

June 28, 2006

Mr. David Sutherland  
Chesapeake Bay Field Office  
U.S. Fish and Wildlife Service  
177 Admiral Cochrane Drive  
Annapolis, MD 21401

SUBJECT: BIOLOGICAL ASSESSMENT FOR THE EARLY SITE PERMIT (ESP) OF THE  
NORTH ANNA ESP SITE - SUPPLEMENTAL INFORMATION

Dear Mr. Sutherland:

On January 31, 2005, the U.S. Nuclear Regulatory Commission (NRC) provided a biological assessment (BA) concerning the proposed ESP for the North Anna ESP site. In that BA the NRC determined that the proposed action would have no effect on the dwarf wedge mussel, small whorled pogonia, sensitive joint-vetch, or swamp pink, and may affect, but is not likely to adversely affect the bald eagle. By letter dated May 20, 2005, your office concurred with those conclusions.

At the time the BA was prepared, available data indicated that the nearest bald eagle nest sites were located approximately 10 miles upstream from the North Anna ESP site, and approximately 5 miles downstream of the Lake Anna Dam. The NRC has recently become aware of two new bald eagle nests on Lake Anna that were not identified in the previous BA. The nests are approximately 2.5 and 5 miles from the North Anna ESP site. No ESP activities are within the normal restriction-buffer distances of 1/4 to 1/2 mile used for bald eagle management and protection.

As discussed during a telephone conversation on May 17, 2006, between Mr. Craig Koppie of the U.S. Fish and Wildlife Service (FWS) and Mr. Jack Cushing of the NRC, we are submitting this letter to document the existence of the two new bald eagle nesting sites near Lake Anna. As discussed on the May 17, 2006, phone call with Mr. Koppie, because these nests are approximately 2.5 and 5 miles from the North Anna ESP site, the proposed actions at the North Anna ESP site are not likely to adversely affect the bald eagle. This conclusion is consistent with the staff's January 31, 2005, BA, which received FWS concurrence on May 20, 2005.

D. Sutherland

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If you have any further questions regarding the proposed North Anna ESP site, the BA, or the recently discovered eagle nests, please contact the NRC Environmental Project Manager, Jack Cushing, at 301-415-1424, or [JXC9@nrc.gov](mailto:JXC9@nrc.gov).

Sincerely,

*/RA/*

Christopher Nolan, Branch Chief  
New Reactor Environmental Projects Branch  
Division of New Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 52-008

cc: See next page

D. Sutherland

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If you have any further questions regarding the proposed North Anna ESP site, the BA, or the recently discovered eagle nests, please contact the NRC Environmental Project Manager, Jack Cushing, at 301-415-1424, or [JXC9@nrc.gov](mailto:JXC9@nrc.gov).

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