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CARPENTER, C.A.			

SUBJECT: Submits comments re biological assessment for license renewal at Oconee Nuclear Station, per review of info received 990706.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

P.O. Box 12559

217 Fort Johnson Road

Charleston, South Carolina 29422-2559

September 2, 1999

Ms. Cynthia A. Carpenter
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: Biological Assessment for License Renewal at Oconee Nuclear Station
TAC Nos. M99162, M99163, and M99164
FWS Log No. 4-6-99-318

Dear Ms. Carpenter:

The U.S. Fish and Wildlife Service (Service) reviewed the information received July 6, 1999 concerning the above-referenced project in Anderson, Greenville, Laurens, Oconee, Pickens, Spartanburg, York counties, South Carolina and Cleveland, Gaston, Lincoln, Mecklenburg, Rutherford counties, North Carolina. The following comments are provided in accordance with the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e), and section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531-1543) (Act). We are providing comments on the South Carolina portion of the project only.

The proposed project involves the continued operation and maintenance of the Oconee Nuclear Station (ONS) in eastern Oconee County, South Carolina under a renewed license from the U.S. Nuclear Regulatory Commission. In addition to the continued operation of the nuclear power generating station, approximately 330 miles of transmission line corridors that were associated with the ONS in the original environmental impact analysis will continue to be operated and maintained. All facilities associated with this action were constructed during the early 1970's and no new construction will be performed as part of the license renewal action.

Based on the information received, we will concur with a determination that this action will have no effect on white irisette, small whorled pogonia, persistent trillium, swamp pink, Michaux's sumac, little amphianthus, black-spored quillwort, rock gnome lichen, Eastern cougar, bog turtle, Indiana bat, bald eagle, red-cockaded woodpecker, and Carolina heelsplitter. In view of this, we believe that the requirements of section 7 of the Act have been satisfied for these species. However, obligations under section 7 of the Act must be reconsidered if (1) new information

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reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner which was not considered in this assessment, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

However, we are unable to concur with your "not likely to adversely affect" determination for the bunched arrowhead, dwarf-flowered heartleaf, smooth coneflower, mountain sweet pitcher plant, and Schweinitz's sunflower because of potential effects from the proposed right-of-way maintenance. In order to ensure compliance with the Act, we suggest you provide the following additional information:

- (1) A systematic survey for the above listed federally endangered and threatened species within suitable habitat along the transmission right-of-ways associated with the ONS.
- (2) A copy of Duke's best management practices for transmission line right-of-way construction and maintenance.
- (3) A revised Biological Assessment to include a determination of effect for the above species based on the additional information.

We appreciate your coordination with the Service's Asheville and Charleston Field Offices. We recommend you continue ongoing coordination with the Service, the South Carolina and North Carolina Heritage Programs. If you have any questions please contact Ms. Lori Duncan of my staff at (843) 727-4707 ext. 21. In future correspondence concerning the project, please reference FWS Log No. 4-6-99-318.

Sincerely yours,



Roger L. Banks
Field Supervisor

RLB/LWD

cc: Mark Cantrell, USFWS, Asheville, NC