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RAI Question TE2.4.1-3

Enclosure 1

Letter from Lori G. Sargent to Ralph E. Brooks
(following 3 pages)



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A HUMPHRIES
DIRECTOR

November 28, 2007

Dr. Ralph E. Brooks
Black & Veatch Corporation
4800 Meadows Road, Suite 200
Lake Oswego, OR 97035

RE: Proposed new nuclear power electrical generating facility at Consumers Power Enrico Fermi Facility; B&V Project 147483

Dear Dr. Brooks:

The location of the proposed project was checked against known localities for rare species and unique natural features, which are recorded in a statewide database. This continuously updated database is a comprehensive source of information on Michigan's endangered, threatened and special concern species, exemplary natural communities and other unique natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features at a site. The absence of records may mean that a site has not been surveyed. The only way to obtain a definitive statement on the presence of rare species is to have a competent biologist perform a field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Department of Natural Resources, Wildlife Division. *Responsibility to protect endangered and threatened species is not limited to the list below. Other species may be present that have not been recorded in the database.*

The presence of threatened or endangered species does not preclude activities or development, but may require alterations in the project plan. Special concern species are not protected under endangered species legislation, but recommendations regarding their protection may be provided. Protection of special concern species will help prevent them from declining to the point of being listed as threatened or endangered in the future.

The following is a summary of the results for the project in Monroe County, sections 20, 21, 28, 29 T6S R10E.

The following list includes unique features that are known to occur on or near the site(s) and may be impacted by the project.

<u>common name</u>	<u>status</u>	<u>scientific name</u>
Barn owl	state endangered	<i>Tyto alba</i>
Common tern	state threatened	<i>Sterna hirundo</i>
Eastern fox snake	state threatened	<i>Pantherophis gloydi</i>
Bald eagle	state threatened	<i>Haliaeetus leucocephalus</i>

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Brindled madtom	special concern	<i>Noturus miurus</i>
American lotus	state threatened	<i>Nelumbo lutea</i>
Arrowhead	state threatened	<i>Sagittaria montevidensis</i>
Frank's sedge	state threatened	<i>Carex frankii</i>
Trailing wild bean	special concern	<i>Strophostyles helvula</i>

More detailed information regarding habitats and biology on these species can be found at <http://web4.msue.msu.edu/mnfi/pub/abstracts.cfm>.

In summary, the project site may include suitable habitat for the above listed species. Potential impacts might include direct destruction of species and disturbance of critical habitat. Clearance from this office in the form of a "No Effect" statement will be needed before work on this project begins. To obtain an evaluation for project clearance, please provide at least one of the following to this office:

1. Description of the project area with regard to the species habitat type(s) described above. A recent photo of the project site and a map that shows habitat type(s) and location(s) of the proposed project will be necessary. This can be done by the landowner, other responsible party, or knowledgeable source (i.e. botanist, ecologist, biologist, experienced birder, etc.). This level of evaluation will only define the presence or absence of available habitat. If this office determines that there is no significant available habitat, the project may be cleared at this point. If potential habitat does exist, the next level of evaluation must be undertaken (see options 2 or 3 below).

OR

2. A statement from a knowledgeable source (see above) stating that suitable habitat is or is not present and why the project will not impact the species or habitat(s) identified above.

OR

3. Results from a complete and adequate survey by a knowledgeable source (see above) showing whether or not the above listed species are present in the affected project area. Guidelines for conducting surveys can be obtained from this office on request. For additional information and guidance for conducting surveys, including consultation with MNFI staff biologists, please contact me at the number below or go to the DNR website at www.michigandnr.com/publications/pdfs/huntingwildlifehabitat/TE_consultants.pdf.

In most situations, the most efficient, thorough, and expeditious evaluation of the project and its impacts results from option 3. Please provide information in writing to the mailing address or e-mail provided below.

Michigan Department of Natural Resources
Wildlife Division – Natural Heritage Program
PO Box 30180
Lansing, MI 48909

Ralph E. Brooks, PhD
Black & Veatch Corporation

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Thank you for your advance coordination in addressing the protection of Michigan's natural resource heritage. If you have further questions, please call me at 517-373-1263 or e-mail at SargenL2@michigan.gov.

Sincerely,


Lori G. Sargent
Endangered Species Specialist
Wildlife Division