

United States Department of the Interior
Fish and Wildlife Service



Bloomington Field Office (ES)
620 South Walker Street
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Phone: (812) 334-4261 Fax: (812) 334-4273
May 18, 2004

Mr. Robert Schaaf
Environmental Project Manager
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Docket Nos.: 50-315 and 50-316
Project: D.C. Cook Nuclear Plant License Renewal
Locations: LaPorte, St. Joseph, Elkhart, LaGrange, Noble, Dekalb, and Allen
Counties, Indiana

Dear Mr. Schaaf:

This responds to Mr. Pao-Tsin Kuo's letter dated April 29, 2004, requesting endangered species lists and other relevant information on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

American Electric Power, the owner of the D.C. Cook Nuclear Plant, contacted us in July 2003 requesting endangered species information. We replied by letter of July 24, 2004, a copy of which is enclosed. The endangered species information remains as presented in that letter since no additional species have been listed or proposed as candidates for listing since that time in the counties affected by the transmission lines.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. If, however, new information on endangered species at the sites becomes available or if project plans are changed significantly, please contact our office for further consultation.

We appreciate the opportunity to comment at this early stage of project planning. If you have any questions, please contact Elizabeth McCloskey at (219) 983-9753 or elizabeth_mccloskey@fws.gov.

Sincerely yours,

Elizabeth S. McCloskey

for Scott E. Pruitt
Supervisor

cc: Christie Kiefer, Environmental Coordinator, Division of Water, Indianapolis, IN

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July 24, 2003

Mr. John P. Carlson
Environmental Manager
American Electric Power
Nuclear Generation Group
One Cook Place
Bridgman, Michigan 49106

Project No: D.C. Cook Nuclear Plant License Renewal
Location: LaPorte, St. Joseph, Elkhart, LaGrange, Noble, DeKalb, and Allen
Counties, Indiana

Dear Mr. Carlson:

This responds to your letter dated July 18, 2003, requesting our endangered species comments on the aforementioned project. We have reviewed the document *Threatened and Endangered Species Survey Final Field Report* prepared by Tetra Tech NUS, Inc., December 2002.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

As part of the requirements for renewal of operating licenses for the D.C. Cook Nuclear Plant Units 1 and 2, it was necessary for American Electric Power (AEP) to assess the impact of the proposed action (license renewal of the existing electric generating station and transmission lines) on endangered species. Therefore, in 2002, AEP contracted for plant and animal species surveys at the generating station site in Berrien County, Michigan, and along the transmission corridors in Michigan and Indiana. These comments refer only to the Indiana portion of the survey.

No Federally endangered, threatened, or candidate species were observed during the 2002 surveys of the transmission corridors in Indiana.

The project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) (statewide), white cat's paw pearly mussel (*Epioblasma obliquata perobliqua*) (DeKalb County), clubshell mussel (*Pleurobema clava*) (DeKalb County), Northern riffleshell mussel (*Epioblasma torulosa rangiana*) (DeKalb County), Mitchell's satyr butterfly (*Neonympha mitchelli*) (LaPorte and LaGrange Counties), and the threatened bald eagle (*Haliaeetus leucocephalus*) (statewide) and northern copperbelly water snake (*Nerodia erythrogaster neglecta*) (St. Joseph County). It is also within the range of the eastern massasauga rattlesnake (*Sistrurus catenatus catenatus*) (LaPorte, St. Joseph, Elkhart, LaGrange, Noble, and Allen Counties), which has been

listed as a candidate for possible future listing as either threatened or endangered. Candidate species are those for which sufficient information on their biological status exists to warrant listing, but for which listing has not yet occurred.

None of the mussel species are known from the streams crossed by the AEP transmission line in DeKalb County. Mitchell's satyr is very localized and is not known under the AEP transmission corridors in LaPorte and LaGrange Counties. The northern copperbelly water snake is also very localized in St. Joseph County and is not known under the AEP transmission corridors in that county. Bald eagles are occasional winter visitors to northern Indiana and have no specific habitats in the vicinity of any of the AEP transmission corridors.

The Indiana bat could be found along any of the streams and woodlands crossed by the transmission lines in the 7 counties during the summer maternity season (April 15 to September 15). Presence or absence could only be determined through mist netting surveys at each potential site; however, the U.S. Fish and Wildlife Service considers this species to be present in suitable habitat unless such surveys indicate its absence. If present, this species is not likely to be adversely effected by activities in these already-cleared corridors if any tree clearing occurs after September 15 and before April 15.

The eastern massasauga may be found in suitable wetland habitats within the AEP transmission corridors in any of the project area counties where it is known to be present, although the small area in Allen County included in the Collingwood corridor is not known to support this species. We know generally where this species occurs within each county since it is not widely distributed. Since we were not provided detailed route maps of the corridors, we cannot state at this time whether or not other counties are also unlikely to contain this species within the corridors. If this species is listed as endangered or threatened in the future, it may be necessary for AEP to determine whether or not this species is present within specific sections of its corridors. The U.S. Fish and Wildlife Service will inform AEP if such listing occurs.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

If you have not already done so, we request that you provide the information on Indiana endangered species found during this survey to the Indiana Division of Nature Preserves.

Thank you for the opportunity to review this threatened and endangered species survey information. If you have any questions, please call Elizabeth McCloskey at (219) 983-9753.

Sincerely yours,

Elizabeth S. McCloskey
for Scott E. Pruitt
Supervisor *Netting*

cc: Director, Indiana Division of Nature Preserves, Indianapolis, IN