

21 September 2005

Mr. Jeff Cooper (Rapture/Predatory Bird Specialist)
Va. Dept of Game & Inland Fisheries
1320 Belman Road
Fredericksburg, Va. 22401
(Via Email -- JEFF.COOPER@DGIF.VIRGINIA.GOV)

Dear Mr. Cooper

Thank you for discussing the bald eagle (protected species) population at Lake Anna yesterday. We need your help to verify the many bald eagles that we see on a daily basis and the associated nesting sites at Lake Anna. The Friends of Lake Anna, which now represents over 2,100 persons, is concerned with the proposed expansion of the North Anna nuclear plant and the Early Site Permit requested by Dominion Resources. We are not anti-nuclear and do not have "not in my backyard" sentiments, but do not support adding a 3rd nuclear water-cooled reactor when there is inadequate water (as defined by the Va. Dept of Water Resources) to support this activity. We have recommended that Dominion pursue a dry-air-cooled reactor for 3rd reactor similar to what they proposed for the 4th reactor. We are very concerned with the 1,000 plus fish kills that we witnessed on the warm side of Lake Anna and the possible diminished food supply for the bald eagles that are in the immediate area of the North Anna power plant and this fish kill situation would worsen if Dominion heated the water to 113 degrees as proposed.

In reviewing the draft environmental impact statement produced by the Nuclear Regulatory Commission (NRC) in Nov 2004 and also the Mar 3, 2005 memo prepared by the Virginia Department of Environmental Quality, we noticed that they said in part that the closest bald eagle nest to the plant is approximately 10 miles from the plant. We called this inaccuracy to the attention of Ms. Ellie Irons on August 31, 2005 in a letter to the Virginia Department of Environmental Quality (VDEQ). I will quote from a portion of that memo below" Quote

Also on Saturday, we had our first look at a copy of the Draft Environmental Impact Statement for an early site Permit (ESP) at the North Anna ESP Site dated Nov 2004 that was prepared by the NRC and found some apparent misinformation and also lack of information that was communicated to the staff that prepared the report. One of the examples is:

(3) Section 4.4.3 (Threatened and Endangered Species) appears to have inaccurate data as currently stated Quote "The bald eagle is occasionally observed perching or foraging on the shore of Lake Anna. However the closest known bald eagle nesting site is located approximately 16km (10 mi) upstream from the North Anna ESP site" Unquote.

Note: Those of us who live on the lake see many bald eagles on a daily basis very close to the North Anna site. For example, two of the suspected bald eagle nesting sites are located as follows: (1) located at GPSS coordinates N38 degrees 1.853 W 77 degrees 45.688 which is 1.9 miles from the North Anna discharge canal and (2) located at GPSS coordinates N38 degrees 4.856 and W77 degrees 49.147 which is 2.2 miles from the North Anna Discharge Canal. We feel certain there are many more nesting sites, but wanted to identify those the Friends Group was familiar with. There may be others on the 1,000 acre nuclear plant site, which is a much wooded area and not open to the public.

UNQUOTE

FRIENDS OF LAKE ANNA, VIRGINIA

As we discussed yesterday, we see bald eagles flying all over the lake area on a daily basis throughout the year. We also identified the two suspected nest sites that are very close to the North Anna plant, without much difficulty. We are very concerned that if Dominion receives the ESP that they may clear over 50 acres using their preconstruction activity license under the ESP and may destroy current bald eagle nesting sites. Unfortunately, we cannot enter the 1,000 acre compound that Dominion has to verify the exact bald eagle nesting sites, so we need your immediate assistance.

We respectfully request that your department investigates the Dominion North Anna plant 1,000 acre compound and the immediate surrounding area for bald eagle nesting sites prior to any future construction activity beginning.

Please feel free to call if you need some assistance with a boat to visit the suspected eagle nest site on the warm side of Lake Anna. I will look forward to your response of when you could schedule the above investigation.

Sincerely,

Harry Ruth
For the Friends of Lake Anna

CC: Ms. Ellie Irons (Va. Dept of Environmental Quality
- via Email to ELIRONS@DEQ.VIRGINIA.GOV

Mr. Jack Cushing, Environmental Project Manager for North Anna ESP Site Application
- via email to: JXC9@NRC.GOV