



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ventura Fish and Wildlife Office
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Consultation Code: 08EVEN00-2015-SLI-0245

May 12, 2015

Event Code: 08EVEN00-2015-E-01270

Project Name: Proposed License Renewal of Diablo Canyon Nuclear Power Plan

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed list identifies species listed as threatened and endangered, species proposed for listing as threatened or endangered, designated and proposed critical habitat, and species that are candidates for listing that may occur within the boundary of the area you have indicated using the U.S. Fish and Wildlife Service's (Service) Information Planning and Conservation System (IPaC). The species list fulfills the requirements under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the species list should be verified after 90 days. We recommend that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists following the same process you used to receive the enclosed list. Please include the Consultation Tracking Number in the header of this letter with any correspondence about the species list.

Due to staff shortages and excessive workload, we are unable to provide an official list more specific to your area. Numerous other sources of information are available for you to narrow the list to the habitats and conditions of the site in which you are interested. For example, we recommend conducting a biological site assessment or surveys for plants and animals that could help refine the list.

If a Federal agency is involved in the project, that agency has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a major construction project*, the Federal agency has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Federal agency determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve

conflicts with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the Federal agency may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Wildlife's Natural Diversity Data Base. You can contact the California Department of Fish and Wildlife at (916) 324-3812 for information on other sensitive species that may occur in this area.

[*A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.]

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Proposed License Renewal of Diablo Canyon Nuclear Power Plan

Official Species List

Provided by:

Ventura Fish and Wildlife Office
2493 PORTOLA ROAD, SUITE B
VENTURA, CA 93003
(805) 644-1766

Consultation Code: 08EVEN00-2015-SLI-0245

Event Code: 08EVEN00-2015-E-01270

Project Type: POWER GENERATION

Project Name: Proposed License Renewal of Diablo Canyon Nuclear Power Plan

Project Description: The U.S. Nuclear Regulatory Commission (NRC) is reviewing an application to renew the facility operating licenses for Diablo Canyon Nuclear Power Plant, Units 1 and 2, in San Luis Obispo County, California, for an additional 20 years of operation. If granted, the license renewal would allow the applicant to operate the facility through 2044 (Unit 1) and 2045 (Unit 2).

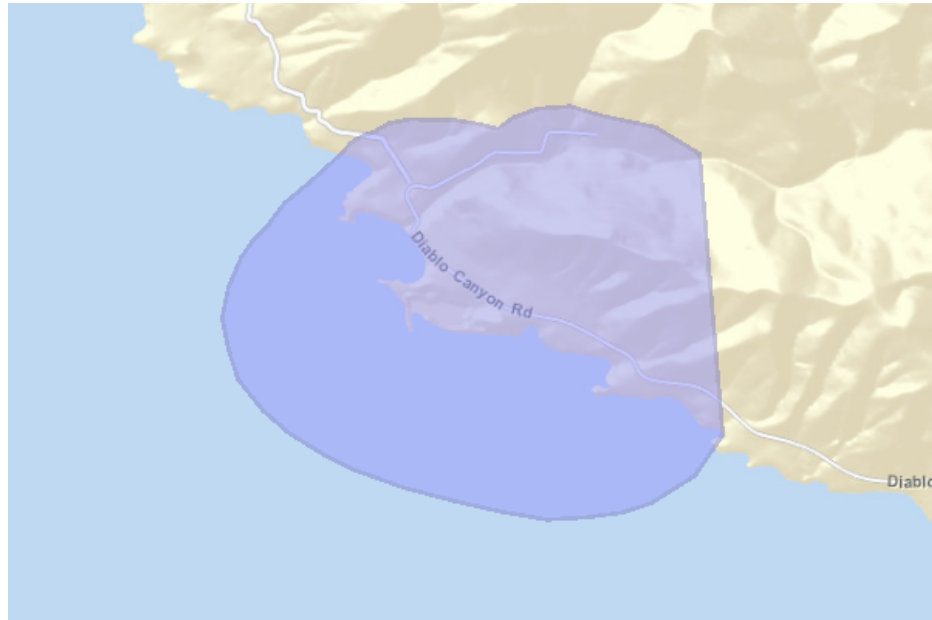
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



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Fish and Wildlife Service

Project name: Proposed License Renewal of Diablo Canyon Nuclear Power Plan

Project Location Map:



Project Coordinates: The coordinates are too numerous to display here.

Project Counties: San Luis Obispo, CA



Endangered Species Act Species List

There are a total of 22 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California Tiger Salamander <i>(Ambystoma californiense)</i> Population: U.S.A. (Central CA DPS)	Threatened	Final designated	
California red-legged frog <i>(Rana draytonii)</i> Population: Entire	Threatened	Final designated	
Birds			
California Clapper rail <i>(Rallus longirostris obsoletus)</i> Population: Entire	Endangered		
California Least tern <i>(Sterna antillarum browni)</i>	Endangered		
Least Bell's vireo <i>(Vireo bellii pusillus)</i> Population: Entire	Endangered	Final designated	
Marbled murrelet <i>(Brachyramphus marmoratus)</i> Population: CA, OR, WA	Threatened	Final designated	



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Southwestern Willow flycatcher (<i>Empidonax traillii extimus</i>) Population: Entire	Endangered	Final designated	
western snowy plover (<i>Charadrius nivosus ssp. nivosus</i>) Population: Pacific coastal pop.	Threatened	Final designated	
Crustaceans			
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Entire	Threatened	Final designated	
Fishes			
Tidewater goby (<i>Eucyclogobius newberryi</i>) Population: Entire	Endangered	Final designated	
Flowering Plants			
California jewelflower (<i>Caulanthus californicus</i>)	Endangered		
Chorro Creek Bog thistle (<i>Cirsium fontinale var. obispoense</i>)	Endangered		
Indian Knob mountain balm (<i>Eriodictyon altissimum</i>)	Endangered		
Marsh Sandwort (<i>Arenaria paludicola</i>)	Endangered		
Morro manzanita (<i>Arctostaphylos morroensis</i>)	Threatened		
Pismo clarkia (<i>Clarkia speciosa ssp. immaculata</i>)	Endangered		



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Salt Marsh bird's-beak (<i>Cordylanthus maritimus ssp. maritimus</i>)	Endangered		
Spreading navarretia (<i>Navarretia fossalis</i>)	Threatened	Final designated	
Insects			
Kern Primrose Sphinx moth (<i>Euproserpinus euterpe</i>) Population: Entire	Threatened		
Mammals			
Giant kangaroo rat (<i>Dipodomys ingens</i>) Population: Entire	Endangered		
Southern Sea otter (<i>Enhydra lutris nereis</i>)	Threatened		
Reptiles			
Blunt-Nosed Leopard lizard (<i>Gambelia silus</i>) Population: Entire	Endangered		



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Critical habitats that lie within your project area

There are no critical habitats within your project area.