC Site Certification. The notification letter language is shown on Exhibit 2.

Claim Investigation and Mitigation,

If a well owner notifies Licensee of possible impacts to their well, Licensee will send one or more representatives, investigate the claim. The well owner must allow the Licensee representatives access to their property and well to investigate their well impact claim. If Licensee’s analysis of monitoring data, measurement, or modeling determines that pumping of groundwater from the UFA for OCEC operations has resulted in a decline in the potentiometric surface of the Floridan Aquifer at the existing user's well location, and is sufficient to cause a reduction in flow resulting in interference to that well (as defined in Section 3.6 of the SJRWMD Applicant's Handbook; Consumptive Use of Water dated November 3, 2015), Licensee will pay the cost to modify that well to restore the capacity of that well to the condition existing immediately prior to Licensee's initiation of OCEC UFA withdrawals. The analysis of the monitoring data, measurement, or modeling will consider the potentiometric surface elevations of the UFA immediately prior to initiation of OCEC UFA withdrawals accounting for the effects of withdrawals from all other UFA users in the area. The analysis of the monitoring data, measurement or modeling will determine whether the additional reduction in the UFA potentiometric surface elevations resulting solely from OCEC UFA withdrawals has produced the reduction in flow referenced above. Licensee shall not be obligated to pay or otherwise mitigate for impacts to prior existing users of the UFA resulting from groundwater withdrawals other than from OCEC UFA withdrawals. Licensee will pay for one or more of the following to restore the capacity of a well suffering interference, as determined applicable by a licensed engineer or water well contractor retained by Licensee:

- Construction to deepen the well or to lower an existing pump.
- Installation of piping.
- Installation of well pumps powered by fuel (liquid or gas) or by electrical power and wiring and other necessary infrastructure needed to support such pumps.
- Installation of new well casing or screening.

If a legal user of water which existed at the time of application for the site certification experiences interference, and the well previously operated as a free flowing well solely under artesian pressure, and such well must be equipped with a pump to restore the capacity of the well, Licensee will make payment to the well owner to reimburse the well owner for the cost of fuel or electric power to operate the pump for an initial 20-year period of time beginning on the date the well owner notifies Licensee of the impact to their well and subsequent 10-year periods thereafter. After the initial 20-year period, reimbursement will continue in subsequent 10-year increments provided the well use type (e.g., agricultural type use) remains unchanged from the time of initial impact, and only for the amount of water use permitted or determined upon initial reimbursement period. Licensee shall cease the 10-year increments if either (a) the well changes use (e.g., from agricultural to landscape irrigation or other use), or (b) Licensee's withdrawals no longer impact the well (e.g. Licensee decreases or ceases withdrawals; Licensee modifies its wellfield or wells).

If the pump is powered by fuel (liquid or gas) or electric power, the initial 20-year payment and subsequent 10-year periods shall account for the incremental cost of fuel or electric power needed to restore the capacity of the well as described above as long as the well use type remains unchanged. The incremental cost of fuel or electric power will be based on the average unit cost of the fuel or electric power sold in the county for the preceding year times the projected units of fuel or electric power needed to produce the total remaining gallons of water to be pumped from that well over a period of time beginning on the date the well owner notifies Licensee of the impact to their well and ending on the date occurring 20 years after final issuance of the OCEC Site Certification. For the purpose of this payment calculation, the total gallons of water to be pumped from the well shall be the average annual gallons used per year based upon the water use reports for that well from the previous five years times the number of years occurring within a period of time beginning on the date the well owner notifies Licensee of the impact to their well and ending on the day occurring 20 years after final issuance of the OCEC Site Certification and subject to 10-year reimbursement periods thereafter if well use type remains unchanged.

For artesian or free flowing wells used for domestic purposes which did not require a consumptive use permit from the SJRWMD, the fuel or electrical payment shall be based upon the gallons of fuel or kilowatts of electric power needed to produce 280 gallons per day for 365 days given the fuel or electric power needs and production capability of the pump installed times an initial 20 year period and subsequent 10-year increment payment periods if the well use type remains unchanged. The cost of fuel or electric power used for the initial payment will be based on the average unit cost of the fuel or electric power sold in the county for the year preceding the well owner's notification to Licensee, and for subsequent 10-year period payments, the year preceding such subsequent 10-year period. Licensee will also make a payment to the well owner for incremental costs associated with maintaining pumps and power equipment that are required to restore the capacity of the well as described above for a period of time beginning on the date the well owner notifies Licensee of the impact to their well and ending on the date occurring 20 years after final issuance of the OCEC Site Certification and subsequent 10-year reimbursement intervals as described above.

Licensee's obligation to pay costs of fuel, costs of electric power, and the costs to maintain pumps and other well equipment to address interference shall cease upon change of use type or abandonment of the well. Licensee's obligation to pay for any well modification, fuel or electric, or maintenance costs shall also cease if the property and well are sold or transferred to a new owner.
Licensee shall not be responsible to pay for wells, pumps or piping equipment; or fuel, electric power or maintenance costs; in instances in which water flow through the well is reduced or ceases, or the well otherwise fails to adequately perform, due to damage caused by improper well operation or maintenance or due to damage to the well equipment caused by accidental or intentional actions unrelated to OCEC UFA withdrawals. Licensee shall also not be responsible for mitigating well interference or otherwise offsetting loss of well production capability caused by groundwater pumping from other entities in this area, but only for the contribution of impact caused by OCEC UFA withdrawals. Licensee shall also not be responsible to pay for interference to a user's increased allocation after September 25, 2015, but only for the amount of water use permitted as of September 25, 2015.

If Licensee's analysis of monitoring data, measurement, or modeling determines that pumping of groundwater from the UFA for OCEC operations did not result in a potentiometric surface decline sufficient to cause a reduction in flow resulting in interference to that well, Licensee shall provide written notice of the same to the FDEP SCO and the SJRWMD, within 90 days of the completion of the well site investigation, which notice shall briefly explain the basis for Licensee's conclusion and include copies of any information related to the conclusion. If after receiving this notice, SJRWMD disagrees with Licensee's conclusion, disputes shall be resolved in accordance with Condition XI ("Dispute Resolution").

ATTACHMENT D

Reporting

No later than 30 days after Licensee receives a claim from a well owner of potential impacts to their well, Licensee will notify the FDEP SCO of the same with a copy to the SJRWMD.

Additionally, on August 1 of each year, Licensee will prepare and submit to the FDEP SCO, with a copy to the SJRWMD, a summary report listing all well owners who have contacted Licensee about possible well interference and the resolution of all well interference claims, including any mitigation performed by Licensee. This summary report will include the following:

- The name and address of the well owner
- The date and nature of the complaint
- The date the complaint was investigated.
- A summary of the investigation
- Details of any mitigation performed.
- Beginning 20 years after licensing, Licensee must provide written report of 10-year period reimbursement(s) to SJRWMD.

If no well owners have contacted Licensee, Licensee may satisfy this requirement by submitting a brief statement by electronic correspondence that no well interference claims were submitted for the reporting period. Licensee may discontinue this annual reporting beginning on the sixth (6th) year after OCEC initiates operation. Beginning with the sixth (6th) year after initiation of OCEC UFA withdrawals for cooling tower makeup, Licensee shall only submit a report if Licensee receives a notification from a well owner of potential impacts to their well.

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Exhibit 1

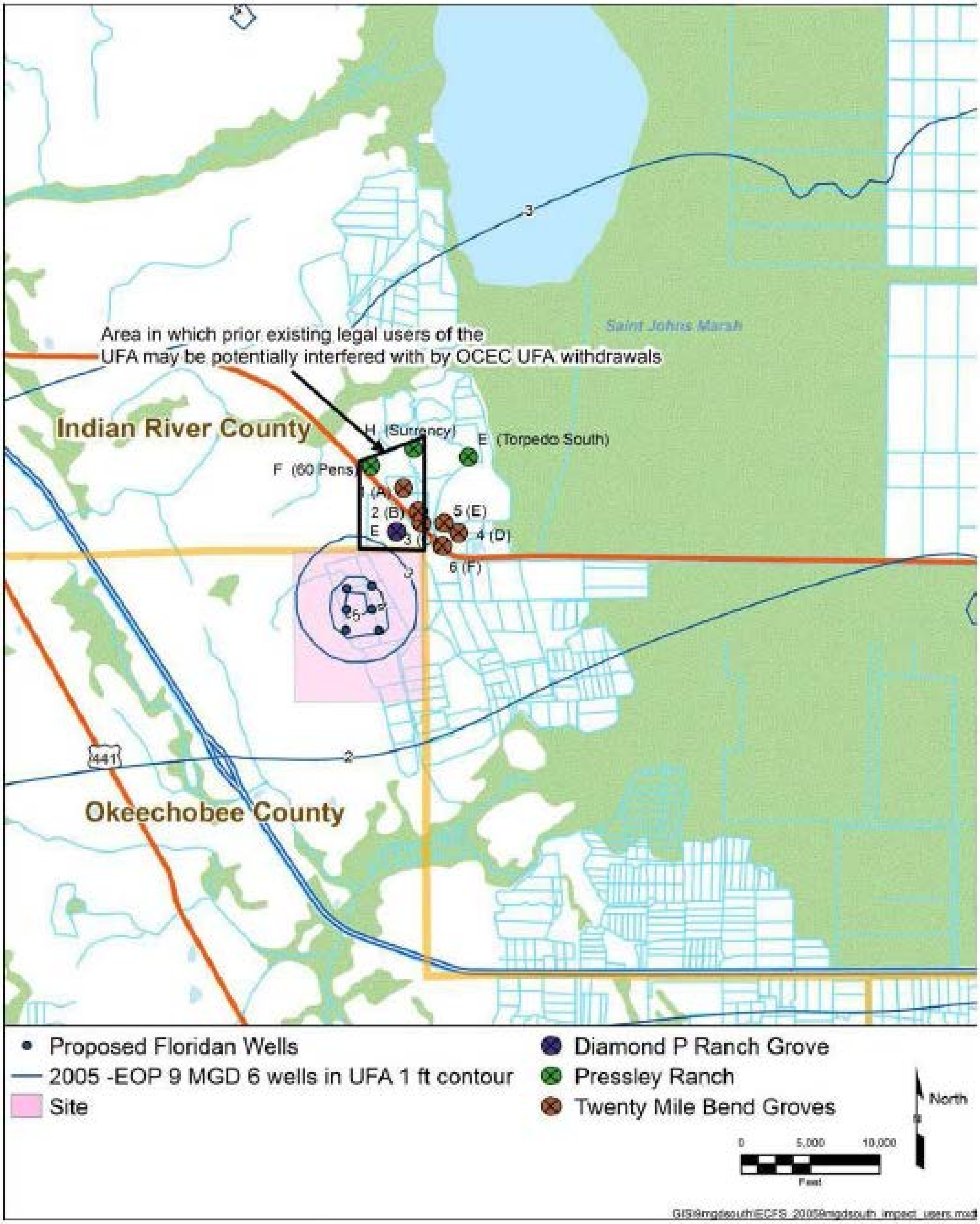

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Exhibit 2

SAMPLE WELL OWNER NOTIFICATION LETTER

John Doe Well
Owner 123
Address

Okeechobee, FL

11111 Dear Mr.

Well Owner,

FPL currently expects to begin operation of its new Okeechobee Clean Energy Center on or about [DATE]. This Energy Center will use groundwater for plant purposes to provide needed electricity to FPL's customers. If you own a well that withdraws water from the Floridan Aquifer and begin to experience low water pressure or other difficulties operating your well, please contact an FPL representative at [telephone number]. FPL will investigate all claims of well impacts and mitigate interferences to Floridan aquifer wells pursuant to a well interference monitoring, avoidance, and mitigation plan approved as part of the Okeechobee Clean Energy Center Site Certification.

Sincerely,

FPL Representative