



United States Department of the Interior

FISH AND WILDLIFE SERVICE

EASTERN IDAHO FIELD OFFICE - ES
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June 10, 2003

Lawrence E. Kokajko, Acting Chief
U.S. Nuclear Regulatory Commission
Environmental and Performance Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
Washington, D.C. 20555-0001

Subject: Request for Concurrence on the Determination of Effect on Federally Listed Species and their Critical Habitats for the Proposed Idaho Spent Fuel Storage Facility File # 506.0000 FWS # 1-4-03-I-0220

Dear Mr. Kokajko:

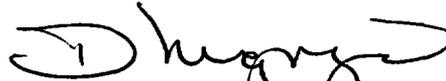
The U.S. Fish and Wildlife Service (Service) received the United States Nuclear Regulatory Commission's (Commission) April 21, 2003 letter, regarding the request for concurrence on the determination of effect on federally listed species and their critical habitats for the proposed Idaho Spent Fuel Storage Facility. Species that may potentially occur in the proposed project area include: gray wolf (*Canis lupus*) and wintering bald eagle (*Haliaeetus leucocephalus*). The effects determination provided in the April 21, 2003 letter of *is not likely to adversely affect* was clarified via a telephone conversation with Matthew Blevins on May 29, 2003. Following our conversation, the Service received a letter dated June 3, 2003, clarifying that the Commission's effects determination for the proposed Idaho Spent Fuel Storage Facility is that the proposed project will have *no effect* on threatened or endangered species.

The proposed location of the Idaho Spent Fuel Facility would be on previously disturbed land adjacent to the Idaho Nuclear Technology and Engineering Center (INTEC) in the south-central portion of the Idaho National Engineering and Environmental Laboratory (INEEL). The area includes a small complex of existing office buildings, warehouses, and trailers immediately to the east of the INTEC perimeter fence and north of a coal-fired power plant.

There have been several sightings of the gray wolf on the INEEL during the past decade; however, none have been confirmed. Additionally, wolves are expected to avoid areas of high human activity, such as the proposed project area. Bald eagles occur rarely on the INEEL and only during the winter. Primary areas where wintering bald eagles may occur include the north end of the INEEL near the towns of Howe and Mud Lake. As such, the Service has no objection to your determination of *no effect* on gray wolf and wintering bald eagle

We appreciate your conscientious efforts to comply with Federal requirements. If you have any questions regarding this letter, please contact Sandi Arena of this office at 208-237-6975 ext. 34.

Sincerely,

A handwritten signature in black ink, appearing to read "Deb Mignogno". The signature is fluid and cursive, with a large initial "D" and "M".

Deb Mignogno, Supervisor
Eastern Idaho Field Office