



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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October 28, 2008

Mr. David Pelton, Branch Chief
Division of License Renewal
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

re: Request for Species List
License Renewal Application Review
Kewaunee Power Station
Kewaunee County, Wisconsin

Dear Mr. Pelton:

This letter responds to your September 30, 2008 request to the U.S. Fish and Wildlife Service (Service) for a list of federally-listed, proposed and candidate species and critical habitat that may be present in the vicinity of the subject project. The proposed action would renew the operating license for the Kewaunee Power Station (KPS) Nuclear Plant. This action would include the use and maintenance of the existing plant facilities and transmission lines by the applicant Dominion Energy Kewaunee, Inc. (Dominion). The KPS is located on the western shore of Lake Michigan in Kewaunee County, Wisconsin. Our comments follow.

Federally-Listed Species, Candidate Species, and Critical Habitat

A review of the information in our files indicates that one federally-listed species, the Hine's emerald dragonfly (*Somatochlora hineana*), is currently known from Kewaunee County, but is not known from the vicinity of your project area. The preferred habitat of the dragonfly is calcareous streams and associated wetlands overlying dolomite bedrock. One additional species, the piping plover (*Charadrius melodus*), has been documented in adjacent Manitowoc County, and may possibly occur in suitable habitat, consisting of sandy beaches.

While the piping plover is not known to occur on the KPS property, there is designated critical habitat for the species approximately 10 miles south of the plant, within the Point Beach State Forest. Piping plovers nest on wide sandy beaches on the Great Lakes, and prefer sites that have low levels of human disturbance. The habitat present at the project site appears to be possibly suitable for occupation by the piping plover. The Great Lakes piping plover population is currently expanding, and newly formed pairs continue to pioneer new sites and nest in areas where the species has not been previously known to nest. Based upon the secluded nature of the

site, and the type of habitat present there, it is possible that plovers may attempt to use the beaches on the KPS property in the future.

We recommend that the applicant conduct annual surveys for the piping plover within suitable habitat on the KPS site during the species breeding season. We recommend at least two surveys be conducted, with one occurring during the latter half of the month of May, and one or more occurring between June 1 and June 15. However, if only one survey is conducted annually, we request that it be conducted no later than June 10. If one or more piping plovers are observed during the survey, the Green Bay Ecological Services Field Office should be contacted immediately to initiate coordination on additional actions.

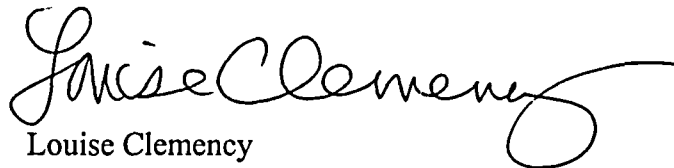
Migratory Birds

In recent years there have been a number of incidents of diving bird mortality due to entrainment in the water intake structures of the KPS. Since early 2006, there have been at least 46 individuals of 6 different duck species reported killed at this location. The Migratory Bird Treaty Act of 1918 (16 U.S.C. §§703-712), as amended, prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Department of Interior. The Service has an interest in proactively preventing the mortality of migratory birds whenever possible.

Following discussions with the Services' Special Agent located in this office, Dominion has developed an informal self-reporting system whereby they have agreed to inform the Service of such mortality events as they occur. In 2008, Dominion contracted a consultant to examine the issue and analyze possible solutions to the problem. According to the consultant's report, there are currently no technically feasible solutions to this problem which are also economically practical. We appreciate the cooperative relationship that Dominion has developed with this office, and encourage them to continue to explore means to further reduce or eliminate incidental avian mortality at the KPS.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Joel Trick at 920-866-1737.

Sincerely,



Louise Clemency
Field Supervisor