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Craver, Patti

From: Balsam, Briana
Sent: Thursday, March 22, 2012 12:59 PM
To: Logan, Dennis
Subject: RE: notes for NMFS call
Attachments: Notes for call with NMFS 3-22-12.docx

What...you couldn't just read my mind??

From: Logan, Dennis
Sent: Thursday, March 22, 2012 12:58 PM
To: Balsam, Briana
Subject: RE: notes for NMFS call

Briana—you forgot to attach the notes. Dennis

From: Balsam, Briana
Sent: Thursday, March 22, 2012 12:57 PM
To: Logan, Dennis
Subject: notes for NMFS call

Dennis,

Here are my notes for the NMFS call. I think these are the main three points that we need to clear up. Let me know if you noticed any others.

Briana

B/b

Call with NMFS regarding 3/8/12 JRWA Pilgrim letter

3/22/12 @ 3pm, O-14B8

Topics to Discuss

- **Not likely to adversely affect determinations/consultation not completed to date**

The 2006 biological assessment clearly indicates that the NRC concluded "no effect" for each of the 10 species considered (see p. E-66 through E-73). Section 6.0, "Conclusions" also reiterates this conclusion (see p. E-73).

The SEIS (p. 4-64) does say "not likely to adversely affect" and concludes a "SMALL" impact, but this is a combination of a text error ("not likely to adversely affect" should be "no effect") and a result of how the GEIS conclusions are defined ("SMALL" rather than "no effect"). The NMFS should be using the ESA effect determinations in the biological assessment.

- **Supplemental consultation request**

NRC sent a supplemental BA and request for concurrence on Atlantic sturgeon effect determinations on Feb 28, which this letter does not recognize.

- **Loggerhead DPS final rule**

We never discussed the need for the NRC to supplement its loggerhead analysis in the February 13 phone call, which the letter implies.

Because the NRC concluded "no effect" for the loggerhead, the staff doesn't need to supplement based on this final rule.