



United States Department of the Interior

FISH AND WILDLIFE SERVICE

2747 Art Museum Drive
Jacksonville, Florida 32207

July 11, 1984

MS. Elinor G. Adensam
Chief
Licensing Branch No. 4
Division of Licensing
Nuclear Regulatory Commission
Washington, D.C. 20555

FWS Log No. 4-1-84-229

Dear Ms. Adensam:

This responds to your letter of June 18, 1984, requesting information on Federally listed threatened and endangered species that may be affected by the Vogtle Electric Generating Station in Burke County, Georgia and its associated transmission corridors.

You stated that... "Based on our interpretation of Section 7(c) of the Endangered Species Act Amendments of 1978 (P.L. 95-632) and the fact that construction of the Vogtle Plant was begun prior to November 10, 1978, initiation of consultation is not required".

This interpretation is not entirely correct. Prior to November 10, 1978, the preparation of a biological assessment for a "construction" project was not necessary for formal consultation; however, Section 7 consultation was still required if the Federal agency determined that their action "may affect" listed species. The responsibility for protecting listed species has not changed, only some of the administrative requirements have been modified, such as preparing a biological assessment.

We have reviewed the list of threatened and endangered species attached to your letter. The three species that we are concerned about are the bald eagle, woodstork and the red-cockaded woodpecker. The shortnose sturgeon is under the jurisdiction of the The National Marine Fisheries Service, and they should be contacted if the Nuclear Regulatory Commission believes there may be an impact. In our opinion, there is no need to address the ivory-billed woodpecker or Eastern cougar.

There are no proposed plants found within the area of influence of this project.

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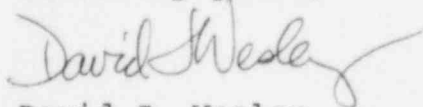
We suggest that during the evaluation of the transmission line corridor, the status of the red-cockaded woodpecker be determined. We have enclosed a map showing the known colony sites, however, others may exist in this area.

The only known woodstork rookery in this area of Georgia is located in Jenkins County, which appears not to be included in the transmission line corridor. However, if this line does involve Jenkins County, please notify our office.

For your information, Piedmont National Wildlife Refuge is located just south of the Oconee National Forest and north of Macon. If this line comes in close proximity to the Refuge, we suggest that you contact the Refuge Manager at the Piedmont National Wildlife Refuge, Round Oak, GA 31038.

We appreciate the opportunity to provide comments and if you have any questions, please contact Don Palmer in this office.

Sincerely yours,



David J. Wesley
Field Supervisor
Endangered Species Field Station

Enclosure

STATE OF GEORGIA

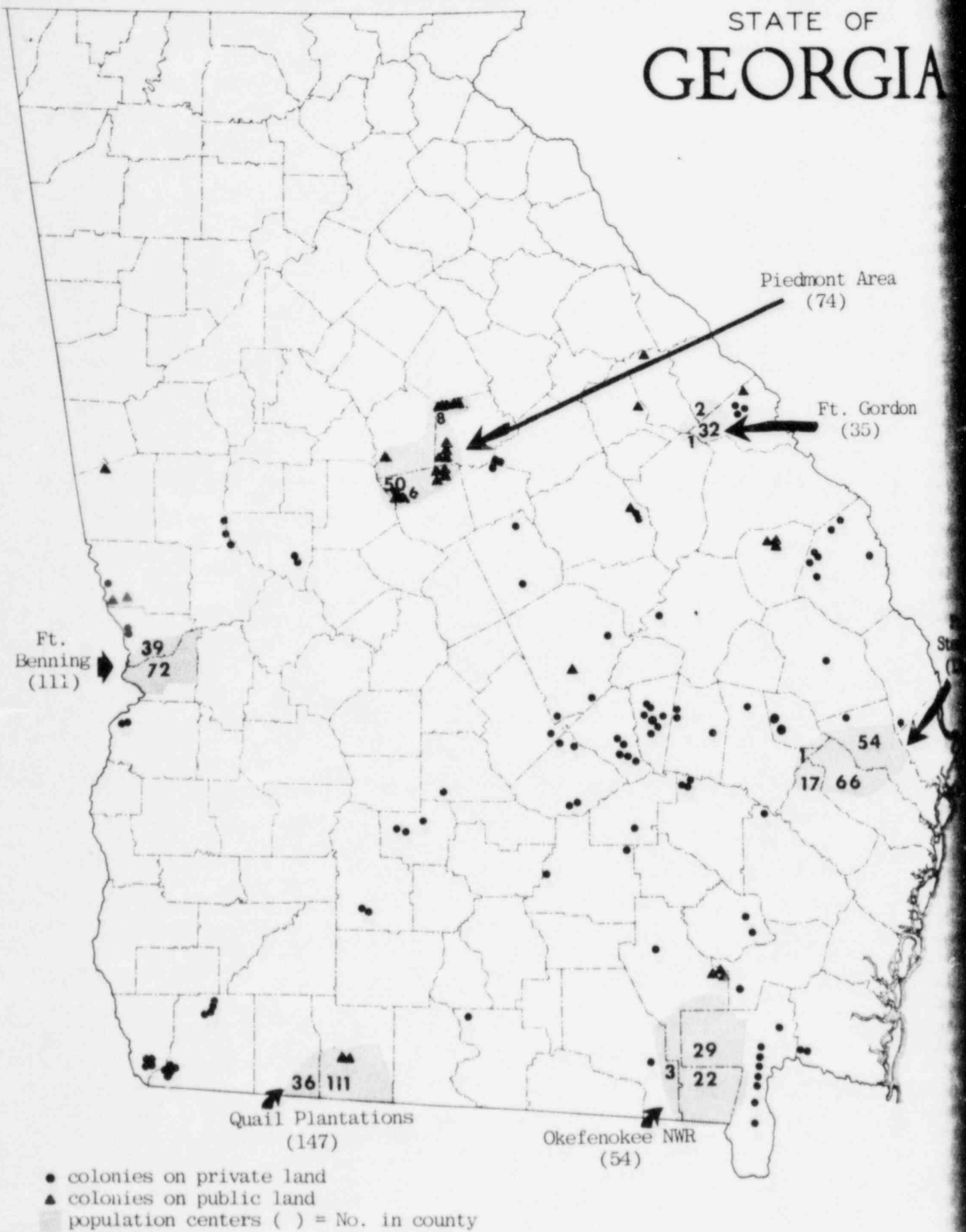


Figure 1. Red-cockaded Woodpecker colonies in Georgia: 1966-1980.