From:	Simpkins, Darin
To:	Arlene, Briana
Cc:	Utrup, Nick J
Subject:	[External_Sender] Re: [EXTERNAL] NRC Request for Concurrence with Endangered Species Act Determination for Point Beach Subsequent License Renewal, Issuance of Draft Supplemental Environmental Impact Statement, and Opportunity for Public Comment (Consul...
Date:	Wednesday, November 10, 2021 11:38:45 AM

FWS No. : 03E17000-2021-SLI-0702

Ms. Arlene:

To streamline the consultation process, the Service is transitioning away from formal signed pdf letters of concurrence for some species in certain cases where determinations of "*May Effect, Not Likely to Adversely Affect*" are made. Please consider this email our official communication for your records. Please contact Shauna Marquardt (shauna_marquardt@fws.gov; 573-239-3293) if you have any questions regarding this policy.

The U.S. Fish and Wildlife Service (Service) received information regarding the U.S. Nuclear Regulatory Commission (NRC) determination that the proposed subsequent license renewal of Point Beach Nuclear Plant, Units 1 and 2 (Point Beach) in Manitowoc County, Wisconsin, *May Affect, Not Likely to Adversely Affect* the Great Lakes population of the piping plover (*Charadrius melodus*). NRC requested concurrence with effects determinations of *"May Affect, Not Likely to Adversely Affect"* piping plover, in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq*.).

Point Beach is a two-unit nuclear power plant located on the central western shore of Lake Michigan in Wisconsin. The Point Beach site is 1,260 acres. NextEra Energy Point Beach, LLC (NextEra) owns and operates the plant. NextEra also maintains several leases allowing leaseholders to cultivate crops and generate solar power on the site. The NRC issued facility operating licenses for Point Beach in October 1970 (Unit 1) and March 1973 (Unit 2). In 2005, the NRC issued renewed facility operating licenses authorizing an additional 20 years of plant operation through October 2030 (Unit 1) and March 2033 (Unit 2).

The NRC's current Federal action is to decide whether to issue subsequent renewed facility operating licenses for Point Beach authorizing an additional 20 years of operation. If the NRC grants NextEra subsequent renewed licenses, the company could continue to operate Point Beach until October 2050 (Unit 1) and March 2053 (Unit 2).

The project's IPaC report does not identify piping plover as occurring in the action area, but NRC consulted with the Service on piping plover in 2004 during the NRC's environmental review for the Point Beach initial license renewal. During that consultation, NextEra developed and implemented a piping plover monitoring framework, and NextEra committed to performing piping plover breeding censuses in June of each year. NextEra began these surveys in 2005, and no piping plover individuals or nests have been identified on the Point Beach site since that time. Nonetheless, for the proposed Point Beach subsequent license renewal, NRC assumed that piping plovers may occur in the action area from March to early September within areas of suitable beach habitat of sufficient width to

support nesting and foraging. If present, individuals would occur infrequently and in very low numbers. Based on this analysis, NRC concluded that the proposed action is *May Affect, Not Likely to Adversely Affect* the Great Lakes population of the piping plover.

The Service concurs that this project *May Effect, Not Likely to Adversely Affect* the piping plover. No piping plover or nests have been observed and IPaC does not indicate that piping plover would be present within the action area. If piping plover were occasionally present within the action area, we do not anticipate that operations would significantly impact to the species, especially since alternative suitable habitats that are used more frequently exist outside the project limits. As conservation measures, piping plover breeding surveys will continue to be performed annually and the Service will be informed if any individuals or nests are observed.

This concludes consultation under Section 7 of the Endangered Species Act, as amended for the species listed above. Should you have any questions regarding this response, or if a change in project plans occurs, please contact Darin Simpkins (darin_simpkins@fws.gov; 920-866-1739) for additional assistance.

From: Marquardt, Shauna R <Shauna_Marquardt@fws.gov>
Sent: Tuesday, November 9, 2021 11:05 AM
To: Utrup, Nick J <nick_utrup@fws.gov>; Simpkins, Darin <Darin_Simpkins@fws.gov>
Subject: Fw: [EXTERNAL] NRC Request for Concurrence with Endangered Species Act Determination for Point Beach Subsequent License Renewal, Issuance of Draft Supplemental Environmental Impact Statement, and Opportunity for Public Comment (Consultation Code: 03E17...

NRC consultation for your review and response

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From: Quamme, Sarah <sarah_quamme@fws.gov>
Sent: Tuesday, November 9, 2021 9:59 AM
To: Arlene, Briana <briana.arlene@nrc.gov>; Green Bay, FW3 <GreenBay@fws.gov>; Marquardt, Shauna R <Shauna_Marquardt@fws.gov>
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Subject: Re: [EXTERNAL] NRC Request for Concurrence with Endangered Species Act Determination for Point Beach Subsequent License Renewal, Issuance of Draft Supplemental Environmental Impact Statement, and Opportunity for Public Comment (Consultation Code: 03E17...