



## United States Department of the Interior

### Fish and Wildlife Service

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March 24, 2011

Gregory P. Hatchett, Chief  
United States Nuclear Regulatory Commission  
Environmental Projects Branch 1  
Washington, DC 20426

Re: USFWS File Number 2010-1254

Dear Mr. Hatchett:

The U. S. Fish and Wildlife Service (Service) has reviewed your correspondence dated February 24, 2011, and the attached Biological Assessment for Threatened and Endangered Species and Designated Critical Habitat for the Vogtle Electric Generating Plant, Units 3 and 4 Combined Licenses Application. The proposed action for this project is the Nuclear Regulatory Commission's (NRC) issuance of a combined license for two new nuclear power reactor units at the Vogtle Electric Generating Plant (VEGP) Site near Waynesboro, Georgia. Your correspondence stated that the Biological Assessment (BA) evaluated the effects of the proposed action on four federally listed threatened or endangered species identified by the Service's comments in an October 20, 2010, letter that may occur on or in the vicinity of the VEGP site and/or in habitats crossed by the proposed transmission line. Service comments are provided in accordance with the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 *et seq.*), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

Using information gathered via actions such as: communication with the Service, electronic files, and the lack of habitat and sightings for federally listed species, the NRC has determined that this project may affect but is not likely to adversely affect the following: the red-cockaded woodpecker (*Picoides borealis*), the wood stork (*Mycteria americana*), the Eastern indigo snake (*Drymarchon couperi*), and Canby's dropwort (*Oxypolis canbyi*).

Based on the information provided within the BA, and the measures addressed therein, we concur with your determination that this project may affect, but is not likely to adversely affect the four species listed above. In view of this, we believe that the requirements of section 7 of the Endangered Species Act have been satisfied. However, obligations under section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner which was not previously considered in this assessment; or (3) a new species is listed or critical habitat determined that may be affected by the identified action.

This informal consultation is between the NRC and the Service. However, we will continue to work with other governmental agencies as permits are required and with Georgia Power Company as they reduce the macro-corridor to a more defined power line right of way.

Thank you for the opportunity to comment on the proposed project. We will continue to coordinate with your agency as needed and welcome questions or comments at any time. Please direct any questions or concerns you may have to the Coastal Georgia Sub Office supervisor, Strant Colwell, at 912-832-8739.

Sincerely,



Sandra S. Tucker *for*  
Field Supervisor

cc: U.S. Nuclear Regulatory Commission, Ms. Mallecia Sutton  
USFWS, Townsend, Georgia