



# United States Department of the Interior



OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
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Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

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Chief, Rules Review and Directives Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D59  
Washington, DC 20555-0001

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The U.S. Department of the Interior (Department) has reviewed the Generic Environmental Impact Statement (EIS) for License Renewal of Nuclear Plants (NUREG-1437) and Draft Supplement 23 for License Renewal of the Point Beach Nuclear Plant Units No. 1 and 2, Manitowoc County, Wisconsin. The plant is owned by Wisconsin Electric Power Company and operated by Nuclear Management Company LLC.

The proposed action would renew the operating license for the plant for a period of 20 years but does not involve any major construction, refurbishment, or physical alteration of the project area. The Generic EIS and Draft Supplement 23 adequately discuss most of the impacts of continued operations of the plant on fish and wildlife resources, as well as species protected by the Endangered Species Act.

In a letter dated November 22, 2004, the Nuclear Regulatory Commission (Commission) requested the concurrence of the U.S. Fish and Wildlife Service (Service) with the Commission's determination of effects of the proposed license renewal on four federally listed threatened and endangered species documented as occurring in Manitowoc County, as described in the Commission's Biological Assessment (BA) dated November 2004. The letter and BA are included in Appendix E of Draft Supplement 23. By letter dated January 31, 2005, the Service concurred with the determinations for the bald eagle, Pitcher's thistle, and dwarf lake iris.

The fourth species considered in the BA is the piping plover. Although no piping plovers have been observed on the project site, there is designated critical habitat for the plover located to the south of the plant and there is also suitable habitat for the plover on the plant grounds. The Great Lakes piping plover population is rapidly expanding, and there is some probability that plovers may attempt to use the beaches on the plant property in the near future. The Service and the Commission are continuing informal consultation concerning the specifics of annual surveys the applicant has agreed to conduct for plover use of the plant grounds over the life of the license renewal period. The Department appreciates the willingness of the applicant to cooperate with the agencies in protection of the plover.

*SESP Review Complete  
Template = ADM-013*

*E-RIS = ADM-03  
all = S. Imboden  
(EXF)*

The Draft Supplement 23 discusses the entrainment and impingement of birds, fish, and shellfish as a result of the continued operation of the cooling water intake system and indicates that entrainment and impingement of fish and shellfish will also be addressed during renewal of the plant's National Pollution Discharge Elimination System permit. The permit renewal is under the authority of the Wisconsin Department of Natural Resources (DNR) and will be subject to the Environmental Protection Agency's recently published 316(b) Phase II regulations. The Service will coordinate with the Wisconsin DNR on the review of the data related to renewal of the permit.

With regard to entrainment and mortality of birds, the Draft Supplement 23 correctly states that the applicant has been reporting bird entrainment and mortality to the Service on an annual basis. While the intent of the previous modification of the intake structure was to eliminate any further mortality of cormorants (see page 2-27), the reports from June 1, 2001, to December 31, 2003, indicate bird entrainment and mortality has continued (see page. 4-18). Service personnel visited the site in 2004 and viewed bird carcasses that had undergone appreciable decomposition after intake entrainment. The carcasses were tentatively identified as those of grebes and other waterfowl. The Service will continue to work with the applicant in addressing this issue.

The Department has a continuing interest in working with the Commission and the applicant to ensure that impacts to resources of concern to the Department are adequately addressed. For continued consultation and coordination on fish and wildlife matters and threatened and endangered species, please contact the Field Supervisor, U.S. Fish and Wildlife Service, 2661 Scott Tower Drive, New Franken, Wisconsin 54229; Telephone: (920) 866-3650; Fax: (920) 866-1710.

We appreciate the opportunity to provide these comments.

Sincerely,



Michael T. Chezik  
Regional Environmental Officer