



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

December 19, 2018

Mr. Jose Rivera
Branch Chief, Planning and
Resource Conservation
U.S. Fish and Wildlife Service
South Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559

SUBJECT: REQUEST FOR FORMAL CONSULTATION UNDER THE ENDANGERED
SPECIES ACT REGARDING THE PROPOSED SUBSEQUENT LICENSE
RENEWAL OF TURKEY POINT NUCLEAR GENERATING UNIT NOS. 3 AND 4

Dear Mr. Rivera:

With this letter, the U.S. Nuclear Regulatory Commission (NRC; the staff) is forwarding you a copy of the biological assessment the staff has prepared to comply with the provisions of Section 7 of the Endangered Species Act of 1973, as amended (ESA), in support of the staff's review of Florida Power & Light Company's (FPL's) application requesting subsequent license renewal for Turkey Point Nuclear Generating (Turkey Point) Unit Nos. 3 and 4. The purpose of this letter is to request initiation of formal consultation regarding potential adverse impacts to the American crocodile (*Crocodylus acutus*) and eastern indigo snake (*Drymarchon corais couperi*). In addition, the NRC is requesting the U.S. Fish and Wildlife Service's (FWS) concurrence with the NRC staff's ESA effect determination for 13 additional species that may occur within the action area, as described below.

The NRC's Federal action is the decision whether to issue subsequent renewed operating licenses for Turkey Point Unit Nos. 3 and 4 authorizing an additional 20 years of operation after the expiration of the current licenses. The current Turkey Point licenses are set to expire in July 2032 (Unit No. 3) and April 2033 (Unit No. 4). If issued, the subsequent renewed operating licenses would allow Turkey Point Unit No. 3 to operate until July 2052 and Unit No. 4 to operate until April 2053.

Turkey Point is a two-unit, nuclear-powered, steam electric generating facility located in Miami-Dade County, Florida. The Turkey Point site is located on the western edge of Biscayne Bay and is surrounded to the south and west by wetlands. FPL built and continues to use a cooling canal system to provide cooling water for Turkey Point's closed-cycle heat dissipation cooling system.

The NRC staff evaluated the potential impacts of the proposed Turkey Point subsequent license renewal on 46 Federally listed species identified in an official species list obtained through the FWS's Environmental Conservation Online System (ECOS) Information for Planning and Conservation (IPaC) tool.¹ The NRC staff determined that continued operations at Turkey Point

¹ Letter from FWS to NRC. Subject: Turkey Point Nuclear Generating Unit Nos. 3 and 4, Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed

would have no effect on 31 of these species, as described in Enclosure 1 of the enclosed biological assessment. In the enclosed biological assessment, the NRC staff evaluated the impacts of continued operations on the following 15 Federally listed endangered or threatened species:

- Florida bonneted bat (*Eumops floridanus*)
- Florida panther (*Puma concolor coryi*)
- West Indian manatee (*Trichechus manatus*)
- red knot (*Caladris rufa*)
- piping plover (*Charadrius melodus*)
- wood stork (*Mycteria americana*)
- Everglade snail kite (*Rostrhamus sociabilis*)
- Kirtland's warbler (*Setophaga kirtlandi*)
- Blodgett's silverbush (*Argythamnia blodgettii*)
- Cape Sable thoroughwort (*Chromolaena frustrata*)
- Florida semaphore cactus (*Consolea corallicola*)
- sand flax (*Linum arenicola*)
- Florida bristle fern (*Trichomanes punctatum* ssp. *floridanum*)
- eastern indigo snake
- American crocodile

In addition, the NRC staff evaluated the potential impacts of continued operations on the designated critical habitats of two of the above species: the American crocodile and the West Indian manatee.

Within the biological assessment, the NRC staff concludes that continued operations may adversely affect the American crocodile and the eastern indigo snake, and that continued operations may adversely modify designated critical habitat for the American crocodile. The NRC staff also concludes that continued operations “may affect, but is not likely to adversely affect” the other 13 species listed above, and would not adversely modify designated critical habitat for the West Indian manatee.

The NRC staff submits the enclosed biological assessment and requests formal consultation regarding the potential adverse impacts to the American crocodile and eastern indigo snake. In addition, the NRC staff requests your concurrence with its determination that continued operation of Turkey Point “may affect, but is not likely to adversely affect” the additional 13 species discussed within the biological assessment within 30 days of receipt of this letter in accordance with Title 50 of the *Code of Federal Regulations* (50 CFR) 402.12(j). I respectfully request that if you are unable to make such a determination within this time that you contact Ms. Michelle Rome Moser of my staff to discuss an alternate review timeline. Ms. Moser’s contact information appears below. Although the NRC staff understands that the FWS does not typically provide its concurrence with “no effect” determinations, the staff welcomes any comments you may have related to the 31 species for which the staff determined that continued operations would have “no effect.”

Additionally and for your awareness, in parallel with the its ESA review, the NRC staff is performing an environmental review in accordance with the National Environmental Policy Act of

1969, as amended. The staff anticipates issuing a draft supplemental environmental impact statement (SEIS) in early 2019. The staff will forward your office a copy of the draft SEIS for your review and comment once it is issued.

Should you have any questions about this letter or the staff's biological evaluation, please contact Ms. Michelle Rome Moser, Biologist, at 301-415-6509 or by e-mail at Michelle.Moser@nrc.gov.

Sincerely,

/RA/

Benjamin Beasley, Chief
Environmental Review and NEPA Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosure:
Biological Assessment

cc: Listserv

SUBJECT: REQUEST FOR FORMAL CONSULTATION UNDER THE ENDANGERED SPECIES ACT REGARDING THE PROPOSED SUBSEQUENT LICENSE RENEWAL OF TURKEY POINT NUCLEAR GENERATING UNIT NOS. 3 AND 4

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Distribution list continued on next page.

ADAMS Accession Nos.: Package ML18344A008, Letter ML18333A205; Enclosure ML18353A835
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