

## MINUTES

### Levy County Planning Commission August 4, 2008 6:30 p.m.

The Levy County Planning Commission was called to order by Chair Ron Grant. Other members present were:

Thomas Harper  
Vaughn Lee  
Thad Barber  
Toni Collins

Also present was Development Director, Mr. Rob Corbitt, Planning Director, Ms. Shenley Neely and County Attorney, Mrs. Anne Brown.

Chairman Grant called for a motion for the July 7, 2008 minutes.

Chair Grant then called for anyone giving testimony for the Special Exception listed on the agenda to be sworn in by the county attorney. Attorney Brown officially swore in anyone that wished to speak or present themselves as an expert witness.

Chair Grant called for the board to disclose any ex-parte communications related to the petitions being presented. There were none.

Chair Grant asked the County Planner, Ms. Neely to begin with her order of business.

**PETITION NO. SSA 08-02**, R. Alexander Glenn, agent for Progress Energy Services Co., LLC. To amend the Levy County Future Land Use Map from Forestry Rural Residential to Public Use on approximately 19.88 acres more or less. Located on the east side of U.S. Highway 19/98 on parcel number 02865-001-00 in Section 13, Township 16S, Range 16E.

Ms. Neely said that the applicant in this case was allowed to increase the small scale from ten acres which is the maximum set by the state because it is considered a rural area of critical economic concern.

Present was Mr. Roger Sims, lead attorney for the Progress Energy project, Mr. Greg Beauchamp Co-counsel, Susan Ennis of Progress Energy, Danny Roderick, and Gail Simpson along with a large number of experts. Mr. Sims provided a copy of the power point presentation. Mr. Simms stated that this project will be a training and visitor center. Mr. Simms said that included in the record was a copy of the Transportation Analysis.

Mr. Danny Roderick (engineer), Vice President of Nuclear Projects and Construction gave a project overview. Mr. Roderick said there are several needs when dealing with a nuclear power plant. Mr. Roderick said that a nuclear power plant is not something that the public can just stop by and look at. Mr. Roderick said there needs to be a way to help educate people about the power plant, energy efficiency and about alternative energy sources. Mr. Roderick said that the 19 acre site will be made up into two parts.

One being the visitors center that will be open to the general public and a training center for approximately 900 employees. Mr. Roderick said that the center will serve for the life of the proposed plant and will be utilized to train plant operators and other support personnel. Mr. Roderick also said that it will be used to work with law enforcement training and for emergency planning including Mark Johnson and his staff. Mr. Roderick said that the training will begin during the construction and testing phases of the proposed plant.

Mrs. Ethel Hammer (land use planner), President of Englehardt, Hammer and Associates, Inc. Mrs. Hammer stated that the request was for a Small Scale Future Land Use Amendment. Mrs. Hammer said the amendment is to change the Future Land Use designation on the subject property from Forestry/Rural Residential to Public use. Mrs. Hammer said that the purpose of the amendment is to construct an employee training center and visitor center which will all be ancillary to the entire power plant. Mrs. Hammer said that F.S. Section 163.3187 (1)(c)4. allows the area of a Small Scale Map Amendment to be increased to 20 acres for properties within a Rural Area of Critical Economic Concern. Mrs. Hammer said that Levy County is required to certify to the Office of Tourism, Trade, and Economic Development that the plan amendment furthers the economic objectives for the Rural Area of Critical Economic Concern. Mrs. Hammer said this would have to be certified by the Board of County Commissioners in a letter to that organization. Mrs. Hammer said that F.S. also requires that a proposed amendment cannot involve the same owner's property within 200 feet of the property granted a change within the prior 12 months. Mrs. Hammer said that as part of their analysis for determining the appropriateness of this application they looked at proximity to public facilities, roadway classifications and compatibility of surrounding land uses. Mrs. Hammer said that the subject property is not located within a coastal high hazard area, does not change any of the text of the Comprehensive Plan and is not located within an area of Critical State Concern. Mrs. Hammer said that each time a Comprehensive Plan Amendment is requested, you must evaluate the plan amendment against the standards for concurrency. Mrs. Hammer said that there were six categories. 1. Water and Sewer, 2. Solid Waste, 3. Storm Water Management. 4. Recreational Facilities, 5. Open Space and 6. Traffic Circulation. Mrs. Hammer said in conclusion the proposed amendment is consistent with the goals, policies, and objectives of the Comprehensive Plan and is compatible with the surrounding future land use pattern.

Mr. Michael Yates, Project Manager for Lincks & Associates, Inc. Mr. Yates prepared the Traffic Impact Analysis. Mr. Yates discussed briefly the operation phase for 2020 and the level of service operation phase.

Mr. James P. Guida, P.G., Progressive Water Resources, LLC. Mr. Guida spoke in reference to storm water issues. Mr. Guida said that storm water impacts will be closely evaluated in the ERP process. Mr. Guida said no adverse impacts are anticipated for the offsite lands due to storm water.

Mr. Douglas Durbin, V.P. Biological Research Associates. Mr. Durbin addressed the environmental issues. Mr. Durbin said that the key considerations were environmentally sensitive lands/wetlands and threatened and endangered species. Mr. Durbin said in conclusion that the proposed uses will be consistent with environmental considerations in the Levy County Land Development Code, Compensation for impacts to wetlands and listed species, if applicable, will be provided in full compliance with state and federal regulations and wetland mitigation, if required, will be determined through the UMAM process.

Mrs. Renata Cannon asked about a Sheriff's Station within 4.5 miles of the planned land use. Mrs. Collins said there was a sub-station located on US 19 next door to Hawthorne Church. Mrs. Cannon what UMAM stood for. Mr. Durbin said it stands for "Unified Mitigation Assessment Methodology."

Chair Grant asked for anyone in support.

Ms. Amanda Douglas said she was speaking on behalf of the Nature Coast Business Development Council. Ms. Douglas said they wanted to express a positive voice in support of this project.

Chair Grant closed the floor to discussion.

Mrs. Collins asked who was going to prepare the REDI-certification letter. Mrs. Hammer said that the letter has been drafted by Progress Energy and her firm and has been provided to Mrs. Neely who has reviewed it; it will then be given to the chair of the county commission for signature.

After a short discussion Chairman Grant called for a motion to this item. Mr. Barber motioned to recommend transmittal of SSA 08-02 as presented to the Board of County Commissioners. Mr. Harper seconded the motion. All members voted "aye." Motion carried.

**PETITION NO.** SE 2-08 Progress Energy Service Company, LLC, R. Alexander Glenn, Suzanne Ennis (applicants) and Florida Power Corporation d/b/a Progress Energy Florida (owner) petitioning the board to obtain local approval of a "Special Exception Use Permit" that would allow the construction and operation of two nuclear reactor powered electrical generating plants that would generate a total of 3,000 megawatts of electricity (i.e. 3 billion watts). The application and site plan includes all the necessary support services and structures required for the construction and operation of such facility including, but not limited to: offices, training facilities; rail lines; storage areas; warehouses; first aid facilities; staging areas; parking lots; helipad; electrical transmission facilities, including switch yard; cooling towers; pumping stations; waste water treatment plant; ground water well fields; potable water treatment plant; retention basins; shooting range; emergency notification equipment; fencing and security facilities; and temporary uses necessary for the construction of such power plants, including but not limited to: concrete and/or asphalt batch plants. Said parcel is approximately 2 miles north of the Town of Inglis, ½ mile east of 19/98. All or portions of, Sections 7, 17, 18, 19, 20, 29 and 30, all lying in Township 16 South, Range 17 East, Levy County, Florida. Total Project Area: 3,105 acres more or less (based on survey). Current Land Use Designation: Public Use. Current Zoning District: F/RR.

Mr. Corbitt presented his staff report.

Mr. Roger Sims was present on behalf of Progress Energy. Mr. Sims recognized the experts that were present, whom gave individual overviews of the project.

Danny Roderick began with a power point presentation and explained that Florida today was facing significant energy challenges. He also explained how Progress Energy was preparing for this future growth. He also addressed fuel diversity, safety and security, benefits to the community and a time line for the project.

Ethel Hammer provided information for the total site area and proposed development area. Mrs. Hammer explained the proposed conditions as follows: 1. sound levels, 2. lighting, 3. no vibration, 4. maximum structure height, 5. permanent roadway access to the site shall only be from US Hwy 19, 6. proposed vegetative buffer, 7. maximum impervious surface shall not exceed 20 percent of the total Special Exception area, and 8. accessory uses that do not produce excessive light, noise, dust or odor are allowed outside the development areas. She explained that the project would be in compliance the Land

Development Code, provided information regarding the Site Certification Application and Concurrency/Level of Service Impact. Mrs. Hammer also stated that the proposed Special Exception supports numerous goals, objectives and policies of the Levy County Comprehensive Plan. She said that the proposed electric generating facilities would not be detrimental to the area residents or businesses, or the public health, safety or welfare of the community as a whole.

Michael Yates provided information regarding the Traffic Impact Analysis. Jim Guida provided information regarding Water Use and Stormwater Management. Douglas Durbin provided information regarding Environmental Resource Considerations such as wetlands, flood plains, uplands, wildlife habitat and threatened and endangered species. Brian Martin explained what the Fiscal and Economic Impacts of Progress Energy's Nuclear Power Plant would have on Levy County.

Chair Grant closed the floor to discussion.

Chair Grant asked for anyone in support of or in opposition to the petition.

Renata Cannon, Robert Smith, Dan Hilliard (Friends of Withlacoochee Area Residents) and James Barker expressed their concerns regarding to the location of the proposed site and their properties, health, property values, height of structures above tree lines and the re-construction of the Inglis Lock.

After a long discussion Chairman Grant called for a motion to this item. Mr. Harper motioned to recommend approval of the Special Exception with the conditions proposed by staff and to include the modifications shown in the redline and strikeout format and more specifically condition numbers 3 and 7 to be reviewed by Mr. Corbitt for any sustenance impact prior to be forwarding to the Board. Mr. Lee seconded the motion; Motion carried. Mr. Harper, Mr. Lee, Mr. Grant and Mr. Barber voted "aye." Mrs. Collins voted "ney."

Conditions Included in the Motion: (done in redline and strikeout)

1. The Special Exception Use Permit is for the construction and operation of not more than two (2) nuclear reactor powered electrical generating plants and associated support structures, accessory structures and uses identified and shown on the Site Plan Exhibit B.

2. No permanent entrance to the project site shall be constructed from Highway 40 for the purpose of operational phase work force access. This is not to preclude a roadway to provide access for the construction and maintenance of the transmission lines and the water supply lines used to convey cooling water pumped from the Cross Florida Barge Canal or return lines pumping water to the Crystal River Discharge Canal, emergency access or similar incidental access uses. This condition does not preclude the temporary use of the heavy haul road for the delivery of heavy equipment or materials for construction of the power plant (s), transmission lines, substation or water supply and return lines.

3. Construction activities within the Special Exception area, including transmission and pipeline construction, shall not adversely impact adjacent properties not owned by the applicant. Storm water runoff, **and excessive** dust, smoke, noise, glare and vibrations shall be considered adverse impacts.

4. Operational characteristics, such as noise, dust, vibrations and traffic shall at all times comply with all local, state and federal ordinances, laws and regulations. **The applicant, owner or their assigns, shall**

promptly provide proof of compliance with any applicable ordinances, laws or regulations relating to these operational characteristics in the event the County receives a complaint.

5. All wetland mitigation resulting from the wetland impacts to properties in Levy County shall be made to property located in Levy County. The applicant shall, whenever possible, conduct all wetland mitigation within the boundary of the site (3,105 acres).

6. Final development approval by the County shall be contingent upon the applicant obtaining all approvals and permits from all applicable state and federal agencies **that are necessary for the particular development activity to be approved by the County, with the exception of the Federal Combined Construction Operating License.**

7. All development shall be contained within the designated development areas as shown on Exhibit A, with the exception of fencing, ~~security roads~~, industrial rail spur, roads temporary uses incidental to the construction of the facility, transmission lines and pipelines, berms, guard houses, water wells, monitoring wells and internal roads necessary to provide internal access to these listed structures, developments or uses. All other uses or structures shall be contained within the designated development areas as shown on Exhibit A and shall be setback of a minimum of 1,000 feet from any property boundary where abutting properties are not under the same ownership as the subject property.

~~8 All conditions set forth by the Board of County Commissioners shall be binding on the applicant, owner, or their assigns.~~ Note 1 written thereon Map Exhibit A, and Notes 1 through 16 written thereon Map Exhibit B of the supporting documents submitted with the application shall be considered conditions of the approval of SE 2-08.

9. All conditions set forth by the Board of County Commissioners shall be binding on the applicant, owner, or their assigns.

There being no further business for the Levy County Planning Commission, the meeting was adjourned.

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Chairman