

February 24, 2011

Ms. Sandra Tucker
Field Supervisor
Georgia Ecological Services
U.S. Fish and Wildlife Service
105 West Park Drive, Suite D
Athens, GA 30606

SUBJECT: BIOLOGICAL ASSESSMENT FOR THREATENED AND ENDANGERED SPECIES
AND DESIGNATED CRITICAL HABITAT FOR THE VOGTLE ELECTRIC
GENERATING PLANT, UNITS 3 AND 4 COMBINED LICENSES APPLICATION

Dear Ms. Tucker:

The U.S Nuclear Regulatory Commission (NRC) has prepared the enclosed Biological Assessment (BA) associated with Southern Nuclear Operating Company, Inc. (Southern) and its four co-applicants request for combined licenses (COLs) for Vogtle Electric Generating Plant (VEGP) Units 3 and 4. The assessment examines the potential impacts of construction and operation of the facility on threatened or endangered species. The purpose of this letter is to request the U.S Fish and Wildlife Service's (FWS) concurrence with the NRC staff's determination in the assessment that threatened and endangered species are not likely to be adversely affected by the proposed action.

The proposed action is NRC issuance of COLs for two new nuclear power reactor units at the VEGP Site near Waynesboro, GA. The BA evaluates the effects of the proposed action on four Federally listed threatened or endangered species identified in your October 20, 2010, letter. The Federally listed species are: (1) one plant: Canby's dropwort (*Oxypolis canbyi*), (2) two birds: the wood stork (*Mycteria americana*) and red-cockaded woodpecker (*Picoides borealis*) and (3) one reptile: eastern indigo snake (*Drymarchon couperi*). In developing the BA, the NRC staff performed research, reviewed information provided by the applicant, and relied on information provided by FWS (i.e., current listings of species provided by the FWS Field Office, Brunswick, GA) in reaching its conclusion.

The FWS previously reviewed the NRC staff's BA developed in connection with Southern's VEGP, Units 3 and 4 Early Site Permit (ESP) request. The VEGP ESP Site is located adjacent to the existing VEGP, Units 1 and 2. The proposed Federal action at that time was issuance of a permit for a site suitable for constructing and operating additional nuclear power facilities and to conduct site preparation and limited construction activities under provisions of Title 10, Part 52 of the *Code of Federal Regulations*. Because issuance of COLs would authorize both construction and operation of the proposed new units, the enclosed assessment addresses the potential impact to threatened and endangered species, including impacts associated with construction and operation of offsite transmission lines.

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The Federally listed species considered in the BA for the ESP included (1) three plants: smooth coneflower (*Echinacea laevigata*), Canby's dropwort (*Oxypolis canbyi*), and relict trillium (*Trillium reliquum*), (2) two birds: the wood stork (*Mycteria americana*) and red-cockaded woodpecker (*Picoides borealis*), (3) one reptile: American alligator (*Alligator mississippiensis*), and (4) one amphibian: flatwoods salamander (*Ambystoma cingulatum*). The USFWS reviewed the BA associated with the ESP and in a letter dated September 19, 2008, concluded that "... that the species under the jurisdiction of the Service have been adequately addressed for limited site-preparation activities at the Vogtle site." The ESP and limited work authorization was subsequently approved by the NRC on August 26, 2009.

If you have any questions regarding this BA or the staff's request, please contact Ms. Mallecia Sutton, NRC Environmental Project Manager via telephone at 301-415-0673 or via e-mail to Mallecia.Sutton@nrc.gov.

Sincerely,

/RA/

Gregory Hatchett, Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-025
52-026

Enclosure:
As stated

cc w/o encl: See next page

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Sincerely,

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Gregory Hatchett, Chief
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ADAMS Accession No: ML103410229 [MI103410233-pkg]

NRO-002

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