



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
 NATIONAL MARINE FISHERIES SERVICE  
 West Coast Region  
 501 West Ocean Boulevard, Suite 4200  
 Long Beach, California 90802-4213

June 17, 2016

James G. Danna  
 Chief, Environmental Review and Projects Management Branch  
 Office of Nuclear Reactor Regulation  
 Division of License Review  
 U.S. Nuclear Regulatory Commission  
 Washington, D.C. 20555-0001

Dear Mr. Danna:

NOAA’s National Marine Fisheries Service (NMFS) has reviewed a letter from the U.S. Nuclear Regulatory Commission (NRC), received May 20, 2016, requesting information regarding the current list of any species that are listed as endangered or threatened under the Endangered Species Act (ESA), that may occur on or near the Diablo Canyon Power Plant (DCPP). In response, NMFS offers the following comments pursuant to the ESA.

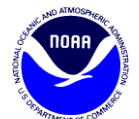
**Proposed Project**

Currently, the NRC is reviewing an application submitted by Pacific Gas & Electric Company (PG&E) for renewal of the operating license for DCPP Units 1 and 2. If approved, the renewed license would authorize PG&E to operate DCPP Units 1 and 2 for an additional 20 years beyond the current licensing periods, which expire November 2024 and August 2025, respectively. In order to identify potential species that may be affected, NRC will need to define the area that may be impacted by continued operation of DCPP, including the extent and range of impacts associated with the intake and discharge of cooling water. At this time, we assume that any ESA-listed animal that may occur in the general coastal area surrounding DCPP may be found in the action area.

**Endangered Species Act Species List**

The following species listed as threatened or endangered and critical habitats designated under the ESA may be found within the general vicinity of DCPP:

<b>Sea Turtles</b>	
Leatherback turtle ( <i>Dermochelys coriacea</i> )	Endangered
Loggerhead turtle - North Pacific Ocean DPS ( <i>Caretta caretta</i> )	Endangered
Olive ridley ( <i>Lepidochelys olivacea</i> )	Endangered <sup>1</sup>
Green turtle – East Pacific DPS ( <i>Chelonia mydas</i> )	Threatened
<b>Marine Mammals</b>	<b>Status</b>
Blue whale ( <i>Balaenoptera musculus</i> )	Endangered



Fin whale ( <i>Balaenoptera physalus</i> )	Endangered
Humpback whale – Central America DPS ( <i>Megaptera novaeangliae</i> )	Threatened <sup>2</sup>
Gray whale - western North Pacific population ( <i>Eschrichtius robustus</i> )	Endangered
Sei whale ( <i>Balaenoptera borealis</i> )	Endangered
Sperm whale ( <i>Physeter macrocephalus</i> )	Endangered
Killer whale, Southern Resident DPS ( <i>Orcinus orca</i> )	Endangered
Guadalupe fur seals ( <i>Arctocephalus townsendi</i> )	Threatened
<b>Marine Invertebrates</b>	
Black abalone ( <i>Haliotis cracherodii</i> )	Endangered
<b>Marine Fish</b>	
Green sturgeon - Southern DPS ( <i>Acipenser medirostris</i> )	Threatened
<b>Salmonids</b>	
Central California Coast coho ( <i>Oncorhynchus kistutch</i> )	Endangered
South-Central California Coast steelhead ( <i>Oncorhynchus mykiss</i> )	Threatened
Sacramento River winter Chinook ( <i>Oncorhynchus tshawytscha</i> )	Endangered
Central Valley spring Chinook	Threatened

<sup>1</sup> Globally listed as threatened, but populations associated with breeding populations along the Pacific Mexican coast are listed as endangered. Individuals found in California are assumed to be part of endangered populations.

<sup>2</sup> On April 21, 2015, NMFS proposed to divide the globally-listed humpback whale into 14 DPSs and list 2 DPSs as endangered and 2 DPSs as threatened, including the Central America DPS (80 FR 22304).

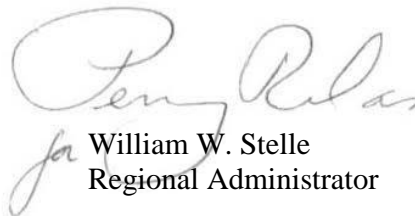
<b>Critical Habitats</b>	
Leatherback sea turtle (77 FR 4170)	Marine waters from Point Arena, CA to Point Arguello, CA from the nearshore to the 3,000 meter isobath.
Black abalone (76 FR 66806)	Rocky intertidal and subtidal habitats to the 6 meter depth bathymetry line (relative to MLLW) around specific offshore islands (the Farallon Islands, Año Nuevo Island, the Channel Islands) and along the coast in specific areas between Del Mar Landing Ecological Reserve in Sonoma County and just south of Government Point in Santa Barbara County as well as along the Palos Verde Peninsula.
South-Central California Coast steelhead (70 FR 52488)	Critical habitat includes the stream channels within the designated stream reaches, and includes a lateral extent as defined by the ordinary high-water line

There are ESA-listed species of sea turtles, marine mammals, and abalone that may be found in the vicinity of the project area. Green sea turtles have been documented as periodically entrained in or observed near the DCPD cooling water intake area. Leatherback sea turtles are also known to seasonally visit the Central California coast, and the coastal area surrounding DCPD includes designated leatherback critical habitat. Although less likely than other sea turtle species, it is also possible that loggerhead and olive ridley sea turtles could occur in the area. Several ESA-listed species of marine mammals are also known to occasionally or frequently visit or transit through the coastal waters near DCPD as evidenced by observations through scientific research and records of stranded individuals. Blue, humpback, fin, sei, and sperm whales may seasonally be found in marine waters adjacent to the project area. Gray whales regularly transit through marine waters adjacent to the project twice a year, during seasonal migrations back and forth from summer foraging grounds in Alaska to winter breeding grounds in Mexico. Most of the gray whales that travel through southern California belong to the Eastern North Pacific stock of gray whales, which is not listed under the ESA. However, recent observations have confirmed that individuals from the endangered Western North Pacific stock have been seen migrating along the U.S. west coast, and may pass through marine waters adjacent to the project area. Southern Resident killer whales may occasionally be found along the Central California coast and could occur in the coastal waters near DCPD, although Monterey Bay may represent the southern extent of known sightings. It is also possible that Guadalupe fur seals, listed as threatened, could occur in coastal waters near DCPD. Green sturgeon may also occur in coastal waters along the Central California coast, and DCPD is considered within the southern limit of their range. Several species of ESA-listed salmonids, including Chinook, coho, and steelhead may also occur in coastal waters near DCPD, and for the purposes of this list we note the most likely populations of these species that would be expected to occur in the area. DCPD also occurs within the coastal area that bounds designated critical habitat for South-Central California steelhead in freshwater habitat, and there are designated streams in the general vicinity of DCPD.

Endangered black abalone are found in rocky intertidal or subtidal habitats along the shore in the vicinity of DCPD, and DCPD occurs within designated critical habitat for this species. We recommend that the NRC consider the potential impact of continued operation of DCPD on black abalone and black abalone critical habitat during the relicensing process, in particular the risks associated with larval entrainment and the discharge of warm water effluent.

Thank you for your consideration of ESA-listed species during the development of your project planning. Upon request, NMFS Protected Resources staff in Long Beach, California is available to help in the determination of how any ESA-listed species may be directly or indirectly affected by the project, and assist the EPA with ESA compliance. NMFS staff may also be able to assist in further development of protective measures that can help minimize the potential for adverse effects to ESA-listed species. If you have any questions pursuant to this letter or other ESA issues, please contact Susan Wang at (562) 980-4199 or [Susan.Wang@noaa.gov](mailto:Susan.Wang@noaa.gov).

Sincerely,



William W. Stelle  
Regional Administrator

cc: Administrative File: 151422WCR2016PR00241