



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OREGON 97232-1274

October 27, 2014

Jeremy Susco
Acting Branch Chief
Environmental Review and Guidance Update Branch
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Columbia Generating Station, Consultation No. 2011/05286

Dear Mr. Susco,

This concerns the operation of Columbia Generating Station (CGS) pursuant to the license the Nuclear Regulatory Commission (NRC) renewed on May 22, 2012, to be in effect until December 21, 2043 (Renewed License No. NPF-21, Docket No. 50-397). Prior to its license renewal the NRC had determined the CGS operation "may affect" salmonid species listed for protection under the Endangered Species Act (ESA) and by letter to NOAA's National Marine Fisheries Service (NMFS) on August 23, 2011, requested consultation pursuant to ESA § 7(a)(2) on the then-pending license renewal. As the CGS operation licensed by NRC also "may adversely affect" designated essential fish habitat, this consultation also addresses the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), 16 U.S.C. § 1855(b)(2). The purpose of this letter is to clarify NMFS' intentions regarding the remaining procedure to complete this consultation.

On September 30, 2014, the Washington State Energy Facility Site Evaluation Council (EFSEC) issued a revised National Pollutant Discharge Elimination System (NPDES) permit for the CGS that will become effective on November 1, 2014. That permit regulates the CGS discharges and cooling water intake structures for purposes of the Federal Clean Water Act, under the federally approved state program. NMFS has determined that the operation of the CGS pursuant to the renewed NRC license is now described sufficiently for us to complete this ESA and MSA consultation. We will use the information you provided in the Environmental Impact Statement (Supplement 47), the information in EFSEC's revised NPDES permit, and other information that constitutes the best scientific information currently available to NMFS, in formulating our biological opinion and essential fish habitat consultation. Please provide us with any new information not already in the record that you find should be considered for this consultation consistent with ESA § 7(c) and 50 C.F.R. § 402.12.

Your letter of August 23, 2011, also determined that this license renewal action was 'not likely to adversely affect' (NLAA) the listed salmonids in the Columbia River, and therefore a formal ESA consultation was not required 50 C.F.R. § 402.14(a). NMFS responded by our letter of

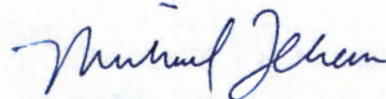


October 24, 2011, that, pursuant to these regulations NMFS did not concur with NRC's NLAA determination, largely because the cooling water intake does not employ currently available screen technology designed to adequately avoid or minimize harm to salmonids. NMFS cannot concur with an action agency's NLAA determination if it determines that adverse effects (e.g. impingement and entrainment) are likely. The preparation of a biological opinion and incidental take statement is required for those actions likely to adversely affect listed species. See ESA § 7(b).

The ESA (7)(a)(2) consultation will consider the effects of your permit issuance on Upper Columbia River (UCR) spring Chinook salmon and UCR steelhead; and the MSA consultation will consider the effects of your permit issuance on the essential fish habitat of ESA-listed UCR spring Chinook salmon and unlisted UCR summer/fall Chinook salmon.

Please feel free to contact Ritchie Graves (503) 231-6891, or Rich Domingue (503) 231-6858 if you have any questions regarding this process.

Sincerely,



for William W. Stelle, Jr.
Regional Administrator

Cc: Dennis Logan, Division of License Renewal