PMVictoriaESPPEm Resource

From: Terry, Tomeka
Sent: Friday, June 03, 2011 11:15 AM
To: VictoriaESP Resource
Subject: FW: Courtesy electronic copy of VCS letter
Attachments: NP-11-0019 - Transmittal of USFWS Correspondence.pdf

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From: Joshua.Trembley@exeloncorp.com [mailto:Joshua.Trembley@exeloncorp.com]
Sent: Thursday, June 02, 2011 2:18 PM
To: Terry, Tomeka
Subject: Courtesy electronic copy of VCS letter

Tomeka,

Per our discussion, please find attached a courtesy electronic copy of a letter transmitting US Fish and Wildlife Service correspondence that was inadvertently omitted from Revision 0 of ESPA ER Appendix A.

Submission to the NRC Document Control Desk was completed using the EIE process earlier today, and carbon copies were sent via US mail.

Please let me know if you have questions regarding the transmittal.

Thanks and have a good day,
JT

610-765-5345

Hearing Identifier: Victoria_ESP_Public
Email Number: 315

Mail Envelope Properties (0A64B42AAA8FD4418CE1EB5240A6FED12E0A9DD43F)

Subject: FW: Courtesy electronic copy of VCS letter
Sent Date: 6/3/2011 11:15:17 AM
Received Date: 6/3/2011 11:17:19 AM
From: Terry, Tomeka

Created By: Tomeka.Terry@nrc.gov

Recipients:
"VictoriaESP Resource" <VictoriaESP.Resource@nrc.gov>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

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Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

Exelon Generation

NP-11-0019
June 2, 2011

10 CFR 52, Subpart A

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: Exelon Nuclear Texas Holdings, LLC
Victoria County Station
Early Site Permit Application
Transmittal of US Fish and Wildlife Service Correspondence
Docket No. 52-042

References: (1) Exelon Nuclear Texas Holdings, LLC letter to USNRC, Application for Early Site Permit for Victoria County Station, dated March 25, 2010

Exelon Nuclear Texas Holdings, LLC (Exelon) submitted an application for an early site permit (ESP) in Reference 1 for the Victoria County Station (VCS) site. That submittal consisted of six parts as described in the referenced letter.

Exelon recently determined that correspondence from the US Fish and Wildlife Service (USFWS) regarding the presence of federally listed threatened and endangered species, their habitat, migratory birds, and wetlands that could be affected by the construction and operation of VCS was inadvertently omitted from Environmental Report (ER) Appendix A. The referenced correspondence, dated October 3, 2008, is provided as Enclosure 1.

The USFWS correspondence provided as Enclosure 1 will be added to ER Appendix A during the next periodic ESP application update, which will be submitted to the NRC no later than March 31, 2012. Regulatory commitments established in this submittal are identified in Enclosure 2.

If additional information is required, please contact Joshua Trembley at (610) 765-5345.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 2nd day of June, 2011.

Respectfully,

Marilyn C. Kray

Marilyn C. Kray
Vice President, Nuclear Project Development

Enclosures: (1) US Fish and Wildlife Service Letter to Exelon, dated October 3, 2008
(2) Summary of Regulatory Commitments

cc: USNRC, Director, Office of New Reactors/NRLPO (w/enclosures)
USNRC, Project Manager, VCS, Division of New Reactor Licensing (w/enclosures)
USNRC, Environmental Project Manager, VCS, Division of New Reactor Licensing (w/enclosures)
USNRC Region IV, Regional Administrator (w/enclosures)

ENCLOSURE 1

US Fish and Wildlife Service Letter to Exelon, dated October 3, 2008

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
c/o TAMU-CC, Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

October 03, 2008

Joshua Trembley
Exelon Nuclear
200 Excelon Way, KSA 3-E
Kennett Square, PA 19348

Consultation Number 21410-2008-TA-0335

Dear Mr. Trembley:

Thank you for your inquiry to the U.S. Fish and Wildlife (Service) about a proposed nuclear plant to be sited approximately 13 miles south of Victoria, Victoria County, Texas. This involves the construction and operation of two new 1600 megawatt generating units and supporting facilities in about a 300 acre area in the northwest part of the approximately 11,000-acre site. Construction of the units may take eight and half years with associated offsite infrastructure, including a heavy-haul road from the plant to the barge slip on the Victoria Barge Canal. The barge slip would accommodate delivery of large components for the nuclear units. The road would traverse undeveloped land, Black Bayou, and the Guadalupe River (via a newly constructed bridge). A pipeline for discharging plant effluent to the Guadalupe River would parallel the heavy-haul road then turn south along the river.

A 4,800-acre cooling reservoir will also be built on the site with water purchased from the Guadalupe-Blanco River Authority (GBRA). Water would be obtained from the Calhoun Canal, southeast of Green Lake via a newly constructed pipeline. The ultimate source of the water would be the Guadalupe River. The construction of an approximately 1,300-acre water storage basin east of and adjacent to the proposed 4,800-acre cooling reservoir is also planned and the storage basin and associated pipeline would be operated by the GBRA. It may also be necessary to build at least two new electrical transmission lines, including a west-running line that would extend to the Coleto Creek Reservoir area of Goliad County and a northeast-running line that would pass through Calhoun, Jackson, Wharton, and Matagorda counties.

We are providing the following information to assist consultants and/or federal action agencies assess and avoid impacts to federally listed threatened and endangered species, their habitat, migratory birds and designated wetlands.

Federally Listed Species

Your review included a 50-mile radius as shown on Figure 1.0, therefore, we have enclosed an updated list of federally listed or proposed threatened and endangered species that have been documented or are known to occur in Aransas, Bee, Calhoun, DeWitt, Goliad, Gonzales, Jackson, Karnes, Lavaca, Matagorda, Refugio, San Patricio, Victoria, and Wharton counties, Texas. Species information may be obtained at http://ifw2es.fws.gov/endangeredspecies/lists/. The species information should help you determine if suitable habitat for these listed species exists in any of the proposed project areas or if project activities may affect species on-site, off-site, and/or result in "take" of a federally listed species. It should also be

noted that the counties listed fall under the area of responsibility of two U.S. Fish and Wildlife Ecological Services Field Offices: Corpus Christi and Clear Lake.

"Take" is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. In addition to the direct take of an individual animal, habitat destruction or modification can be considered take, regardless of whether it has been formally designated as critical habitat, if it would result in the death or injury of wildlife by removing essential habitat components or impairing essential behavior patterns, including breeding, feeding, or sheltering.

Whooping Crane

Whooping cranes are known to occur on and around the proposed site and 50-mile radius as they migrate h to Aransas National Wildlife Refuge and use it and surrounding coastal areas from the Nueces River to the Colorado River for their wintering range. Whooping cranes use a variety of habitats during migrations between northern Canada and the Texas Coast. Croplands are used for feeding and large wetland areas are used for feeding and roosting. Water depth at roost is usually less than 10 inches, the majority between 1 and 6 inches deep. Principal wintering habitat consists of about 22,500 acres of marshes and salt flats on Aransas National Wildlife Refuge and adjacent publicly and privately owned islands that consist of marshes, tidal flats, uplands, and barrier islands. Whooping cranes usually arrive on the Texas coast between late-October and mid-November. They spend almost six months on the wintering grounds. As spring approaches, they leave for the breeding grounds normally between March 25 and April 15. The last birds are usually gone by May 1st, but occasional stragglers may stay into mid-May.

Tall structures including buildings, construction equipment, fences, antennas and transmission lines may need to be marked to provide higher visibility and such sites monitored for impacts to Federally-listed species and other migratory birds. We also recommend that a comprehensive look at migratory bird hazards in the project area such as refinery complexes, communication towers, and power lines be included in the endangered species effects analysis of baseline conditions and cumulative effects. Depletion of water to the downstream bays and estuaries may also impact whooping crane food resources. This will need to be analyzed and considered.

Attwater's Prairie Chicken

The Attwater's prairie chicken is an endangered bird represented by only a few remnant populations. Populations are known from Aransas, Goliad, Refugio and Victoria Counties. This species occurs in coastal grassland prairies in areas of diverse vegetation that provide a variety of cover. Grasslands providing appropriate prairie chicken habitat, will contain approximately 10% or less canopy cover and range between 25-40 cm in height. Adults and young will use this habitat for feeding and roosting. Tall grass (40-60 cm) clumps are also necessary for nesting, loafing, feeding and escape cover. Courtship (booming) and nesting occurs from January 1st through June 30th. Booming grounds can include naturally occurring, short grass flats or artificially maintained areas, such as roads, airport runways, oil well pads, drainage ditches, and pipeline rights-of-way.

In some areas where suitable habitat occurs, but the bird has not been in evidence lately, work may proceed with caution. Any work conducted in areas where prairie chickens may occur should begin after ten a.m. and end before 4 p.m. If mowing is to occur, the grass level should be cut no shorter than 20 cm and a "walk through" should be conducted in the area before mowing occurs in order to reduce impact to Attwater's prairie chickens and/or nests.

Black lace cactus

The black lace cactus of the Cactaceae Family occurs in natural open areas in mesquite brush, in loamy to

sandy loam soils. This species may be found near streams or in streambeds in Kleberg, Jim Wells, Nueces, and Refugio counties. The black lace cactus is a small, deep green cylinder shaped cactus with dark-tipped spines and pink to purple flowers. Project sites should be surveyed by a qualified biologist or botanist to determine if the species is present. Please notify the Service with the results of any surveys for review and further determinations of impacts.

Ocelot

The ocelot is a medium-sized (30-41 inches long and 15-30 lbs) feline. Its body coloration is variable; with the upper parts gray or buff with dark brown or black spots, small rings, blotches, and short bars. The under parts are white spotted with black. The tail is ringed or marked with dark bars on the upper surface. The backs of the rounded ears are black with a white central spot. They hunt and move around beginning at dusk. Their area of activity is normally 1-4 square miles. The female ocelot hunts during the night but spends the day at the den site. Kittens are born from late spring through December. The usual litter size is one or two kittens. They accompany the mother on hunts at about 3 months of age and stay with her until they are about a year old. In Texas, the ocelots occur in dense shrubland. Although the ocelot's prime habitat needs are 70 to 90% canopy coverage, it will utilize a lesser degree of cover for hunting areas, and travel corridors. Tracts of at least 100 acres of isolated dense brush, or 75 acres of brush interconnected with other habitat corridors are important, however, ocelots will use tracts as small as 5 acres, when adjacent to larger areas of habitat. Roads, narrow water bodies, and rights-of-way, brushy fence lines, watercourses and other brush strips connecting areas of habitat are important habitat.

The ocelot population in Texas is very small; probably no more than 80 to 120 individuals (1993 estimate) and approximately 30-35 are known to occur in the chaparral remaining at or near the Laguna Atascosa National Wildlife Refuge in Cameron County. Although the distribution of these endangered cats is limited mostly to the southern portion of Texas, a northern population of ocelot may range through portions of Jim Wells, Live Oak, Atascosa, and McMullen, San Patricio and Aransas counties.

Maintenance or creation of brush corridors, and, most importantly, conservation of the remaining habitat is necessary for the ocelot's survival in Texas. Clearing should be limited to areas essential for the proposed project and impacted areas should be restored with native vegetation. Habitat assessments should be performed, and if potential habitat is found to occur, the Service should be contacted.

Gulf Coast Jaguarundi

The jaguarundi is a small, slender-bodied, unspotted cat, slightly larger than a domestic cat (8-16 lbs). They have a long tail, short legs, small flattened head and have two color phases, a rusty-brown and a charcoal gray. They hunt primarily in the morning and evening. They are not as cautious as the ocelot and have been observed during the day. It is believed that the jaguarundi is similar to the ocelot in their requirement for dense brush cover, however, information from Mexico indicate that they may be more tolerant of open areas. They are good swimmers and enter the water freely. Mating season occurs in November and December, and kittens have been reported in March and also in August. Gestation period is 9 to 10 weeks and litters contain two to four young. In Texas, they occur in dense shrub lands. Although the distribution of these endangered cats is limited mainly to the Rio Grande Valley, there have been unconfirmed sightings of jaguarundi as far north as Aransas, Jim Wells, Kleberg, Live Oak, and San Patricio counties.

Maintenance or creation of brush corridors, and, most importantly, conservation of the remaining habitat is necessary for the jaguarundi's survival. Clearing should be limited to areas essential for the proposed project and impacted areas need to be restored with native vegetation. Habitat assessments should be performed. If potential habitat is found to occur, the Service should be contacted.

Northern aplomado falcon

The name aplomado means "steel gray" in Spanish. The aplomado falcon is a medium sized falcon with a total length about 15-18 inches and a wingspan of about 32-36 inches. Adults have rufous (rust) under parts, a gray back, a long, banded tail and a distinctive black and white facial pattern. They are extremely fast in level flight and agile on foot. Their habitat consists of open terrain with scattered trees, relatively low ground cover, abundance of insects and small to medium-sized birds for prey, a supply of previously constructed nests, and above ground nesting substrate such as yucca and mesquite habitat. Aplomado falcons hunt together, soar together, perch near one another, and even feed together outside the breeding season. During the spring of their second year, pair bonds are formed. They do not construct their own nests, but use the stick platforms built by other birds. Nests are usually 1-3 feet in diameter. They nest only once a year during the dry season (January-June) with most nesting in April and May. They lay 2-3 eggs between March and June and both parents incubate the eggs. Eggs hatch in about 32 days, and nestlings fledge at 32 to 40 days.

Project sites should be evaluated for suitable habitat. Grassland and savannah habitats with abundant small birds and stick nests built by ravens or other raptors should receive special attention. During March through June all large stick nests should be examined from a distance for signs of adults incubating eggs or brooding chicks. Observers should remain a safe distance away from the nest or perch, at least 100-300 yards, depending on the sensitivity of the individual bird, and keep human contact to a minimum. If suitable habitat is found to exist, further surveys should be performed and the Service should be contacted for further review of survey results and impact determinations.

Bald Eagle

The bald eagle has been removed from the Federal Endangered and Threatened list (rule effective August 8, 2007). However, protections provided to the bald eagle under the Bald and Golden Eagle Protection (BGEPA) and the Migratory Bird Treaty Act (MBTA) will continue to remain in place after the species is delisted. Both Federal laws prohibit "take," and the BGEPA prohibits disturbance as a form of "take" as well. To help provide more clarity on the management of the bald eagle after delisting, the Service published a regulatory definition of "disturb" (72 FR 31132), and the Final National Bald Eagle Management Guidelines (72 FR 31156). The management guidelines and further information on the bald eagle may be viewed at http://www.fws.gov.

Section 7

Section 7 of the Endangered Species Act of 1973, as amended (ESA) requires that all Federal agencies consult with the Service to ensure that actions authorized, funded or carried out by such agencies do not jeopardize the continued existence of any listed threatened or endangered species or adversely modify or destroy critical habitat of such species. *It is the responsibility of the Federal action agency to determine if the proposed project may affect threatened or endangered species.* If a "may affect" determination is made, the Federal agency shall initiate the formal section 7 consultation process by writing to: Field Supervisor; U.S. Fish and Wildlife Service; c/o TAMU-CC, Unit 5837; 6300 Ocean Drive; Corpus Christi, Texas 78412-5837. If no effect is evident, no further consultation is needed; however, we would appreciate the opportunity to review the criteria used to arrive at that determination.

Non-federal representatives (i.e. consultants, state agencies, county or local officials) may request and receive species lists, prepare environmental documents, biological assessments, and provide information for formal consultations. However, the Service requires the action agency to designate the non-federal representative in writing. If not designated, we recommend non-federal representatives provide a complete record of their evaluation to the federal action agency so that they may make a determination of affect and,

if necessary, consult with this office on the proposed action. After evaluating the potential for effect, one of the following determinations is made by the federal action agency or their non-federal representative.

No effect – the action agency determines its proposed action will not affect federally listed species or critical habitat. No section 7 consultation is necessary and the Service believes the agency has complied with section 7(a)(2) of the ESA by making the determination. However, if the project changes or additional information on the distribution of listed or proposed species becomes available the project should be reanalyzed for effects not previously considered.

May Affect, but is not likely to adversely effect – the action agency determines their project may affect listed species and or critical habitat; however, the effects are expected to be discountable, or insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. The action agency should seek written concurrence from the Service that adverse effects have been eliminated. If agreement cannot be reached the agency is advised to initiate formal consultation.

Is likely to adversely affect – the action agency determines adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action "is likely to adversely affect" the listed species. An "is likely to adversely affect" determination requires formal section 7 consultation.

The Service recommends the action agency and/or non-federal representative maintain a complete record that identifies steps leading to the determination of affect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related articles. The Service's Consultation Handbook is available at http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.html for further information on definitions and process.

State Listed Species

The State of Texas protects certain species. Please contact the Texas Parks and Wildlife Department (Endangered Resources Branch), Fountain Park Plaza Building, Suite 100, 3000 South IH-35, Austin, Texas 78704 (telephone 512/912-7011) for information concerning fish, wildlife, and plants of State concern or visit their website at http://www.tpwd.state.tx.us/nature/endang/animals/mammals/.

Migratory Birds

The Migratory Bird Treaty Act implements various treaties and conventions for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful. Many may nest in trees, brush areas or other suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to commencing work. If a nest is found, and if possible, the Service recommends a buffer of vegetation ($\geq$ 50m for songbirds, > 100m for wading birds, and > 180m for terns, skimmers and birds of prey) remain around the nest until young have fledged or the nest is abandoned. A list of migratory birds may be viewed at http://migratorybirds.fws.gov/intrnltr/mbta/proposedbirdlist.pdf. We also recommend that a comprehensive look at migratory bird hazards from the project and in the project area such as refinery complexes, communication towers, and power lines be included in the National Environmental Policy Act analysis cumulative effects section.

Wetlands

Wetlands and riparian zones provide valuable fish and wildlife habitat as well as contribute to flood control, water quality enhancement, and groundwater recharge. Wetland and riparian vegetation provides food and cover for wildlife, stabilizes banks and decreases soil erosion. These areas are inherently dynamic and very sensitive to changes caused by such activities as overgrazing, logging, major construction, or earth disturbance. Executive Order 11990 asserts that each agency shall provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial value of wetlands in carrying out the agency's responsibilities. Construction activities near riparian zones should be carefully designed to minimize impacts. If vegetation clearing is needed in these riparian areas, they should be re-vegetated with native wetland and riparian vegetation to prevent erosion or loss of habitat. We recommend minimizing the area of soil scarification and initiating incremental re-establishment of herbaceous vegetation at the proposed work sites. Denuded and/or disturbed areas should be re-vegetated with a mixture of native legumes and grasses. Species commonly used for soil stabilization are listed in the Texas Department of Agriculture's (TDA) Native Tree and Plant Directory, available from TDA at P.O. Box 12847, Austin, Texas 78711. The Service also urges taking precautions to ensure sediment loading does not occur to any receiving streams in the proposed project area. To prevent and/or minimize soil erosion and compaction associated with construction activities, avoid any unnecessary clearing of vegetation, and follow established rights-of-way whenever possible. All machinery and petroleum products should be stored outside the floodplain and/or wetland area during construction to prevent possible contamination of water and soils. No permanent structures should be placed in the 100-year floodplain.

If your project will involve filling, dredging, or trenching of a wetland or riparian area it may require a Section 404 permit from the U.S. Army Corps of Engineers (COE). For permitting requirements please contact the U.S. Corps of Engineers, District Engineer, P.O. Box 1229, Galveston, Texas 77553-1229, (409) 766-3002.

Beneficial Landscaping

In accordance with Executive Order 13112 on Invasive Species and the Executive Memorandum on Beneficial Landscaping, where possible, any landscaping associated with project plans should be limited to seeding and replanting with native species. A mixture of grasses and forbs appropriate to address potential erosion problems and long-term cover should be planted when seed is reasonably available. Although Bermuda grass is listed in seed mixtures, this species and other introduced species should be avoided as much as possible. The Service also recommends the use of native trees, shrubs, and herbaceous species that are adaptable, drought tolerant and conserve water.

Thank you for your concern for endangered and threatened species and other resources. We appreciate the opportunity to comment on the proposed project and if we can be of further assistance, please contact Mary Orms of my staff at 361/994-9005, extension 246. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,

for Allan M. Strand
Field Supervisor

cc: Clear Lake Ecological Services Field Office

Federally Listed as Threatened and Endangered Species of Texas
May 1, 2008

County-by-County lists containing species information is available at the U.S. Fish and Wildlife Service's (Service), Southwest Region, web site http://www.fws.gov/southwest/es/EndangeredSpecies/lists. This list represents species that may be found in counties throughout the state. It is recommended that the field station responsible for a project area be contacted if additional information is needed.

DISCLAIMER

This County by County list is based on information available to the U.S. Fish and Wildlife Service at the time of preparation, date on page 1. This list is subject to change, without notice, as new biological information is gathered and should not be used as the sole source for identifying species that may be impacted by a project.

(Aransas County)		
Attwater's greater prairie-chicken	(E)	*Tympanuchus cupido attwateri*
Bald eagle	(DM)	*Haliaeetus leucocephalus*
Brown pelican	(E)	*Pelecanus occidentalis*
Green sea turtle	(T)	*Chelonia mydas*
Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Hawksbill sea turtle	(E w/CH‡)	*Eretmochelys imbricata*
Kemp's Ridley sea turtle	(E)	*Lepidochelys kempii*
Leatherback sea turtle	(E w/CH‡)	*Dermochelys coriacea*
Loggerhead sea turtle	(T)	*Caretta caretta*
Northern aplomado falcon	(E)	*Falco femoralis septentrionalis*
Ocelot	(E)	*Leopardus pardalis*
Piping plover	(T w/CH)	*Charadrius melodus*
West Indian manatee	(E)	*Trichechus manatus*
Whooping crane	(E w/CH)	*Grus Americana*
(Bee County)		
Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Ocelot	(E)	*Leopardus pardalis*
Whooping crane	(E w/CH)	*Grus americana*
(Calhoun County)		
Bald eagle	(DM)	*Haliaeetus leucocephalus*
Brown pelican	(E)	*Pelecanus occidentalis*
Green sea turtle	(T)	*Chelonia mydas*
Hawksbill sea turtle	(E w/CH‡)	*Eretmochelys imbricata*
Kemp's Ridley sea turtle	(E)	*Lepidochelys kempii*
Leatherback sea turtle	(E w/CH‡)	*Dermochelys coriacea*
Loggerhead sea turtle	(T)	*Caretta caretta*
Northern aplomado falcon	(E)	*Falco femoralis septentrionalis*
Piping plover	(T w/CH)	*Charadrius melodus*
West Indian manatee	(E)	*Trichechus manatus*
Whooping crane	(E w/CH)	*Grus americana*

(DeWitt County)

Bald eagle	(DM)	*Haliaeetus leucocephalus*
Whooping crane	(E w/CH)	*Grus americana*

(Goliad County)

Attwater's greater prairie-chicken	(E)	*Tympanuchus cupido attwateri*
Bald eagle	(DM)	*Haliaeetus leucocephalus*
Whooping crane	(E w/CH)	*Grus americana*

(Gonzales County)

Bald eagle	(DM)	*Haliaeetus leucocephalus*
Whooping crane	(E w/CH)	*Grus americana*

(Jackson County)

Bald eagle	(DM)	*Haliaeetus leucocephalus*
West Indian manatee	(E)	*Trichechus manatus*
Whooping crane	(E w/CH)	*Grus americana*

(Karnes County)

Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Ocelot	(E)	*Leopardus pardalis*
Whooping crane	(E w/CH)	*Grus americana*

(Lavaca County)

Bald eagle	(DM)	*Haliaeetus leucocephalus*
Houston toad	(E w/CH)	*Bufo houstonensis*
Whooping crane	(E w/CH)	*Grus americana*

[Matagorda County]

Bald eagle	(DM)	*Haliaeetus leucocephalus*
Brown pelican	(E)	*Pelecanus occidentalis*
Green sea turtle	(T)	*Chelonia mydas*
Hawksbill sea turtle	(E w/CH‡)	*Eretmochelys imbricata*
Kemp's Ridley sea turtle	(E)	*Lepidochelys kempii*
Leatherback sea turtle	(E w/CH‡)	*Dermochelys coriacea*
Loggerhead sea turtle	(T)	*Caretta caretta*
Northern aplomado falcon	(E)	*Falco femoralis septrentrionalis*
Piping plover	(T w/CH)	*Charadrius melodus*
Whooping crane	(E w/CH)	*Grus americana*

(Refugio County)

Attwater's greater prairie-chicken	(E)	*Tympanuchus cupido attwateri*
Bald eagle	(DM)	*Haliaeetus leucocephalus*
Black lace cactus	(E)	*Echinocereus reichenbachii* var. *albertii*
Brown pelican	(E)	*Pelecanus occidentalis*
Green sea turtle	(T)	*Chelonia mydas*
Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Hawksbill sea turtle	(E w/CH‡)	*Eretmochelys imbricata*
Kemp's Ridley sea turtle	(E)	*Lepidochelys kempii*

Leatherback sea turtle	(E w/CH‡)	*Dermochelys coriacea*
Loggerhead sea turtle	(T)	*Caretta caretta*
Northern aplomado falcon	(E)	*Falco femoralis septentrionalis*
Ocelot	(E)	*Leopardus pardalis*
Piping plover	(T w/CH)	*Charadrius melodus*
West Indian manatee	(E)	*Trichechus manatus*
Whooping crane	(E w/CH)	*Grus americana*

(San Patricio County)

Brown pelican	(E)	*Pelecanus occidentalis*
Green sea turtle	(T)	*Chelonia mydas*
Gulf Coast jaguarundi	(E)	*Herpailurus yagouaroundi cacomitli*
Hawksbill sea turtle	(E w/CH‡)	*Eretmochelys imbricata*
Kemp's Ridley sea turtle	(E)	*Lepidochelys kempii*
Leatherback sea turtle	(E w/CH‡)	*Dermochelys coriacea*
Loggerhead sea turtle	(T)	*Caretta caretta*
Ocelot	(E)	*Leopardus pardalis*
Piping plover	(T w/CH)	*Charadrius melodus*
West Indian manatee	(E)	*Trichechus manatus*
Whooping crane	(E w/CH)	*Grus americana*

(Victoria County)

Attwater's greater prairie-chicken	(E)	*Tympanuchus cupido attwateri*
Bald eagle	(DM)	*Haliaeetus leucocephalus*
Whooping crane	(E w/CH)	*Grus americana*

[Wharton County]

Bald eagle	(DM)	*Haliaeetus leucocephalus*
Whooping crane	(E w/CH)	*Grus americana*

INDEX

Statewide or areawide migrants are not included by county, except where they breed or occur in concentrations. The whooping crane is an exception; an attempt is made to include all confirmed sightings on this list.

E	=	Species in danger of extinction throughout all or a significant portion of its range.
T	=	Species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.
DM	=	Delisted, monitoring for 5 years
C	=	Species for which the Service has on file enough substantial information to warrant listing as threatened or endangered.
CH	=	Critical Habitat (in Texas unless annotated ‡)
P/	=	Proposed ...
P/E	=	Species proposed to be listed as endangered.
P/T	=	Species proposed to be listed as threatened.
□	=	with special rule
‡	=	CH designated (or proposed) outside Texas
~	=	protection restricted to populations found in the "interior" of the United States. In Texas, the least tern receives full protection, except within 50 miles (80 km) of the Gulf Coast.

* = These species and their critical habitat are found in Hays and/or Comal counties but may be affected by activities within the southern segment of the Edwards Aquifer, which includes portions of Bexar County.

ES Field Office area of responsibility:

(Bee) = Corpus Christi ES office
[Galveston] = Clear Lake ES office

ENCLOSURE 2

SUMMARY OF REGULATORY COMMITMENTS

(Exelon Letter to USNRC No. NP-11-0019, dated June 2, 2011)

The following table identifies commitments made in this document. (Any other actions discussed in the submittal represent intended or planned actions. They are described to the NRC for the NRC's information and are not regulatory commitments.)

COMMITMENT	COMMITTED DATE	COMMITMENT TYPE	
		ONE-TIME ACTION (Yes/No)	Programmatic (Yes/No)
Environmental Report (ER) Appendix A will be updated with the USFWS letter provided as Enclosure 1 in the next periodic ESPA update, to be submitted to the NRC no later than March 31, 2012.	March 31, 2012	Yes	No