



United States Department of the Interior



FISH AND WILDLIFE SERVICE
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IN REPLY REFER
TO:

FWS/RIFO

57-007

May 19, 2005

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Sir or Madam:

We have reviewed your April 2005, Biological Assessment for an early site permit (ESP) for the Exelon ESP site, located within the Clinton Power Station site along the shore of Clinton Lake, near the town of Clinton in DeWitt County, Illinois, and your request for informal consultation. We have the following comments.

We concur with your findings that, with appropriate avoidance measures, the proposed project is not likely to adversely affect federally listed endangered species. Should the project be modified or new information indicate endangered species may be affected, consultation should be initiated.

Since the formation of the Avian Power Line Interaction Committee (APLIC) in 1989, the electric utility industry and the U.S. Fish and Wildlife Service (USFWS) have worked together to reduce avian electrocution and collision mortality. This has resulted in the cooperative development of the recently released voluntary guidelines designed to help electrical utilities protect and conserve migratory birds. The guidelines for Avian Protection Plans (APP), when voluntarily implemented by a utility, will greatly reduce avian risk, as well as its own risk of enforcement under the Migratory Bird Treaty Act (MBTA). An APP is utility-specific and is designed to reduce avian and operational risks that result from avian interactions with utility facilities by using the latest technology and science to tailor a voluntary APP that meets specific utility needs at its facilities. The guidance document is available at <http://migratorybirds.fws.gov/>, and references the latest industry standards for preventing avian power line interactions.

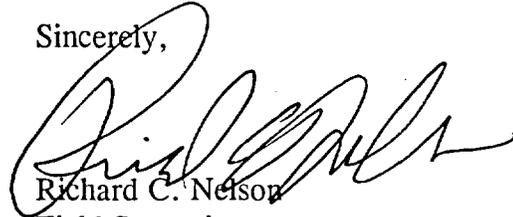
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Pao-Tsin Kuo, Program Director

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Thank you for the opportunity to provide comments. If you have any additional questions or concerns, please contact Heidi Woerber of my staff at extension 209.

Sincerely,



Richard C. Nelson
Field Supervisor

cc: FWS RIFO (Lundh)

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