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Appendix D - Applicant's Environmental Report
Attachment C Special-Status Species Correspondence

Southern Nuclear
Operating Company, Inc.
P. O. Box 1295
Birmingham, Alabama 35201-1295
Tel 205.992.5000



May 7, 2002

Mr. Charles Oravetz
Chief, Protected Species Branch
National Marine Fisheries Service
Southeast Regional Office
9721 Executive Center Drive North
St. Petersburg, Florida 33702

Re: Joseph M. Farley Nuclear Plant
Request for Information on Threatened or Endangered Species

Dear Mr. Oravetz:

Southern Nuclear Operating Company (SNC) is preparing an application to the U.S. Nuclear Regulatory Commission (NRC) to renew the operating licenses for Farley Nuclear Plant Units 1 and 2 (FNP). The current operating licenses for Units 1 and 2 expire in 2017 and 2021, respectively. As part of the license renewal process, the NRC requires license applicants to "assess the impact of the proposed action on threatened or endangered species in accordance with the Endangered Species Act" (10CFR51.53). The NRC will be communicating with your organization during the application review of FNP's environmental report. We are contacting you early in the application process to identify any issues that need to be addressed or any information your office may need to expedite the NRC's review.

Flows in the lower Chattahoochee River (the portion of the river between Walter F. George Reservoir and the Chattahoochee-Flint confluence) are influenced by a series of locks and dams built in the 1950s for flow regulation, hydroelectric power generation, and improved navigation. Historically, the lower Chattahoochee River was subject to extreme seasonal fluctuations in flow and was navigable only at certain times of the year. After the three locks and dams were completed, it was possible for large vessels (including tugboats and barges) to move from the Gulf of Mexico to Columbus, Georgia, via a 9-foot-deep and 100-foot-wide channel maintained by the U.S. Army Corps of Engineers.

The construction of locks and dams along the lower Chattahoochee in the 1950s severely reduced or eliminated surviving runs of most anadromous fishes native to the river system, including the Gulf sturgeon (*Acipenser oxyrinchus desotoi*), Alabama shad (*Alosa alabamae*), and Gulf Coast striped bass (*Morone saxatilis*). Gulf sturgeon were abundant in the Chattahoochee before European settlement in the 19th century, ascending the river as far as the Fall Line. Habitat destruction and overfishing in the late-19th and early 20th century decimated the Chattahoochee River population, and completion of the Jim Woodruff Lock and Dam in 1957 effectively eliminated it. Alabama shad still migrate from the Gulf of Mexico into the Apalachicola River below Jim Woodruff Dam, but are blocked from moving upstream into the Chattahoochee River.

A landlocked population of striped bass occurs in the Chattahoochee River above Jim Woodruff Dam, but there is little or no movement to and from the Gulf of Mexico. Some Chattahoochee River striped bass do move downstream and pass the Jim Woodruff Lock and Dam when river flows are unusually high, but the Jim Woodruff Dam prevents upstream movement, so these fish are unable to return to the Chattahoochee River to spawn. Large numbers of striped bass (800,000) are stocked annually in the Apalachicola-Chattahoochee-Flint river system, including Lake Seminole and Walter F. George Reservoir. Striped bass are not plentiful in the Chattahoochee River adjacent to FNP, but they are occasionally caught by anglers pursuing the more common white and hybrid bass up- and downstream of George W. Andrews Lock and Dam.

In more than 25 years of monitoring the fish populations of the lower Chattahoochee River, Alabama Power and its contractors have never collected a listed anadromous species.

SNC is committed to the conservation of significant natural habitats and protected species, and expects that operation of the Plant through the license renewal period (an additional 20 years) would not adversely affect any listed marine species. SNC does not have any plans to alter current operations over the license renewal period. Any maintenance activities necessary to support license renewal would be limited to previously-disturbed areas. There is expansion of existing facilities planned, and there is no additional land disturbance anticipated in support of license renewal. We therefore request your concurrence with our determination that license renewal would have no effect on threatened or endangered anadromous species (including candidate species and species proposed for listing) and that formal consultation is not necessary. After your review, we would appreciate your sending a letter to us detailing any concerns you may have about any listed species in the area or confirming SNC's conclusion that operation of FNP over the license renewal term would have no effect on any threatened or endangered species under the jurisdiction of the National Marine Fisheries Service. SNC will include a copy of this letter and your response in the Environmental Report that will be submitted to the NRC as part of the FNP license renewal application.

Please do not hesitate to call Mr. Jim Davis at (205) 992-7692 if you have any questions or require any additional information.

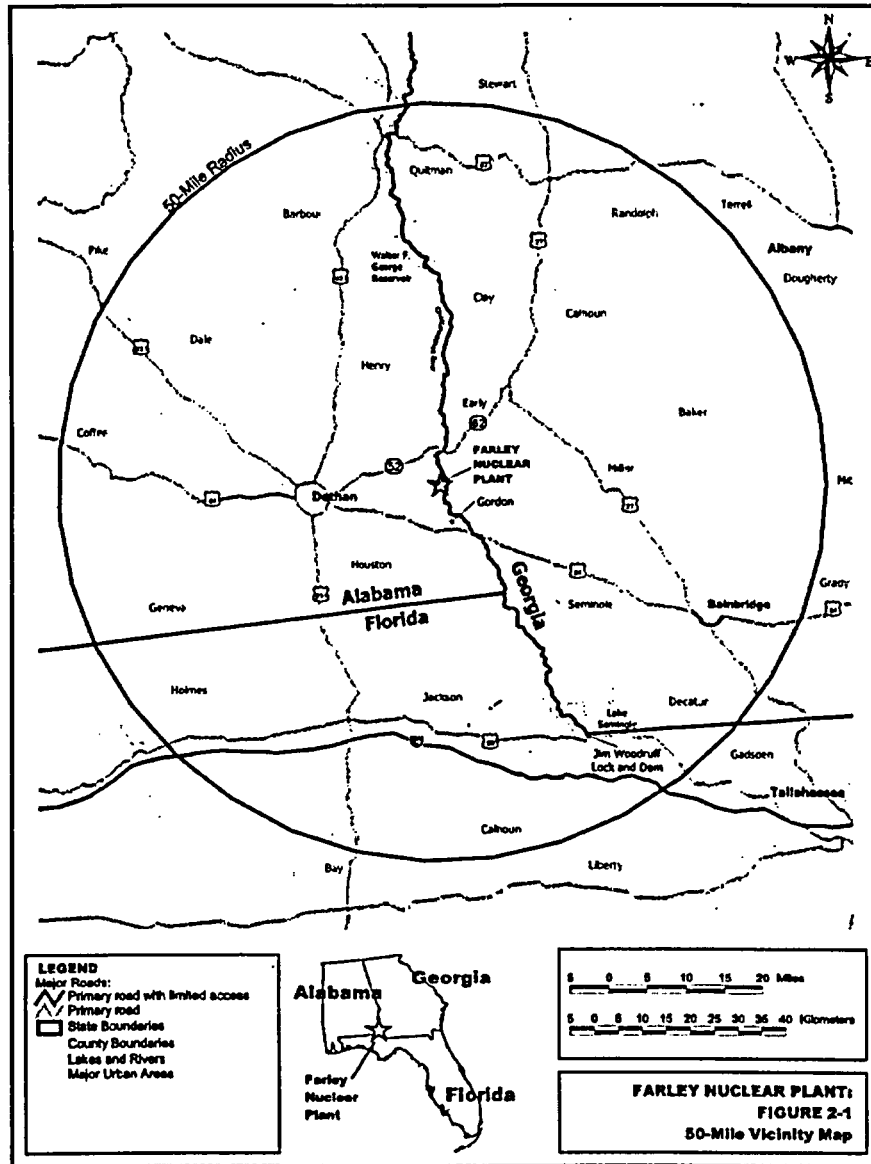
Sincerely,



C. R. Pierce
License Renewal Services Manager

Enclosure: Figure 2-1

cc: L. M. Stinson
M. J. Ajluni
W. C. Carr
T. C. Moorer
J. T. Davis



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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
9721 Executive Center Dr. N.
St. Petersburg, FL 33702
(727) 570-5312, FAX 570-5517
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F/SER3:SKB

JUN 21 2002

Mr. C.R. Pierce
License Renewal Services Manager
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
Birmingham, Alabama 35201-1295

Dear Mr. Pierce:

This is in response to your May 7, 2002, letter regarding the renewal of the operating licenses for the Farley Nuclear Plant (FNP) Units 1 and 2. Thank you for giving us the opportunity to comment on the project so early in the application process. We have considered the project and submit the following with respect to possible effects on the threatened Gulf sturgeon (*Acipenser oxyrinchus desotoi*), listed September 30, 1991 under the Endangered Species Act (ESA).

The FNP is located on the Chattahoochee River which is a part of the Apalachicola-Chattahoochee-Flint river system. The Chattahoochee and the Flint rivers join near the Florida/Georgia state borders and form Lake Seminole which then drains through the Jim Woodruff Lock and Dam (JWLD) into the Apalachicola River. Although there are numerous reports of Gulf sturgeon in the Chattahoochee and Flint rivers prior to the construction of the JWLD, no evidence exists that Gulf sturgeon pass through the JWLD system. Therefore it is likely that the JWLD precludes any passage of the Gulf sturgeon from the Apalachicola River into Lake Seminole and contiguous rivers.

Critical habitat was proposed for the Gulf sturgeon on June 6, 2002, (67 FR 39105). The Apalachicola River (from its mainstem beginning at the JWLD downstream to its discharge at Apalachicola Bay, Florida, including all Apalachicola River distributaries) was included in the proposed Gulf sturgeon critical habitat designation. This inclusion as proposed critical habitat demonstrates the Apalachicola's essential role in the conservation of the Gulf sturgeon.

Riverine spawning sites were identified as a constituent element (essential for conservation) in the proposed Gulf sturgeon critical habitat designation. Gulf sturgeon require specific substrate suitable for egg deposition and development such as limestone outcrops and cut limestone banks, bedrock, large gravel or cobble beds, marl, soapstone or hard clay. Because the Gulf sturgeon were abundant in the Chattahoochee prior to construction of the JWLD, suitable habitat was



evidently available in the river. Currently the distribution and availability of appropriate Gulf sturgeon spawning habitat in the Chattahoochee River is unknown.

We recommend FNP initiate a reconnaissance study to investigate the availability and distribution of appropriate Gulf sturgeon spawning habitat in the lower Chattahoochee River. NMFS would be happy to participate in the design of such a study and the results would immediately assist in our efforts to conserve the Gulf sturgeon.

NMFS also recommends that you contract the U.S. Fish and Wildlife Service (FWS) for their concurrence with your determination that license renewal would not effect listed species, and that formal consultation in the license renewal application would not be necessary. Although the Gulf sturgeon is jointly managed by FWS and NMFS, division of jurisdictional responsibilities was proposed in the June 6 critical habitat designation. In the proposed rule (67 FR 39105, June 6, 2002), consultation coordination was proposed as follows: FWS is responsible for all riverine actions, consultations for estuarine activities are to be directed to either FWS or NMFS based on action agency, and NMFS is responsible for all consultations in marine areas. Therefore, because of location, section 7 consultation for the FNP is likely to fall within FWS jurisdiction.

We look forward to working with the Southern Nuclear Operating Company, Inc. and the FNP in conserving our endangered and threatened resources. If you have any questions, please contact Dr. Stephania Bolden, fishery biologist, at (727) 570 - 5312 or by e-mail at stephania.bolden@noaa.gov.

Sincerely yours,



Georgia Cranmore
Assistant Regional Administrator
for Protected Resources

cc: F/PR3
FWS - Panama City

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