



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

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OCT 7 2003

F/SER3:SKB

Mr. Pao-Tsin Kuo
Program Director, License Renewal and Environmental Impacts
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Mr. Kuo:

This is in response to your April 22, 2003, letter regarding the renewal of the operating license for the H.B. Robinson Nuclear Plant (RNP), Unit 2. We have reviewed the material submitted by the Nuclear Regulatory Commission (NRC) with respect to possible effects on the species listed and the critical habitat designated under the Endangered Species Act (ESA) under the purview of the National Marine Fisheries Service (NOAA Fisheries).

The RNP is located at the junction of Lake Robinson and Black Creek in Darlington County, South Carolina. Black Creek is a part of the Great Pee Dee River basin; Black Creek flows into the Great Pee Dee about 113 river kilometers (rkm) downstream from the project location. Black Creek enters into Prestwood Lake about 8 rkm downstream from the project location; Prestwood Lake is an impounded water body without fish passage facilities.

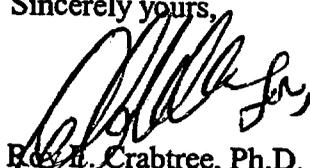
The endangered shortnose sturgeon (*Acipenser brevirostrum*) has been documented in the Great Pee Dee River; spawning has been verified via egg collection (Collins, 2002). NOAA Fisheries is not aware of any records of shortnose sturgeon in Black Creek. Furthermore, it is likely that the Prestwood Lake Dam precludes any passage of the shortnose sturgeon from the Great Pee Dee River into Lake Prestwood and further upstream to the project location (the fish and its spawning sites have been located well below the dam and project area).

Therefore, NOAA Fisheries concurs with your conclusion that the project will not affect shortnose sturgeon. This concludes the NRC's consultation responsibilities under section 7 of the ESA for the H.B. Robinson Nuclear Plant. Be advised that consultation must be reinitiated if a take occurs or new information reveals effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an effect to listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.



We look forward to continued cooperation with the NRC in conserving our endangered and threatened resources. If you have any questions, please contact Dr. Stephania Bolden, fishery biologist, at (727) 570 - 5312, or by e-mail at stephania.bolden@noaa.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R. Crabtree", written over the typed name below.

R. Crabtree, Ph.D.
Regional Administrator

cc: F/SER4 (Brownell)
o:\section7\informal\sturgeon\H.B. Robinson
Ref: \SER\2003\00580
File: 1514-22.M (NRC)