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50-323 Diablo Canyon Nuclear Power Plant, Unit 2, Pacific Ga 05000323
AUTH.NAME AUTHOR AFFILIATION
HOWARD,G.V. Commerce,Dept.of, Maritime Administration
RECIP.NAME RECIPIENT AFFILIATION
REGAN,W.H. Assistant Director for Environmental Projects

SUBJECT: Resonds to 791130 request re consultation under Section 7 of Endangered Species Act of 1973.Operation of util not likely to jeaopardize existance of any threatened or endangered species in project area.

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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
300 South Ferry Street
Terminal Island, CA 90731

January 2, 1980 F/SWR31:JHL

William H. Regan, Jr.
Acting Assistant Director
for Environmental Projects and Technology
Division of Site Safety and
Environmental Technology
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Regan:

In response to your November 30, 1979 request for formal consultation under Section 7 of the Endangered Species Act of 1973, as amended, we have reviewed the information you submitted to this office, and find that the operation of the nuclear generating station at Diablo Canyon, California is not likely to jeopardize the continued existence of any of the threatened or endangered species under the purview of the National Marine Fisheries Service.

The gray whale (Eschrichtius robustus) is the only endangered species for which we are responsible that we would expect to find in the project area. Southward migrating gray whales may be found off the central California coast from about mid-November through mid-January. Gray whales on their northward migration pass central California from early March through late May. The majority of these whales migrate within a few kilometers of the shore (Rice and Wolman, 1971, Life History and Ecology of the Gray Whale (Eschrischtius robustus) Spec. Pub. 3 Amer. Soc. Mamm. 141 pp.), and some of them may encounter the 2° or 4°F above ambient isotherm of the thermal plume emanating from the plants cooling system and the pollutants being carried out to sea by that plume. Although the whales may be able to detect the change in temperature we do not expect the plume to interfere with their migration. Since gray whales either do not feed or feed very little while migrating we would expect negligible impacts from contact with pollutants in the concentrations described in the Final Environmental Impact Statement and its addendum.

Other endangered cetaceans that occur offshore from the project area are:

Humpback whale	Megaptera novaeangliae
Sperm whale	Physeter catodon

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Right whale	Balaena glaciales
Blue whale	Balaenoptera musculus
Fin whale	Balaenoptera physalus
Sei whale	Balaenoptera borealis

These whales are generally more pelagic than the gray whale and are not expected to be impacted by the project.

Three species of endangered sea turtles (hawksbill sea turtle, Eretmochelys imbricata; green sea turtles; Chelonia mydas; Pacific Ridley Sea Turtle, Lepidochelys olivacea) and one species of threatened sea turtle (logger-head sea turtle, Caretta caretta) may occasionally pass through the project area. These are animals at the northern limits of their ranges, and although the possibility exists that a sea turtle may encounter the thermal plume and follow it into Diablo Cove the probability of that happening appears very low. We expect the project will have negligible impacts on the eastern Pacific sea turtle populations.

In the event that additional information indicating the project is adversely impacting any of the above mentioned species becomes available, we recommend further consultation be initiated.

Sincerely yours,

Gerald V. Howard
Regional Director