

## PMFermiCOLPEm Resource

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**From:** Lemont, Stephen  
**Sent:** Tuesday, June 16, 2009 4:53 PM  
**To:** 'tylendac@dteenergy.com'; Randall Westmoreland  
**Cc:** Masnik, Michael; Doub, Peyton; Kirk LaGory; 'John Hayse'; Weeks, David A.; FermiCOL Resource  
**Subject:** Fermi 3 BA Discussion Call Notes 06-04-09 final.doc  
**Attachments:** Fermi 3 BA Discussion Call Notes 06-04-09 final.doc  
**Importance:** High

Craig and Randy,

I have attached the notes from the conference call on June 4, 2009, regarding the Fermi 3 Biological Assessment (BA). Please pass this on to the Black and Veatch (B&V) participants on the call. If you have any comments on these notes, please let me know.

In the attachment, I highlighted in **yellow** some issues on which DTE Energy (DTE) and/or B&V owes the NRC a response. These action items are also listed below. I would like to get feedback from DTE on these matters before the end of this week.

### DTE and B&V Action Items from 6-4-09 BA Conference Call

- DTE will check on the availability of historic mollusk surveys in the western basin and other location-specific data from the Michigan Natural Features Inventory.
- DTE will consider making commitments to survey areas [for the rayed bean] to be disturbed prior to dredging.
- B&V will consider moving the planned Summer 2009 survey event to late June in order to include the most likely flowering period for the eastern prairie fringed orchid.
- B&V will also consider doing a broader "pedestrian" survey of areas of the wetland outside the transect to look for the eastern prairie fringed orchid.

Thanks,  
Steve Lemont

***Please note change in mail stop.***

***Stephen Lemont, Ph.D.***

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**Hearing Identifier:** Fermi\_COL\_Public  
**Email Number:** 131

**Mail Envelope Properties** (1FA53ADF29758448974A8AC1118E627EB5887604ED)

**Subject:** Fermi 3 BA Discussion Call Notes 06-04-09 final.doc  
**Sent Date:** 6/16/2009 4:53:14 PM  
**Received Date:** 6/16/2009 4:53:15 PM  
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<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	1553	6/16/2009 4:53:15 PM
Fermi 3 BA Discussion Call Notes 06-04-09 final.doc		56314

**Options**

**Priority:** High  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**

**Conference Call to Discuss the Biological Assessment (BA)  
for the Fermi 3 Project**

**Thursday, June 4, 2009**

**Purpose**

To discuss the availability of information for preparing a BA to address Federally listed threatened and endangered species that have a potential to occur at the Fermi site.

**Call Participants**

U.S. Nuclear Regulatory Commission (NRC): Peyton Doub, Mike Masnik

DTE Energy (DTE): Craig Tylenda, Randy Westmoreland

Black & Veatch (B&V): Doug Timpe, Laura McNeill, Ed Shadrick, Lisa Fewins, Curtis Schlicht, Claire Garvin

Argonne National Laboratory: Kirk LaGory, John Hayse

Ecology & Environment: David Weeks

**Summary of Discussions**

1. U.S. Fish and Wildlife Service (USFWS) scoping letter and species lists:
  - USFWS letter received on January 28, 2009.
  - Because no specific locations for the proposed action were provided by NRC, USFWS provided a list of species based on county records of occurrence.
  - USFWS identified 8 species that could be in the project area, including the Fermi site and transmission line corridors.
  - USFWS identified 5 species as possibly present in Monroe County where the Fermi site is located:
    - Indiana bat
    - Karner blue butterfly
    - Eastern prairie fringed orchid
    - Northern riffleshell
    - Rayed bean.
  
2. NRC's BA will:
  - Provide species overviews that discuss potential occurrence of each species and presence of suitable habitat.
  - Identify whether species could be affected by construction or operation based on proposed activities and their locations.
  - Identify mitigation actions, and restrictions to limit any potential effects.

- Include a more general transmission line discussion because specific routes have not been identified. (USFWS expects that this matter may need greater treatment before transmission lines are built.)
3. Fermi site surveys to identify species or habitats listed by USFWS:
- Basic questions discussed:
    - What is known about these species on the Fermi site?
    - How likely is it that ongoing monitoring surveys would have detected these species or identified the potential presence of appropriate habitat?
    - What information can we extract from the surveys, and how could the remaining summer 2009 survey events be adjusted to better address listed species?
4. Aquatic species:
- Principal concern is the rayed bean (a mussel) because it has been reported historically from shallow habitats in the western basin of Lake Erie. There is no appropriate stream habitat for the northern riffleshell near the site.
  - One sample event remains for aquatic habitats:
    - July for impingement/entrainment monitoring.
    - June for sampling of onsite water bodies for fish.
    - Benthic samples are primarily sweep samples using a benthic net; benthic sampling has been completed.
    - Rayed bean would not be detected by these surveys.
  - Concern for rayed bean would primarily be in areas that would be dredged for barge access or discharge pipe placement. Other areas would probably not be disturbed. Habitat in the area may be appropriate for rayed bean (i.e., sand/gravel with clay sublayer).
  - DTE will check on the availability of historic mollusk surveys in the western basin and other location-specific data from the Michigan Natural Features Inventory.
  - DTE will consider making commitments to survey areas to be disturbed prior to dredging.
5. Terrestrial species:
- Eastern prairie fringed orchid:
    - Most of the habitat on site (predominantly forested wetlands) is not suitable for this species, which prefers sedge-meadows. Could occur on the edge of forested wetlands.
    - This species has not been observed during plant surveys. The best potential habitat location (cattail marsh on Bullet Road) has been the subject of one vegetation transect used in B&V's ongoing 2008-2009 vegetation survey effort. B&V will consider moving the planned Summer 2009 survey event to late June in order to include the most likely flowering period for the eastern prairie fringed orchid. B&V will also consider doing a broader "pedestrian" survey of areas of the

wetland outside the transect to look for the eastern prairie fringed orchid.

- The Ducks Unlimited wetlands delineation report might be useful for characterizing wetlands onsite and which areas might be suitable for the orchid.
- Karner blue butterfly:
  - Blue lupine (host plant) has not been identified in any of the previous or current surveys. Survey visits have been or are being conducted between mid-May and late June (during its flowering period, when the plant is most visually conspicuous).
  - Might be enough information to discount the presence of this species on site.
  - No need to conduct specific surveys for the butterfly itself.
- Indiana bat:
  - USFWS is concerned about roosting habitat (large trees with exfoliating bark) on the Fermi site and along transmission lines.
  - USFWS has expressed greatest concern for the species along the transmission line route than on the Fermi site itself.
  - Recent terrestrial surveys have identified potential roost trees on the Fermi site and they were visually examined during surveys for bats – none observed. No mist netting following formal USFWS survey protocols for Indiana bat was conducted. The dead ash trees on the site are mostly smaller and less likely to be suitable for roosting.
  - The BA will have to acknowledge the presence of possible roosting and nursery habitat for the Indiana bat on the site. Restriction on the timing of cutting appropriate trees might be required as a suitable mitigation measure.
  - DTE asked if a commitment to survey for bats (following USFWS Indiana bat survey protocols) prior to disturbance would be considered acceptable to USFWS. This condition could be written into the BA and the USFWS could comment on this approach.