

United States Department of the Interior



FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

August 1, 2006

Frank Gillespie
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O-11F1
Washington, D.C. 20555-0001

Service Federal Activity Code: 41420-2006-FA-0478

Service Consultation Code: 41420-2006-F-0125

Project: Renewal of Operating Licenses for the
Nuclear-Powered Generating Units at
the Turkey Point Power Plant

Applicant: Florida Power and Light

County: Miami-Dade

Dear Mr. Gillespie:

This letter responds to your letter dated June 29, 2006, requesting the Fish and Wildlife Service (Service) reinstate consultation and amend the biological opinion (BO) for the endangered American crocodile (*Crocodylus acutus*) (Service Consultation Code 41420-2006-F-0125) dated May 5, 2006. This biological opinion relates to the U.S. Nuclear Regulatory Commission's (NRC) renewal of operating licenses for the two nuclear-powered generating units located at the Turkey Point Power Plant in Miami-Dade County. The licenses were renewed for a period of 20 years on June 6, 2002. The Turkey Point Power Plant is operated by Florida Power and Light (FPL) and the site is located on the shores of Biscayne Bay in Sections 27, 28, 29, 31, 32, 33, and 34, Township 57 South, Range 40 East in Miami-Dade County Florida.

On page 14 of the May 5, 2006, BO, the Service anticipated the operation of the Turkey Point Power Plant would result in the incidental take of one American crocodile every 5 years as a result of the proposed action. The incidental take is expected to be in the form of accidental direct mortality resulting from the ongoing operations at the Turkey Point Power Plant site, and the Service determined this level of anticipated take is not likely to result in jeopardy to the species. On May 27, 2006, an American crocodile, approximately 3 feet in total length, was hit and unintentionally killed by a security vehicle on Bechtel Road near the test canals at the Turkey Point Power Plant site. The security vehicle was conducting a routine patrol of the area and the crocodile apparently ran out in front of the vehicle. To minimize the likelihood of future incidental take of the American crocodile on the Turkey Point Power Plant site, FPL has reduced the speed limit on Bechtel Road to 5 miles per hour. Based on this protection measure, the NRC has requested the Service adjust the amount of incidental take allowed under the May 5, 2006, BO.

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Enclosure

The Service believes the proposed measures by FPL will minimize the potential for the ongoing operations of the Turkey Point Power Plant to result in the incidental take of the American crocodile. Therefore, we have modified the section of the May 5, 2006, BO entitled "AMOUNT OR EXTENT OF TAKE ANTICIPATED" as follows (changes to the original document are indicated in bold type):

The Service anticipates the incidental take of two American crocodiles from May 5, 2006, through May 4, 2011, and thereafter one American crocodile per year as a result of the proposed action. The incidental take is expected to be in the form of accidental direct mortality resulting from the ongoing operations at the Turkey Point Power Facility site. The action will not result in the loss of additional habitat for the American crocodile. In the accompanying biological opinion, the Service determined this level of anticipated take is not likely to result in jeopardy to the species:

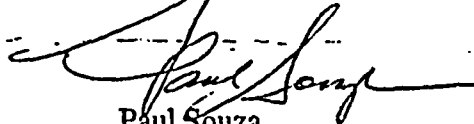
The Service also adds the following item to the section of the May 5, 2006, BO entitled "TERMS AND CONDITIONS:"

5. The applicant must install four speed limit signs labeled as "Speed Limit 5 MPH" along Bechtel Road near the test canals on the Turkey Point Power Plant site. The signs will be installed at approximately 500-foot intervals.

As of the date of this letter, the Service's May 5, 2006, Biological Opinion for the NRC's renewal of operating licenses for the two nuclear-powered generating units located at the Turkey Point Power Plant in Miami-Dade County is amended to include the changes indicated in the "AMOUNT OR EXTENT OF TAKE ANTICIPATED" and the addition of item number 5 to the "TERMS AND CONDITIONS" as listed above. All other components of the biological opinion remain unchanged.

Thank you for your efforts in protecting Florida's listed species. If you have any questions, please contact John Wrublik at 772-562-3909, extension 282.

Sincerely yours,



Paul Souza
Acting Field Supervisor
South Florida Ecological Services Office

cc:

EPA, West Palm Beach, Florida (Richard Harvey)
FWC, Vero Beach, Florida (Joe Walsh)
District, West Palm Beach (Anita Bain)
Service, Atlanta, Georgia (Dave Flemming) (electronic copy only)
FPL, Juno Beach, Florida (Barbara Linkiewicz)