



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802- 4213

2010/01891:DL

May 10, 2010

David J. Wrona
Chief, Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation
Washington D.C. 20555-0001

Dear Mr. Wrona:

NOAA's National Marine Fisheries Service (NMFS) has reviewed a letter from the U.S. Nuclear Regulatory Commission (NRC), dated March 9, 2010, concerning an application by Pacific Gas & Electric (PG&E) for the renewal of the operating license for Diablo Canyon Nuclear Power Plant (DCPP), Units 1 and 2. As part of the process to support the preparation of a Supplemental Environmental Impact Statement (SEIS) and to ensure compliance with Section 7 of the Endangered Species Act (ESA), NRC requests information on the Federally listed, proposed, and candidate species and critical habitat that may be in the vicinity of the DCCP site, as well as any information appropriate under the provisions of the Fish and Wildlife Coordination Act. In response, NMFS offers the following comments pursuant to section 7 of the ESA.

Project Details

DCPP is a nuclear power producing facility located approximately 12 miles west-southwest of San Luis Obispo, California. The site consists of approximately 750 acres of land near the mouth of Diablo Creek, bounded in part by the Pacific Ocean. DCPP utilizes once-through cooling (OTC) water system whereby raw, ambient temperature seawater is drawn from the Pacific Ocean through a shoreline intake structure, and discharged back to the Pacific Ocean at a second, separate, shoreline location approximately 20°F above ambient temperature, on average. Each Unit (1&2) utilizes an independent cooling system, however the systems share common intake and discharge structures. During full operations, the plant circulates approximately 2.45 billion gallons of raw seawater per day through the cooling system.

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Endangered Species Act Comments

The following ESA-listed species may be present in the vicinity of DCPD:

Marine Mammals	Status
Blue whale (<i>Balaenoptera musculus</i>)	Endangered
Fin whale (<i>Balaenoptera physalus</i>)	Endangered
Humpback whale (<i>Megaptera novaeangliae</i>)	Endangered
Sei whale (<i>Balaenoptera borealis</i>)	Endangered
Sperm whale (<i>Physeter macrocephalus</i>)	Endangered
Killer whales - southern resident DPS (<i>Orcinus orca</i>)	Endangered
North Pacific right whale (<i>Eubalaena japonica</i>)	Endangered
Steller sea lion - eastern distinct population segment (DPS) (<i>Eumetopias jubatus</i>)	Threatened
Sea turtles	
Leatherback turtle* (<i>Dermochelys coriacea</i>)	Endangered
Loggerhead turtle ** (<i>Caretta caretta</i>)	Threatened
Olive ridley (<i>Lepidochelys olivacea</i>)	Endangered/Threatened
Green turtle (<i>Chelonia mydas</i>)	Endangered/Threatened
Marine fish	
Green Sturgeon, southern DPS (<i>Acipenser medirostris</i>)	Threatened
Marine invertebrates	
Black abalone*** (<i>Haliotis cracherodii</i>)	Endangered

Salmonids		
Chinook (<i>Oncorhynchus tshawytscha</i>)	Sacramento River winter, evolutionarily significant unit (ESU)	Endangered
	Central Valley Spring ESU	Threatened
Coho (<i>Oncorhynchus kistuch</i>)	Central California Coastal ESU	Endangered
Steelhead (<i>Oncorhynchus mykiss</i>)	South-Central California DPS	Threatened

* Critical habitat for leatherback sea turtles was proposed on January 5, 2010. The proposed designation includes two adjacent marine areas totaling approximately 119,400 km² stretching along the California coast from Point Arena to Point Vicente; and one 63,455 square km² marine area stretching from Cape Flattery, Washington to the Umpqua River (Winchester Bay), Oregon east of a line approximating the 2,000 meter depth contour. Proposed critical habitat extends from the surface down to a depth of 80 m. In the proposed rule, power plants were identified as having the potential to affect prey resources (jellyfish) in the proposed critical habitat area (75 FR 319).

** The listing of nine distinct population segments of loggerhead sea turtles was proposed on March 16, 2010. The action area of this proposed action would include the North Pacific Ocean DPS of loggerhead sea turtles, which is now proposed for listing as endangered (75 FR 12598).

*** NMFS is currently considering a proposal for designating critical habitat that may include intertidal habitat adjacent to DCP. A proposed rule is expected to publish in the Federal Register in September, 2010, with an opportunity for the public to provide comment on the proposed rule following publication of the proposal. A final rule is expected to be published in the Federal Register by July, 2011.

Thank you for coordinating with NMFS. If you have any questions pertaining to any issue regarding compliance with the ESA or any ESA regulatory processes that may be ongoing, feel free to contact Dan Lawson at (562) 980-3209 or Dan.Lawson@noaa.gov.

Sincerely,



for Rod McInnis
Regional Administrator

cc: Dennis Logan, Nuclear Regulatory Commission