



# MEMORANDUM

AGENDA ITEM #VI.A

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DATE: MAY 2, 2016  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: CORRESPONDENCE AND ATTENDANCE FORM

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Recommendation

Information only.

ATTENDANCE RECORD 3/2015-4/2016

<b>Councilmembers</b>	<b>3/2/15</b>	<b>5/4/15</b>	<b>7/6/15</b>	<b>9/9/15</b>	<b>11/2/15</b>	<b>1/4/16</b>	<b>2/1/16</b>	<b>3/7/16</b>	<b>4/4/16</b>
<b>ASSEFF, Patricia, <i>Chair</i></b> Governor's Appointee	*	CC	P	P	P	P	P	P	P
<b>BAILEY, Mario</b> Governor's Appointee	CC	P	P	*	CC	P	CC	*	P
<b>BATES, Margaret</b> Commissioner, Lauderhill	CC	CC	P	P	P	P	*	*	P
<b>BOGEN, Mark</b> Broward County Commission	P	*	*	*	*	A	A	*	A
<b>CAPLAN, Frank, <i>Treasurer</i></b> Commissioner, Key Biscayne	P	P	P	*	P	P	P	*	P
<b>CAVA, Daniella Levine</b> Miami-Dade Co. Commission	P	*	P	CC	P	*	P	P	P
<b>DAUBERT, Tim, <i>Vice-Chair</i></b> Councilman, Miami Lakes	P	P	P	P	P	P	P	P	P
<b>FURR, Beam</b> Broward County Commission	-	-	-	-	-	-	-	*	P
<b>GOLDBERG, Cary</b> Governor's Appointee	-	P	*	P	P	P	CC	P	*
<b>HERNANDEZ, Nelson</b> Governor's Appointee	A	*	P	P	A	A	P	*	A
<b>KIAR, Martin</b> Broward County Commission	A	P	CC	CC	P	CC	A	*	*
<b>NEUGENT, George</b> Monroe County Commission	P	P	*	*	*	CC	*	*	CC
<b>RICE, David</b> Monroe County Commission	P	P	*	CC	P	CC	*	*	*
<b>ROSS, Greg, <i>Secretary</i></b> Mayor, Cooper City	-	P	P	P	P	P	P	P	P
<b>SUAREZ, Xavier</b> Miami-Dade Co. Commission	P	*	A	*	P	CC	*	P	P
<b>WALLACE, Paul</b> Governor's Appointee	P	P	P	P	P	P	P	P	P
<b>WALTERS, Sandra, <i>Past Chair</i></b> Governor's Appointee	P	P	P	P	P	P	P	P	P
<b>WEEKLEY, Jimmy</b> Commissioner, Key West	P	*	CC	*	P	P	*	P	P

ATTENDANCE RECORD 3/2015-4/2016

Ex Officio Members	3/2/15	5/4/15	7/6/15	9/9/15	11/2/15	1/4/16	2/1/16	3/7/16	4/4/16
<b>HUYNH, DAT</b> Florida Dept. of Transportation	-	-	-	-	-	D	D	D	P
<b>CORRY, Laura</b> South Florida Water Management District	P	P	P	P	*	P	P	P	P
Florida Dept. of Environmental Protection	-	CC	*	*	*	A	-	-	-
<b>MARTELL, Roberto</b> Mayor, Town of Medley Department of Economic Development	-	-	-	-	P	A	P	*	P

P = Present

A = Absent

D = Designee Present

\* = Excused Absence

- = Not Yet Appointed

CC = Via Conference Call

Jennifer Smith, Designee for the Department of Environmental Protection

# Massive Nuclear Plant Plan Near Everglades Delayed by Court



NBC6.com

A massive nuclear plant expansion proposed by Florida's largest electric utility must be redone to meet environmental and other concerns near Everglades National Park, a state appeals court ruled Wednesday.

The 3rd District Court of Appeal in Miami reversed a 2014 decision by Gov. Rick Scott and the Cabinet to approve construction of two nuclear reactors by Florida Power & Light at its Turkey Point plant near Homestead. The project, costing up to \$18 billion, would add about 2,200 megawatts of electric power or enough to supply 750,000 homes.

A three-judge panel ruled the governor and Cabinet failed to account for environmental regulations meant to protect the Everglades and endangered birds that make their home in the wetlands. Part of the plan includes erecting about 90 miles of transmission lines that would skirt the eastern edge of Everglades National Park and slice through several cities.

The court found that Florida Power & Light should be required to bury the power lines at the utility's expense; that a proposal to fill in about 137 acres of right-of-way would affect critical water flow; and that proposed access roads would have to be elevated at some points.

"FPL presented no competent substantial evidence that the project could satisfy the environmental performance standards" of Miami-Dade County rules, Judge Ivan Fernandez wrote for the panel. The county, the city of Miami and other nearby cities had challenged the project at the appeals court.

Scott and the Cabinet determined there would be no impact on endangered birds. But the appeals court found the opposite, noting that species such as the wood stork and snail kite would be greatly affected through loss of foraging habitat and collisions with transmission poles and lines.

The project envisioned ways to prevent birds from perching on poles and lines and avoiding them in flight, but the judges said those ideas also fall short.

"The mitigation technique presumes that some of the species are going to die. And that simply is not the standard," Fernandez wrote.

The court ordered Scott and the Cabinet to reconsider the project in light of its ruling. Florida Power & Light did not immediately respond to emails seeking comment and it was not immediately clear if there would be further appeals.

One of the major failings of the 2014 decision, the judges found, was that it did not apply local development regulations and considered the proposal more of a zoning matter than an environmental one.

"The east Everglades is a unique section of land with a biologically diverse ecosystem," the order says. "The ultimate purpose of the (county Everglades ordinance) is to protect the environment of the Everglades."

The Nuclear Regulatory Commission is holding public comment meetings on the reactor plan later this week, one in Homestead and one at Florida International University. Opposition has focused on such concerns as how the reactors would handle rising sea levels, if evacuation plans are adequate and whether the reactors might threaten waterways and drinking supplies.

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Find this article at:

<http://www.nbcmiami.com/news/local/Massive-Nuclear-Plant-Plan-Near-Everglades-Delayed-by-Court-376428711.html>