



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
1002 WEST 23RD STREET, SUITE 350
PANAMA CITY, FLORIDA 32405-3648

December 10, 2010

North Permits Branch
Panama City Permits Section
SAJ-2008-00490 (IP-GAH)

Mr. Miles Croom
Assistant Regional Administrator for
Habitat Conservation Division
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505

SUBJECT: Interim Response to Essential Fish Habitat Conservation Recommendations Regarding the Proposed Levy Nuclear Plant Units 1 and 2, and Associated Facilities

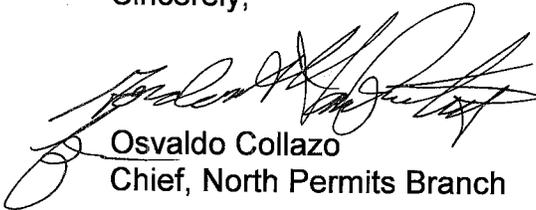
Dear Mr. Croom:

The U.S. Army Corps of Engineers (Corps) received your letter, dated October 26, 2010, which provided the National Marine Fisheries Service's (NMFS) comments and Essential Fish Habitat (EFH) Conservation Recommendations in response to the draft Environmental Impact Statement (DEIS) and EFH assessment, respectively, for the construction and operation of the proposed Levy Nuclear Plant (LNP) Units 1 and 2 site in Levy County, Florida. As cooperating agencies, the Corps and the NRC conducted an initial joint EFH consultation with NMFS in association with reviews of the application submitted by Progress Energy Florida for a Department of the Army (DA) permit from the Corps (permit application number SAJ-2008-00490 (IP-GAH)) and combined licenses from the NRC. The joint EFH consultation was initiated pursuant to Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act (Public Law 94-265, December 1996) (the "Act"). The EFH assessment was included in Appendix F of the DEIS, which was issued in August 2010.

The Corps's evaluation process in regard to DA permit application number SAJ-2008-00490 (IP-GAH)), and our consultation with the NMFS in regard to the EFH Conservation Recommendations is continuing. Once the Corps completes its evaluation of the application and is ready to make a decision, the Corps will inform the NMFS of that decision at least 10 days prior to final agency action. It is our understanding that the NRC will respond to the NMFS by separate letter.

Any questions regarding this information should be directed to Mr. Don Hambrick at the letterhead address, by email at gordon.a.hambrick@usace.army.mil, or by telephone (850)763-0717, extension 25.

Sincerely,



Osvaldo Collazo
Chief, North Permits Branch

Copy Furnished (electronic mail):
Mr. Doug Bruner, NRC