

February 4, 2004

Mr. Rodney McInnis
Southwest Regional Administrator
NOAA Fisheries
501 Ocean Boulevard, Suite 4200
Long Beach, CA 90802

Dear Mr. McInnis:

SUBJECT: REQUEST FOR LISTING OF THREATENED OR ENDANGERED SPECIES
NEAR THE DIABLO CANYON NUCLEAR GENERATING STATION FACILITY

The U.S. Nuclear Regulatory Commission (NRC) is currently reviewing the status of issues regarding the Endangered Species Act (ESA) at the Diablo Canyon Nuclear Generating Station, located in San Luis Obispo County, approximately 12 miles west of San Luis Obispo, CA. We understand that approximately 7 threatened or endangered sea turtles have been recovered from the cooling water intake system since 1994 and it is likely, therefore, that the NRC will be entering into formal consultation under Section 7 of the ESA for sea turtles.

The NRC is interested in examining the effects that the Diablo Canyon facility may be having on sea turtles and any other threatened or endangered species that may be in the vicinity of the site. Therefore, we request a listing of all endangered, threatened, proposed, or candidate species that are under NOAA Fisheries jurisdiction and that may be present near the Diablo Canyon facility. Upon receipt of this list, the NRC intends to evaluate the potential for adverse impacts to each of these species due to continued operation of the Diablo Canyon facility and prepare a Biological Assessment, if necessary, for those species that may be affected by continued operation of Diablo Canyon.

If you have any questions regarding this request or need additional information, please contact James Wilson on 1-301-415-1108.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

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