United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

50-277/278

November 19, 2001

Ms. Cynthia A. Carpenter, Chief
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D. C. 20555-0001

RE: Peach Bottom Atomic Power Station
License Renewal
TAC Nos. MB2011, MB2012
Transmission line R-O-W
Cecil County, MD
New Castle County, DE

Dear Ms. Carpenter:

This responds to your October 17, 2001, request for information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the above referenced project area. We have reviewed the information you enclosed and are providing comments in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The federally threatened bog turtle *(Clemmys muhlenbergii)* may be present within the project area. Bog turtles primarily inhabit palustrine wetlands comprised of a muddy bottom or shallow water, and tussocks of vegetation. We recommend that you thoroughly inspect the property for the presence of appropriate bog turtle habitat. Should this investigation reveal the presence of scrub-shrub or emergent wetlands, a survey for bog turtles is recommended. Ms. Karen Bennett of the Delaware Department of Natural Resources and Environmental Control, Division of Fish and Wildlife can provide further details regarding the distribution of bog turtles in the state of Delaware, and appropriate survey techniques for determining the presence of the species. Ms. Bennett may be contacted at (302) 653-2880. Should your surveys show the species to be present within the project impact area, further coordination will be required with the U.S. Fish and Wildlife Service and the Department of Natural Resources and Environmental Control.

Except for occasional transient individuals, no other federally proposed or listed threatened or endangered species are known to exist within the project area. Should project plans change, or if

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additional information on the distribution of listed or proposed species becomes available this determination may be reconsidered.

This response relates only to federally protected threatened and endangered species under our jurisdiction. For information on the presence of other rare species, you should contact Karen Bennett.

An additional concern of the Service is wetlands protection. The Service's wetlands policy has the interim goal of no overall net loss of Delaware Bay's remaining wetlands, and the long term goal of increasing the quality and quantity of the Basin's wetlands resource base. Because of this policy and the functions and values wetlands perform, the Service recommends avoiding wetland impacts. All wetlands within the project area should be identified, and if construction in wetlands proposed, the U.S. Army Corps of Engineers, Philadelphia District should be contacted for permit requirements. They can be reached at (215) 656-6726.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interest in these resources. If you have any questions or need further assistance, please contact Andy Moser at (410) 573-4537.

Sincerely,

Mary Ratnaswamy

Mary J. Ratnaswamy, Ph.D.
Program Leader, Endangered Species

Enclosure

cc:
Delaware Department of Natural Resources and Environmental Control, Dover, DE
(ATTN: Eric Zuelke)
U.S. Army Corps of Engineers, Dover, DE
(ATTN: Kevin Faust)

Received 1/16/02
D. Wheeler, NRC

NOTE TO: File

FROM: Louis L. Wheeler, Sr. Environmental Project Mgr. Louis L. Wheeler 1/28/02
Environmental Section
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

RE: Letter from U.S. Fish and Wildlife Service - Chesapeake Bay Field Office, to Ms. Cynthia A. Carpenter, NRC, dated November 19, 2001, regarding the Peach Bottom license renewal environmental review

This Note to File documents the correction of the date of an NRC staff letter which appears in the above referenced FWS letter to the NRC.

On October 11, 2001, the NRC staff sent a letter to FWS requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the project area for the Peach Bottom license renewal environmental review. On November 19, 2001, FWS replied, and mistakenly referenced an NRC staff letter dated October 17, 2001.

In a telephone conversation on January 17, 2001, with Ms. Charisa Morris, an endangered species biologist with the FWS Chesapeake Bay Field Office, FWS clarified that the reference was intended to identify the NRC letter dated October 11, 2001, and that October 17, 2001, was most likely the date when it was received by FWS.

Distribution:
Attach to FWS letter dated November 19, 2001
RLEP R/F