

United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	Progress Energy Florida, Inc. (Levy County Nuclear Power Plant, Units 1 and 2)
	ASLBP #: 09-879-04-COL-BD01
	Docket #: 05200029   05200030
	Exhibit #: INT402-00-BD01
	Admitted: 12/3/2012
	Rejected: Other:
	Identified: 10/31/2012 Withdrawn: Stricken:

<http://www.fws.gov/angered/whatwedo.html>

(6) The term “endangered species” means any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man.

(20) The term “threatened species” means any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

**(19) The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.**

<http://www.fws.gov/verobeach/index.cfm?Method=Programs.Home&ProgramCategoryID=3>

Through the Listing Program, the Service determines whether to add a species to the Federal list of endangered and threatened wildlife and plants. Once listed, a species is afforded the full range of protections available under the Endangered Species Act, including prohibitions on killing, harming or otherwise "taking" a species.

<http://www.fws.gov/verobeach/index.cfm?Method=programs&NavProgramCategoryID=3&programID=36&ProgramCategoryID=3>Endangered Species Consultations  
09/20/2007

### Endangered Species Consultations

- \* Consultations for Federal Agencies

- \* Endangered Species Permitting for Private Individuals and Non-Federal Agencies

The U.S. Fish & Wildlife Service issues permits under various wildlife laws and treaties at different offices at the national, regional, and/or wildlife port levels. (We do not issue hunting and fishing licenses. Instead, those are issued in Florida by the Florida Fish and Wildlife Conservation Commission.)

Permits enable the public to engage in legitimate wildlife-related activities that would otherwise be prohibited by law. Service permit programs ensure that such activities are carried out in a manner that safeguards wildlife. Additionally, some permits promote conservation efforts by authorizing scientific research, generating data, or allowing wildlife management and rehabilitation activities to go forward.

Permits for native endangered or threatened species, issued by the Endangered Species program, are of three basic types:

# enhancement of survival permits, associated with Safe Harbor agreements and Candidate Conservation Agreements with Assurances,

# recovery and interstate commerce permits, associated with activities such as captive breeding and research to further the recovery of a species, and

# incidental take permits, associated with Habitat Conservation plans.

### Consultations for Federal Agencies

Section 7 of the Endangered Species Act directs all Federal agencies to use their existing authorities to conserve threatened and endangered species and, in consultation with the Fish & Wildlife Service, to ensure that their actions do not jeopardize listed species or destroy or adversely modify critical habitat. Section 7 applies to management of Federal lands as well as other Federal actions that may affect listed species on non-federal lands, such as Federal approval of private activities through the issuance of Federal permits, licenses, or other actions.

For more information regarding Consultations for federal agencies, please follow the link above.

### Endangered Species Permitting for Private Individuals and Non-Federal Agencies

After passage of the Endangered Species Act (ESA) of 1973, both the Federal government and non-Federal landowners became concerned that a property owner's otherwise lawful activity that might result in the unintentional take of a listed species would be prohibited, even if the landowner was willing to plan activities to conserve the species. To resolve this problem, Congress amended section 10 of the ESA in 1982 to authorize "incidental take" of listed species through the development and implementation of Habitat Conservation Plans or HCPs. An incidental take permit allows a property owner to conduct otherwise lawful activities in the presence of listed species. A non-Federal entity (e.g., a private landowner or local government) develops an HCP in order to apply for an incidental take permit under section 10(a)(1)(B) of the ESA. The HCP integrates the applicant's proposed project or activity with the needs of the species. It describes, among other things, the anticipated effect of a proposed taking on the affected species and how that take will be minimized and mitigated. Such information must be submitted with any incidental take permit application.

For more information regarding Endangered Species Permitting for Private Individuals and Non-Federal Agencies, please follow the link above.