

August 14, 2003

Mr. Chris Kofron
U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Rd.
Suite B
Ventura, CA 93003

**SUBJECT: REQUEST FOR INFORMATION REGARDING ENDANGERED SPECIES AND
CRITICAL HABITAT FOR THE PROPOSED DIABLO CANYON INDEPENDENT
SPENT FUEL STORAGE INSTALLATION**

Dear Mr. Kofron:

The staff of the U.S. Nuclear Regulatory Commission (NRC) is currently reviewing a license application submitted by Pacific Gas and Electric Company (PG&E) on December 21, 2001, to construct and operate an Independent Spent Fuel Storage Installation (ISFSI) on the site of the Diablo Canyon Power Plant in San Luis Obispo County, California. An applicant for a license of this type must submit an environmental report as part of its application, as required under 10 CFR Part 51 of the NRC's regulations. The NRC staff reviews this information in accordance with the requirements of the National Environmental Policy Act, as specified in 10 CFR 51.10.

In conjunction with our environmental review of PG&E's application, the NRC staff is preparing an Environmental Assessment (EA), in accordance with NRC requirements in 10 CFR 51.21 and 51.30, and with the associated guidance from NRC report NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs." An EA is defined by the Council on Environmental Quality in 40 CFR 1508.9 as a concise public document that briefly provides sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact. As part of our environmental review, the NRC staff has also considered the potential impact of the proposed action on endangered species, in accordance with the Endangered Species Act.

On April 24, June 17, July 31, and August 4, 2003, I discussed the details of the proposed project and the preliminary findings of our environmental review with you. On August 4, 2003, you recommended that we send you a written request for an official species list for the project area, to ensure that our review includes consideration of all threatened or endangered species currently identified by your office. This letter formally transmits our request for an official species list.

As described in PG&E's application dated December 21, 2001, the proposed ISFSI facility will occupy approximately 5 acres within the boundary of the 760 acre owner-controlled area of the Diablo Canyon Power Plant (DCPP). The ISFSI will be located approximately 0.22 miles northeast of the Unit 1 reactor, at latitude 35° 13' N and longitude 120° 51' W (approximately).

C. Kofron

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Additionally, three areas to be used for disposal of excavated material are all within 2800 feet of the ISFSI. The ISFSI site and all three disposal sites have been previously disturbed during plant-related construction.

Please provide us with your current official species list for the proposed project area at your earliest opportunity, so that we may complete our EA. After assessing the information provided by you, we will determine whether any additional actions are necessary to comply with the Section 7 consultation process.

If you have any questions, please contact me at (301) 415-1336.

Sincerely,

/RA/

James R. Hall, Senior Project Manager
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission

Docket Nos: 72-26, 50-275, 50-323

C. Kofron

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NAME:	JRHall		EZiegler		JMonninger				
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OFFICIAL RECORD COPY

Diablo Canyon Power Plant, Units 1 and 2

cc: w/o enclosure
NRC Resident Inspector
Diablo Canyon Nuclear Power Plant
c/o U.S. Nuclear Regulatory Commission
P.O. Box 369
Avila Beach, CA 93424

Dr. Richard Ferguson, Energy Chair
Sierra Club California
1100 11th Street, Suite 311
Sacramento, CA 95814

Diane Curran
Harmon, Curran, Spielberg, & Eisenberg,
L.L.P.
1726 M Street N.W., Suite 600
Washington, D.C. 20036

Rochelle Becker
San Luis Obispo Mothers for Peace
1037 Ritchie Rd.
Grover Beach, CA 93433

Chairman, San Luis Obispo County
Board of Supervisors
Room 370
County Government Center
San Luis Obispo, CA 93408

Mr. Truman Burns
Mr. Robert Kinoshian
California Public Utilities Commission
505 Van Ness, Room 4102
San Francisco, CA 94102

Mr. Steve Hsu
Radiologic Health Branch
State Department of Health Services
P.O. Box 942732
Sacramento, CA 94327-7320

Diablo Canyon Independent Safety
Committee
ATTN: Robert R. Wellington, Esq.
Legal Counsel
857 Cass Street, Suite D
Monterey, CA 93940

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
Harris Tower & Pavilion
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Christopher J. Warner, Esq.
Pacific Gas & Electric Company
Post Office Box 7442
San Francisco, CA 94120

Mr. David H. Oatley, Vice President
Diablo Canyon Operations and
Plant Manager
Diablo Canyon Nuclear Power Plant
P.O. Box 3
Avila Beach, CA 93424

Telegram-Tribune
ATTN: Managing Editor
1321 Johnson Avenue
P.O. Box 112
San Luis Obispo, CA 93406

Mr. Ed Bailey, Radiation Program Director
Radiologic Health Branch
State Department of Health Services
P.O. Box 942732 (MS 178)
Sacramento, CA 94327-7320

Ms. Charlotte Alexander
Vice President, Special Projects
Green Car Group
1241 Johnson Avenue #356
San Luis Obispo, CA 93401

Ellen Carroll
Environmental Coordinator
Department of Planning and Building
County of San Luis Obispo
County Government Center, Room 310
San Luis Obispo, CA 93408

The Honorable Lois Capps
Member, United States
House of Representatives
ATTN: Greg Hass, District Representative
1411 Marsh Street
San Luis Obispo, CA 93401

Darcie L. Houck, Staff Counsel
California Energy Commission
1516 Ninth Street (MS 14)
Sacramento, CA 95814-5512