



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

May 20, 2005

United States Nuclear Regulatory Commission
Mr. Pao-Tsin Kuo,
Program Director
License Renewal and Environmental Impacts Program
Division of Regulatory Improvements Programs
Office of Nuclear Reactor Regulation
Washington, D.C. 20555-0001

Re: North Anna Nuclear Power Station ESP

Dear Mr. Kuo:

As requested in your January 31, 2005, letter, we have reviewed your Biological Assessment for the Early Site Permit (ESP) of the North Anna Power Station, located in Louisa County near Mineral, Virginia. The proposed action, as described in the assessment, is to allow for new site preparation, (i.e., clearing and grading) of approximately 80 acres of land within the existing grounds of the North Anna Power Station. Five federally listed species may be affected as a result of the project. The species include: the dwarf wedgemussel (*Alasmidonta heterodon*), the bald eagle (*Haliaeetus leucocephalus*), small whorled pogonia (*Isotria medeoloides*), sensitive joint-vetch (*Aeschynomene virginica*), and the swamp pink (*Helonias bullata*). We have reviewed the information you have enclosed, and are providing comments in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended: 16 U.S.C. 1531 *et seq.*).

The Service concurs with the conclusion of your assessment that the proposed site preparation and limited construction activities for two additional nuclear power units at the North Anna site will have "no-effect" to the small-whorled pogonia, sensitive joint-vetch, and swamp pink, since none of these species have been documented in Louisa County and no appropriate habitat for the latter two species occurs on the power station site. The dwarf wedgemussel is known to occur in the South Anna River in Louisa County and may occur in other streams and rivers in the county. However, because no appropriate habitat occurs on the power plant site, no impact to this species is expected to result from ESP activities.

Bald eagles have been documented by the Virginia Department of Game and Inland Fisheries (VDGIF) to forage areas of Lake Anna. During winters of 2003 and 2004, up to six transient bald eagles had been observed along the forested shoreline. Two nesting territories also had been located; one site was 10 miles upstream of the project area and a second site located five miles downstream of the Lake Anna Dam (2000). Since the eagle nests are significantly

downstream of the Lake Anna Dam (2000). Since the eagle nests are significantly distanced from the proposed project site and transient eagles have adequate foraging areas throughout Lake Anna and the increase of two new power station units will not involve additional transmission grids, the Service believes that the proposed expansion of the North Anna Power Station will not likely adversely effect bald eagles. It is foreseeable that as the Chesapeake Bay bald eagle population continues to expand and shoreline development pressures increase at other locations, more eagles will be attracted to lakes and other man-made reservoirs, such as Lake Anna, and may require additional protection measures to ensure successful nesting.

In summary, we concur with the conclusion of the Biological Assessment that early site permit actions at the North Anna Nuclear Power Station are not likely to adversely affect any of the Federally listed species potentially occurring there. If we can be of further assistance, please contact Craig Koppie, of the Endangered Species Branch at 410/573-4534.

Sincerely,



John Wolflin,
Supervisor

cc: Ray Fernald, VDGIF
