

## IPRenewal NPEmails

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**From:** Julie.Crocker@Noaa.Gov  
**Sent:** Wednesday, June 29, 2011 6:06 PM  
**To:** Stuyvenberg, Andrew  
**Cc:** Gray, Dara F; Julie.Williams@Noaa.Gov; Zoli, Elise N; Sutton, Kathryn M.; Dacimo, Fred R.; Mark Mattson; Imboden, Andy; BUCKLEY, RICKY N; Dowell, Kelli; pbessette@morganlewis.com; IPRenewal NPEmails; Turk, Sherwin; Balsam, Briana; Logan, Dennis  
**Subject:** Re: RE: Schedule for BO (revised proposal)

This is consistent with my understanding of what was agreed to on the phone today.

Julie

----- Original Message -----

From: "Stuyvenberg, Andrew" <[Andrew.Stuyvenberg@nrc.gov](mailto:Andrew.Stuyvenberg@nrc.gov)>  
Date: Wednesday, June 29, 2011 5:32 pm  
Subject: RE: Schedule for BO (revised proposal)  
To: "Gray, Dara F" <[DGray@entergy.com](mailto:DGray@entergy.com)>  
Cc: "[Julie.Williams@Noaa.Gov](mailto:Julie.Williams@Noaa.Gov)" <[Julie.Williams@noaa.gov](mailto:Julie.Williams@noaa.gov)>, "Zoli, Elise N" <[EZoli@goodwinprocter.com](mailto:EZoli@goodwinprocter.com)>, "Sutton, Kathryn M." <[ksutton@morganlewis.com](mailto:ksutton@morganlewis.com)>, "Dacimo, Fred R." <[FDacimo@entergy.com](mailto:FDacimo@entergy.com)>, Mark Mattson <[mmattson@normandean.com](mailto:mmattson@normandean.com)>, "Imboden, Andy" <[Andy.Imboden@nrc.gov](mailto:Andy.Imboden@nrc.gov)>, "BUCKLEY, RICKY N" <[RBUCKLE@entergy.com](mailto:RBUCKLE@entergy.com)>, "Dowell, Kelli" <[kdowell@entergy.com](mailto:kdowell@entergy.com)>, "[pbessette@morganlewis.com](mailto:pbessette@morganlewis.com)" <[pbessette@morganlewis.com](mailto:pbessette@morganlewis.com)>, IPRenewal NPEmails <[IPRenewal.NPEmails@nrc.gov](mailto:IPRenewal.NPEmails@nrc.gov)>, Julie Crocker <[Julie.Crocker@Noaa.Gov](mailto:Julie.Crocker@Noaa.Gov)>, "Turk, Sherwin" <[Sherwin.Turk@nrc.gov](mailto:Sherwin.Turk@nrc.gov)>, "Balsam, Briana" <[Briana.Balsam@nrc.gov](mailto:Briana.Balsam@nrc.gov)>, "Logan, Dennis" <[Dennis.Logan@nrc.gov](mailto:Dennis.Logan@nrc.gov)>

> Dara, others -

>  
> The following summarizes my understanding of the schedule for the  
> ongoing ESA Section 7 consultation as agreed-to by NRC, NMFS, and  
> Entergy on this afternoon's teleconference.

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> - T (likely July 5; not before July 5) - Entergy submits  
> information on benthic resources in the action area as discussed on  
> the June 22 teleconference (i.e., information on the biofouling  
> community at the IP intakes, information on the entrainment of  
> amphipods and published studies related to the distribution of the  
> benthic community in the Hudson River). Entergy is also to provide to  
> NRC any relevant thermal information for NRC's revised BA

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> - T+20 calendar days (likely July 25, depending on T) - NRC  
> staff submits BA supplement to NMFS focusing on the assessment of the  
> thermal discharge on shortnose sturgeon.

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> - One month after NRC submits BA supplement to NMFS (likely  
> August 25) - NMFS provides a draft Biological Opinion (BO) to NRC. In

> completing its BO, NMFS will: (a) review the information provided in  
> the supplemental BA, (b) incorporate the new information on the  
> thermal plume (Swanson et al. 2011, and other sources of information  
> as appropriate) into the draft Opinion, (c) incorporate additional  
> technical information provided by Entergy on the June 22 conference  
> call, (d) make a draft determination as to whether the proposed action  
> is likely to jeopardize the continued existence of shortnose sturgeon  
> and provide justification for this determination, (e) prepare a draft  
> Incidental Take Statement with draft Terms and Conditions and  
> Reasonable and Prudent Measures, as appropriate. Following receipt of  
> the BO, it is NMFS understanding that NRC will distribute the draft BO  
> to Entergy and request that Entergy's comments be submitted to NRC for  
> transmittal to NMFS pursuant to 50 CFR 402.14(g)(5).

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> - Ten calendar days after NMFS provides a draft BO to NRC  
> (likely September 6 - first working day after Labor Day) - NRC  
> provides comments from NRC and from Entergy, if any, on the draft BO  
> to NMFS at the end of this 10-calendar day period.

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> - If there are no substantive comments, then NMFS prepares the  
> final BO within several days of September 6. If NRC or Entergy submit  
> substantive comments, then NMFS will either prepare a final BO within  
> ten working days (September 20) or NMFS will notify NRC and Entergy of  
> a need for additional time.

>  
> I believe that captures our agreed-upon timeline, but please reply if  
> I've missed or misconstrued anything.

>  
> Best regards,  
> Drew

**Hearing Identifier:** IndianPointUnits2and3NonPublic\_EX  
**Email Number:** 2703

**Mail Envelope Properties** (e432f3c237e0ae1c.4e0b6986)

**Subject:** Re: RE: Schedule for BO (revised proposal)  
**Sent Date:** 6/29/2011 6:05:58 PM  
**Received Date:** 6/29/2011 6:05:59 PM  
**From:** Julie.Crocker@Noaa.Gov

**Created By:** Julie.Crocker@Noaa.Gov

**Recipients:**

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Tracking Status: None

**Post Office:** noaa.gov

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MESSAGE	3688	6/29/2011 6:05:59 PM

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**Reply Requested:** No  
**Sensitivity:** Normal

**Expiration Date:**  
**Recipients Received:**