



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

NOV 17 2011

Ryan Whited, Branch Chief
Environment Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors
United States Nuclear Regulatory Commission
Washington DC 20555-0001

Re: Fermi Nuclear Power Plant, Unit 3 – Draft EIS

Dear Mr. Hatchett,

This is in response to your letter dated October 20, 2011, requesting comments on the draft Environmental Impact Statement (DEIS) prepared by the Nuclear Regulatory Commission regarding an application submitted by Detroit Edison Company for a combined license (COL) for construction and operation of a new nuclear power plant, Fermi Nuclear Power Plant, Unit 3 (Fermi 3). The new unit would be built at the Enrico Fermi Atomic Power Plant (Fermi) site in Monroe County, Michigan. The project site is located approximately 24 miles northeast of Toledo, Ohio and 30 miles southwest of Detroit, Michigan, on the shores of Lake Erie.

Endangered Species Act

As stated in our scoping comments dated January 21, 2009, no species listed or proposed for listing under the jurisdiction of NOAA's National Marine Fisheries Service (NMFS) occur in Lake Erie. Additionally, there is no critical habitat designated by NMFS in the area and no proposed critical habitat in the area. There are also no candidate species under NMFS jurisdiction that occur in the project area. No further coordination with us on the effects of the action on listed species or their critical habitat is necessary and we do not anticipate the need for consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended, for the subject Federal action. Any questions regarding the ESA and Section 7 consultation may be directed to Julie Crocker of our Protected Resources Division at (978)282-8480.

Essential Fish Habitat and Fish and Wildlife Coordination Act

As stated in our scoping comments, no Essential Fish Habitat has been designated for species in Lake Erie or other Great Lakes and there is no requirement for you to consult with us under the Magnuson Stevens Fishery Conservation and Management Act. Although anadromous fish resources and their habitats may be impacted by the activity, we do not have sufficient staff resources to engage in the review or consultation on this activity pursuant to the Fish and

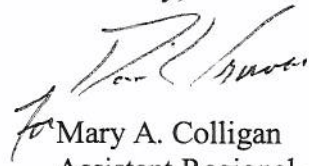


Wildlife Coordination Act. Any questions regarding Essential Fish Habitat and the Fish and Wildlife Coordination Act may be directed to Mike Johnson of our Habitat Conservation Division at (978)281-9130.

Conclusions

As noted above, as no species listed as threatened or endangered by NMFS occur in the action area, no consultation pursuant to Section 7 of the ESA is necessary for the NRC's proposed action. We offer no further comments on the DEIS. We appreciate the opportunity to provide you with information on our trust resources and we look forward to continuing to work cooperatively with you on minimizing impacts of NRC actions to NMFS trust resources.

Sincerely,



Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

EC: Crocker - F/NER4
Johnson - F/NER3