

August 23, 2002

Mr. J. A. Stall
Senior Vice President, Nuclear and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: REINITIATION OF CONSULTATION UNDER SECTION 7 OF THE
ENDANGERED SPECIES ACT FOR THE ST. LUCIE NUCLEAR PLANT
(TAC NOS. MB5940 AND MB5941)

Dear Mr. Stall:

In a letter dated July 30, 2002 (enclosed), the National Marine Fisheries Service (NMFS), Southeast Regional Office, provided further clarification on the incidental take statement in the May 4, 2001, Biological Opinion for the St. Lucie plant. Based on the information contained in the letter, the U.S. Nuclear Regulatory Commission (NRC) has decided to reinitiate consultation with respect to green and loggerhead turtles (*Chelonia mydas* and *Caretta caretta*) incidently captured in the intake canal of the St. Lucie plant.

In order to conduct the consultation with NMFS, the NRC staff needs detailed information on the six green and loggerhead mortalities that occurred during Calendar year 2001. Information required, but not limited to, the following is requested: date, time, and location of discovery, condition of the specimen, general plant operating conditions during and immediately before capture, any unusual conditions in the intake canal or the condition of the block net, disposition of the specimen, any written notification documents provided to State or Federal authorities, and any conclusions on the probable cause of death.

Additionally, the NMFS letter also requested information regarding the planned modifications to the intake canal and the existing turtle excluder (block) net. The NRC staff requests a detailed description of the planned changes, a discussion as to why the changes are being made, and what the impact of the proposed changes might be on future turtle mortality rates and why.

It is the NRC staff's intent to prepare a report providing NMFS with detailed information regarding the six sea turtle mortalities that were considered causally related to St. Lucie plant operation during calendar year 2001, and a detailed description of your planned modifications to the intake canal and the turtle excluder net. The NRC staff expects to complete the report by November 1, 2002. We request a response to the above information request by September 30, 2002.

If you have any questions, please contact me at (301) 415-3974.

Sincerely,

/RA/

Brendan T. Moroney, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-335 and 50-389

Enclosure: NMFS letter dated July 30, 2002

cc w/enclosure: See next page

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Mr. J. A. Stall
Florida Power and Light Company

ST. LUCIE PLANT

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