



February 20, 2009

James J. Golden, AICP
Lead Planner
Environmental Resource Regulation Department
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33401

**RE: FPL Martin Solar Energy Center, PA 89-27M
Post Certification Submittal
Stormwater Management System Construction Plans
Site Certification Amendment Supplemental Information**

Dear Mr. Golden,

This correspondence provides responses to the letter from the South Florida Water Management District (SFWMD) dated January 22, 2009. Each item you identified in your letter is listed below with FPL's response below it. Note: the conditions you referenced in your letter (II.A.2, II.C.2.a, II.C.3.b and II.D.2.d) are identified as (VI.A.2, VI.C.2.a, VI.C.3.b and VI.D.2.d) in the certification modification (PA89-27M).

This submittal is intended to address not only the response to your letter but also the impact to 0.34 acres of wetlands on the temporary haul road.

- (1) Please submit the details of the proposed construction dewatering activities for the solar energy center project for review and approval, pursuant to Certification Condition II.B.3.a.

FPL Response: The package FPL submitted to the District on December 24, 2008 was to provide the District all necessary information in response to Certification Condition VI.C.3.b.1-6 pertaining to detailed paving, grading and drainage construction plans. Attached are revised detailed paving, grading, and drainage construction plans incorporating changes based on the District's comments.

The changes to the paving, grading, and drainage construction plans primarily consist of reconfiguration of the two borrow pits. The north pit was changed to a rectangular pit in order to provide a more efficient shape for production of fill. The south pit was reconfigured to provide a minimum separation of 200 ft between the pit and a wetland located in the transmission corridor.

Separately, attached to this letter, FPL is formally submitting the Dewatering Plan in accordance with Certification Condition VI.B.3.a. The Dewatering Plan was prepared by Ardaman & Associates. The dewatering Condition VI.B.3.a states that prior to the commencement of construction of those portions of the project which involve dewatering activities, a detailed plan must be reviewed by the District.

At this time, FPL is requesting separate authorization for Condition VI.C.3.b.1-6 (paving, grading, and drainage) and Condition VI.B.3.a (dewatering). If the paving, grading, and drainage plans are approved prior to the dewatering plan, no dewatering will occur until the District subsequently approves the dewatering plan. All submitted documents are signed and sealed by a Florida Professional Engineer.

- (2) Please submit a revised Comprehensive Oil, Hazardous Materials, and Hazardous Waste Management Plan for review and approval, pursuant to Certification Condition II.C.3.f.

FPL Response: In the certification modification (PA89-27M) the above referenced condition II.C.3.f is now numbered VI.C.3.f.

The site is a Conditionally Exempt Small Quantity Generator (CESQG). The Martin Plant is not required to have a Hazardous Waste Contingency Plan because they are not a Large Quantity Generator under RCRA. The comprehensive plan is addressed by the Stormwater Pollution Prevention Plan (SWPPP) and the Spill Prevention and Counter Control Plan (SPCC) that are a part of the Environmental Control Plant (ECP). The ECP was required under the Conditions of Certification, specifically condition VII.B and was submitted to FDEP for Phase 1 on October 16, 2008. The ECP will be revised for Phase 2 and will be submitted to FDEP.

- (3) The submitted drawings include two proposed borrow pits and a temporary haul road that were not mentioned in the Application For Modification Of Site Certification. It appears that the northern borrow pit and a portion of the proposed temporary haul road are located outside of the legal footprint for the solar project provided in the Application For Modification Of Site Certification. In addition, the submitted drawings are inconsistent with respect to the details shown for these proposed activities.

a. How will the borrow pits be constructed? What is the proposed depth? Are any dewatering activities proposed? How will drawdown of preserved wetlands be prevented? If wet excavation is proposed, how will sedimentation and turbidity be controlled? Where will the wet material be stored for drying, etc.?

FPL Response: FPL is contemplating construction of the borrow pits in the dry by dewatering as more fully described in the attached Dewatering Plan. This method would require a dewatering system to lower the groundwater level. The pit would be excavated using back hoes and/or excavators. The maximum depth of the borrow pits is 20 feet below groundwater level as shown on Sec. A on Dwg. C14 of the construction plans. The potential groundwater drawdown impact to preserved wetlands caused by the dewatering activities would be mitigated by physical separation and the use of recharge trenches. This process is more fully explained in the Dewatering Plan

b. Is the control elevation of the south borrow pit/wet detention lake, located east of and adjacent to the solar mirror field, compatible with preserved wetland normal pool elevations directly to the east? Will it result in long-term drawdown of the wetlands? If these elevations are not compatible, this will result in secondary impacts. Additional mitigation will be required for these impacts, pursuant to Certification Condition II.D.2.d.

FPL Response: The control elevation of the newly relocated south borrow pit is compatible with preserved wetland located east of the pit. The control elevation for the southern borrow pit will match existing natural ground water table elevations, as this area is not proposed to have a control structure. The borrow area will not currently be utilized for drainage and will have a water table elevation consistent with the adjacent areas.

As stated in the Ardaman Dewatering Plan, pending rainfall and evaporation rates, the level of the water in the south borrow pit may be slightly lower than the groundwater in the nearby wetland. Given that this wetland will be a minimum of 200 feet away from the limits of excavation, the resulting hydraulic gradient will be less than 0.005 and of no consequence.

c. Please coordinate with DEP Siting staff regarding procedural issues for approval of the proposed borrow pits and temporary haul road. Pending the outcome of DEP's determination, SFWMD and DEP staff may need to review the provisions of the Special Case Agreement for the ERP-related review of the solar energy center project to determine if any changes to the Agreement may be necessary in order for the SFWMD staff to review these additional proposed activities.

FPL Response: FPL submitted a request to amend the site certification to include the borrow pits and temporary haul road. The request was sent to FDEP Siting office on January 14, 2009. The agencies review of the amendment request deadline is February 25, 2009.

The attached drawings identify the temporary haul road, the laydown area and the proposed borrow pit. The proposed temporary haul road will impact 0.34 acres of wetland. Dominant wetland vegetative species found within the western wetland include little blue maidencane (*Amphicarpum muhlenbergianum*), beakrushes (*Rhynchospora* spp.) and St. John's wort (*Hypericum fasciculatum*). Wetlands on south were dominated by little blue maidencane, slender flattop goldenrod (*Euthamia minor*), beakrushes (*Rhynchospora* spp.), maidencane (*Panicum hemitomon*) and Elliott's yelloweyed grass (*Xyris elliotii*). It is anticipated that similar wetland species will recruit back into these areas from the adjacent wetland seed sources. Post construction the road will be excavated to current grade to allow for natural recruitment.

If you should have any questions regarding this letter and the attachment, please do not hesitate to contact me at 561-691-7065.

Sincerely,



Stacy M. Foster
Environmental Project Manager
FPL Environmental Services

Cc: Mike Halpin – FDEP Siting Office
Melinda Parrott – SFWMD Martin/St. Lucie Service Center
Hugo Carter – SFWMD Martin/St. Lucie Service Center