



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

February 3, 2005

Pao-Tsin Kuo
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Mr. Kuo:

Thank you for your December 29, 2004 letter regarding Progress Energy Carolinas, Inc. request for renewal of the operating licenses for the Brunswick Steam Electric Plant, Units 1 and 2 (BSEP). The BSEP is located near Southport in Brunswick County, North Carolina. In addition to the 1,200 acre facility near Southport, the BSEP includes 220 miles of transmission corridors in Brunswick, Columbus, Bladen, Robeson, New Hanover, Pender and Onslow counties. This letter provides the U.S. Fish and Wildlife Service's (Service) response pursuant to section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*) (Act).

A list of all federally-protected endangered and threatened species with known occurrences in North Carolina is available on the U.S. Fish and Wildlife Service's (Service) web page at <<http://nc-es.fws.gov/es>>. Our web page also contains habitat information for all of the endangered and threatened species known from North Carolina. Section 7 of the Act requires that all federal agencies (or their designated non-federal representative), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally-listed endangered or threatened species. If the proposed project contains suitable habitat for any of the federally-listed species known to be present within the county where the project occurs, the proposed action has the potential to adversely affect those species. As such, we recommend that surveys be conducted to determine the species' presence or absence within the project area. The use of North Carolina Natural Heritage program data should not be substituted for actual field surveys.

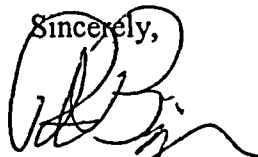
If it is determined that the proposed action may affect (i.e., likely to adversely affect or not likely to adversely affect) a federally-protected species, you should notify this office with your determination, the results of your surveys, survey methodologies, and an analysis of the effects of the action on listed species, including consideration of direct, indirect, and cumulative effects, before conducting any activities that might affect the species. If it is

determined that the proposed action will have no effect (i.e., no beneficial or adverse, direct or indirect effect) on federally listed species, then you are not required to contact our office for concurrence (unless an Environmental Impact Statement is prepared). However, you should maintain a complete record of the assessment, including steps leading to your determination of effect, the qualified personnel conducting the assessment, habitat conditions, site photographs, and any other related articles.

On March 19, 1993, Carolina Power and Light Company (now Progress Energy Carolinas, Inc.) and the N.C. Department of Environment, Health and Natural Resources (now the N.C. Department of Environment and Natural Resources) entered into a Memorandum of Understanding (MOU) that is intended to "preserve and protect the special elements of natural diversity and natural areas which best exemplify the state's natural heritage which occur on ...powerline rights of way." As of January 1, 2001 the N.C. Natural Heritage Program listed 21 sites located within Carolina Power and Light rights of way that contain 22 state and federally listed rare plant species. Recent conversations with the N.C. Natural Heritage Program indicate that they are aware of additional sites on Progress Energy Carolinas, Inc. rights of way that are also in need of protection. The Service strongly recommends that Progress Energy Carolinas, Inc. discuss these sites with the N.C. Natural Heritage Program and incorporate as many of them as possible into their right of way management program. In addition, we also recommend that, as part of the license renewal process, Progress Energy Carolinas, Inc. revisit the original 21 sites listed in the January 1, 2001 memo and provide the Service and the N.C. Natural Heritage Program with updates on the size and/or number of stems and general health of those populations.

Thank you for the opportunity to review and provide comments on this project. If you have any questions or comments regarding our response, please contact Mr. Dale W. Suiter of this office at (919) 856-4520, Ext. 18 or Dale_Suiter@fws.gov.

Sincerely,



Pete Benjamin
Ecological Services Supervisor

cc: N.C. Natural Heritage Program (Linda Pearsall, Director)