



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 14, 2016

Ms. Elise N. Zoli
Goodwin Procter LLP
100 Northern Ave.
Boston, MA 02210

SUBJECT: REPLY TO YOUR LETTER DATED OCTOBER 14, 2016, CONCERNING
ENDANGERED SPECIES ACT SECTION 7 CONFERENCE AT INDIAN POINT
NUCLEAR GENERATING UNIT NOS. 2 AND 3 FOR PROPOSED ATLANTIC
STURGEON CRITICAL HABITAT

Dear Ms. Zoli:

With this letter, I would like to acknowledge receipt of your October 14, 2016, letter (ADAMS Accession No. ML16294A281) to the U.S. Nuclear Regulatory Commission (NRC) concerning an Endangered Species Act of 1973, as amended (ESA) section 7 conference between the NRC and the National Marine Fisheries Service (NMFS) regarding the potential effects of the proposed license renewal of Indian Point Nuclear Generating Units Nos. 2 and 3 (IP2 and IP3) on the proposed critical habitat of the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*).

In your letter, you indicated that Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, and Entergy Nuclear Operations, Inc. (collectively, "Entergy") would like to participate in informal discussions between the NRC staff and NMFS related to the ESA section 7 conference to the fullest extent possible consistent with the provisions of Section 402.10(c) of Title 50 of the *Code of Federal Regulations* (50 CFR 402.10(c)). A member of my staff will be in contact with Entergy representatives to set up a teleconference or informal meeting between the NRC staff, the NMFS staff, and Entergy.

Related to the additional information that you submitted with your letter, the NRC staff is in the process of reviewing that information. I understand that Entergy also plans to submit additional comments to the NRC staff and the NMFS regarding information received from the New York State Department of Environmental Conservation (NYSDEC) concerning Hudson River sturgeon distribution and habitat. I and my staff look forward to reviewing that information and will ensure that the NMFS is aware that additional information will be submitted that is relevant to the ongoing section 7 conference.

E. Zoli

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If you have any questions concerning this letter, please contact Briana Grange, Biologist, by phone at 301-415-1042 or by e-mail at briana.grange@nrc.gov.

Sincerely,

/RA/

Jeffrey J. Rikhoff, Acting Chief
Environmental Review and
Project Management Branch
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosure:
As stated

If you have any questions concerning this letter, please contact Briana Grange, Biologist, by phone at 301-415-1042 or by e-mail at briana.grange@nrc.gov.

Sincerely,

/RA/

Jeffrey J. Rikhoff, Acting Chief
Environmental Review and
Project Management Branch
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

Enclosure:
As stated

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ADAMS Accession No.: ML16298A074

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Letter to Elise N. Zoli from Jeffrey Rikhoff dated November 14, 2016

SUBJECT: REPLY TO YOUR LETTER DATED OCTOBER 14, 2016, CONCERNING
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STURGEON CRITICAL HABITAT

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