

50-269/270-287



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801

November 4, 1999

Ms. Cynthia Carpenter
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Ms. Carpenter:

Subject: Biological Assessment for License Renewal at Oconee Nuclear Station,
TAC Nos. M99162, M99163, and M99164

We received a copy of your letter of June 30, 1999, and the subject biological assessment, in which you concluded the subject management activities would not likely adversely affect listed species. In a September 2, 1999, response to your letter, Mr. Roger Banks, Field Supervisor of the U.S. Fish and Wildlife Service's Charleston Field Office, indicated our concurrence with some of your findings, noting that we needed additional information about the maintenance of transmission rights-of way with respect to the following listed plants: bunched arrowhead, dwarf-flowered heartleaf, smooth coneflower, mountain sweet pitcher plant, and Schweinitz's sunflower. This response is based on a review of the biological assessment, field visits to portions of the project area, and supplemental information provided by the licensee. We are providing the following comments in accordance with the provisions of Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

According to the information provided in the biological assessment, the Nuclear Regulatory Commission is evaluating the proposed renewal of the license for the Oconee Nuclear Station, Oconee County, South Carolina. You considered approximately 330 miles of transmission lines associated with the Oconee Plant. The biological assessment evaluated effects of the proposed relicensing to listed species. Our field visit focused on right-of-way maintenance procedures. We visited one site, outside of the Oconee project area, where the licensee is managing a distribution line right-of-way for Schweinitz's sunflower, smooth coneflower, and Georgia aster (a Federal species of concern). Supplemental information from the licensee included details of right-of-way maintenance, procedures for minimizing impacts to sensitive areas, and the results of surveys for listed species.

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Based on the information provided by the licensee, the field visit, and a review of our records, we agree that the project will not likely adversely affect these federally listed species. In view of this, we believe the requirements under Section 7(c) of the Act are fulfilled. However, obligations under Section 7 of the Act must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

Please keep Mr. Mark Cantrell of our staff (Telephone 828/258-3939, Ext. 227) and Ms. Lori Duncan of the Charleston Field Office (Telephone 843/727-4707, Ext. 21) apprised of the progress on this project. In any future correspondence pertaining to this matter, please reference our Log Numbers 4-2-99-117 (Asheville Field Office) and 4-6-99-318 (Charleston Field Office).

Sincerely,


for Brian P. Cole
State Supervisor

cc:

Field Supervisor, FWS, Charleston Field Office, Charleston, SC (Attention: Ms. Lori Duncan)