



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office  
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Annapolis, MD 21401  
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Rec'd 9/30  
cc: Don  
Smayda

September 30, 2008

Colonel Peter W. Mueller  
District Engineer  
Baltimore District, Corps of Engineers  
P.O. Box 1715  
Baltimore, Maryland 21203-1715

Attn: Ms Kathy Anderson, Regulatory Branch

Re: CENAB-OP-RMS(NAB-2007-08123-M05 (Calvert Cliffs 3 Nuclear Project, LLC/Unistar Nuclear Operating Services, LLC))

Dear Colonel Mueller:

The U.S. Fish and Wildlife Service has reviewed the referenced public notice. The applicants propose to build a third unit at the Calvert Cliffs Nuclear Power Plant (CCNPP). Extensive clearing and grading will occur, eliminating extensive forested wetland and streams. This letter constitutes the report of the Service and the Department of the Interior on the proposed permit and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.)

We understand that the Corps does not plan to issue a permit until the Nuclear Regulatory Commission (NRC) releases an Environmental Impact Statement. It would seem prudent that the permit comment period remain open until the agencies have a opportunity to review that document in order to better understand the full scope of effects. This is the first reactor being proposed in over 30 years in the United States and there is little institutional knowledge available within the agencies.

In addition, two Federally listed threatened species, the Puritan tiger beetle (*Cicindela puritana*) and the Northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*) occur along the Chesapeake Bay shoreline in the project vicinity. Formal consultation in accordance with Section 7 of the Endangered Species Act may be required. However, that determination will not be made until NRC/Corps or the project applicants have completed their Biological Assessment (which may be incorporated into the EIS) concerning effects of the project on these two threatened species. Until we have reviewed this Biological Assessment and this Section 7 process has been concluded with NRC and the Corps, no permit can be issued for the referenced project.

Therefore, the Service recommends that the comment period remain open until the EIS and the Biological Assessment are received and reviewed by the agencies.

Sincerely,



Leopoldo Miranda  
Field Supervisor