



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Kansas Ecological Services Field Office
2609 Anderson Avenue
Manhattan, Kansas 66502-2801



May 30, 2008

Chief, Rulemaking, Directives, and Editing Branch
United States Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

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RULES AND DIRECTIVES
BRANCH
USNRC

Dear Sir/Madam:

We have reviewed the GEIS, Final Report for License Renewal of Nuclear Plants, Supplement 32; Wolf Creek Generating Station and have the following comments regarding completion of Endangered Species Act Section 7 consultation for the proposed license renewal.

On October 16, 2007, the U.S. Fish and Wildlife Service (Service) received a September 20, 2007, letter from the Nuclear Regulatory Commission (NRC) requesting review and comment for the "Biological Assessment of the Potential Impacts to Threatened and Endangered Species Resulting from an Additional 20 Years of Operation of the Wolf Creek Generating Station, Unit 1 Nuclear Power Plant (BA)." The BA determined that the proposed action would not likely adversely affect Mead's milkweed. The BA also concluded the proposed action (continued operation of the Wolf Creek Generating Station) would likely adversely affect the Neosho madtom during low flow or drought conditions in the Neosho River. The September 20, 2007, letter requested Service concurrence with these conclusions.

The Service concurred with these conclusions in a December 21, 2007, letter commenting on the BA and the "Draft Supplemental Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 32, Wolf Creek Generating Station, Unit 1." We also stated it would be beneficial for the Service and NRC to remain in informal Section 7 consultation regarding the madtom so that additional information and data could be developed to: 1) determine if formal Section 7 consultation was needed, and 2) provide the best scientific and commercial data available for development of a Biological Opinion by the Service if formal consultation was warranted. Because the proposed license renewal may adversely affect the Neosho madtom, informal or formal Section 7 consultation should be completed before the NRC makes its license renewal decision in the fall of 2008.

NRC and Service staff participated in a May 16, 2008, conference call to discuss the need for additional hydrological data and analyses to complete consultation. As a result of that call, it was agreed that the Service would share NRC's existing analyses with our Regional Office hydrology staff and follow-up with a


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detailed letter to the NRC outlining additional data needs. The Service expects to provide that letter in the next four to six weeks.

Thank you for the opportunity to comment. If you have questions regarding the Section 7 consultation process, please contact me (785-539-3474, ext. 105; e-mail mike_levalley@fws.gov) or Michele McNulty (785-539-3474, ext. 106; e-mail michele_mcnulty@fws.gov) of this office.

Sincerely,



Michael J. LeValley
Field Supervisor

cc: KDWP, Pratt, KS (Environmental Services)
FWS Region 6 NEPA Coordinator (Tim Modde)
FWS Region 9 BCPA (Stephanie Nash)