

March 19, 2010

Ms. Moni Belton  
Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
Ecological Services  
17629 El Camino Real  
Houston, TX 77058-3051

SUBJECT: REQUEST FOR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE SOUTH TEXAS PROJECT, UNITS 3 AND 4, COMBINED LICENSE APPLICATION REVIEW

Dear Ms. Belton:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by STP Nuclear Operating Company (STPNOC) for two combined licenses (COLs) to construct and operate two new nuclear units at its South Texas Project Electric Generating Station (STP) site in Matagorda County, Texas. As part of its review of the proposed action, the NRC staff has prepared a draft environmental impact statement (DEIS) (NUREG-1937), which is enclosed. The DEIS includes analyses of relevant environmental issues and documents the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of two new nuclear units. The U.S. Army Corps of Engineers, Galveston District (Corps), is a cooperating agency on the DEIS.

Federally listed wildlife species with recorded occurrences in Matagorda and Wharton Counties are the American alligator (*Alligator mississippiensis*), northern Aplomado falcon (*Falco femoralis septentrionalis*), the whooping crane (*Grus americana*), and the piping plover (*Charadrius melodus*). The American alligator is listed as threatened by The U.S. Fish and Wildlife Service due to similarity of appearance to the endangered American crocodile (*Crocodylus acutus*). The American alligator occurs on the STP site but not in areas that would be affected by the proposed actions. The northern Aplomado falcon, piping plover, and whooping crane have not been reported on the STP site, and although reported in Matagorda and Wharton Counties, they do not utilize onsite habitat. Based on its review of distribution, habitat preferences, and the lack of reported sightings of these bird species on the STP site, the review team<sup>1</sup> has determined that construction and operation of two additional new units on the STP site would have no effect on Federally listed species.

To fulfill consultation requirements as required by the Fish and Wildlife Coordination Act (FWCA), please provide any information and comments you may have on the enclosed draft EIS under the provisions of the FWCA and the National Environmental Policy Act of 1969, as amended, by June 9, 2010. Comments should be submitted by mail to the Chief, Rulemaking,

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<sup>1</sup> The review team consists of the NRC staff and its contractors, and the U.S. Army Corps of Engineers, Galveston District.

M. Belton

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and Directives, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-001 or via e-mail to STP.COLAEIS@nrc.gov.

The NRC staff plans to hold two public meetings to discuss the analysis and results in the DEIS on Thursday, May 6, 2010, at the Bay City Civic Center, 201 7<sup>th</sup> Street, Bay City, Texas. The first meeting will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the DEIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions one hour before the start of each meeting during which members of the public may meet and talk with NRC and Corps staff members on an informal basis. You and your staff are invited to attend.

If you have any questions or require additional information, please contact Ms. Jessie Muir, Environmental Project Manager, by phone at 301-415-0491 or via e-mail at Jessie.Muir@nrc.gov, or Ms. Sarah Lopas at 301-415-1147 or via e-mail at Sarah.Lopas@nrc.gov.

Sincerely,

**/RA/**

Ryan Whited, Chief  
Environmental Projects Branch 2  
Division of Site and Environmental Reviews  
Office of New Reactors

Docket Nos.:  
52-012, 52-013

Enclosure:  
As stated

M. Belton

- 2 -

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Sincerely,

**/RA/**

Ryan Whited, Chief  
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**ADAMS ACCESSION NUMBER: ML100470259**

**NRO-002**

OFFICE	PM:RAP2 DSER:NRO	LA:RAP2 DSER:NRO	Bio:RENV: DSER:NRO	OGC	BC:RAP2: DSER:NRO
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