



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pennsylvania Field Office
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March 14, 2013

Laura Quinn-Willingham
Environmental Project Branch 2
Division of New Reactor Licensing
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop: T-6 C32
Washington, DC 20555

RE: USFWS Project #2009-0501 – List Request
Bell Bend Nuclear Power Plant, Luzerne County
Humboldt Alternative, Luzerne County
Seedco Alternative, Northumberland County
Montour Alternative, Montour County

Dear Ms. Quinn-Willingham:

This responds to your letter of June 12, 2012, requesting information about federally listed, proposed and candidate species, and critical habitat, in the vicinity of the proposed Bell Bend Nuclear Power Plant, as well as three alternative sites in Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

Bell Bend Site

With regard to the Bell Bend site, we provided an updated species list to Michael J. Caverly of Pennsylvania Power and Light on November 29, 2012. With the exception of the federally-listed, endangered Indiana bat (*Myotis sodalis*), no other federally listed, proposed or candidate species are known to occur in or near the Bell Bend project boundary.

Humboldt Site

The 3,796-acre Humboldt site is located approximately 5 miles west of Hazelton in Luzerne County. The project area is located within the swarming habitat associated with a known Indiana bat hibernaculum. Consequently, forests and woodlots in the project area may be used by Indiana bats for foraging and roosting throughout the spring, summer and fall.

To determine whether Indiana bats also use this area as maternity habitat, a summer survey is recommended. As the Service is in the process of evaluating and refining the summer survey protocol for the Indiana bat, we recommend that you periodically check the Pennsylvania Field Office website (http://www.fws.gov/northeast/pafo/endangered_species.html) for updates regarding the protocol.

In addition, suitable hibernating habitat for Indiana bats may occur in abandoned mines located in or near the Humboldt site. Mine openings in the project area should be assessed by a qualified Indiana bat surveyor in accordance with Service-approved survey protocols. A surveyor list and bat survey protocols for mine portals can be found on the Service's Pennsylvania Field Office website at <http://www.fws.gov/northeast/pafo/surveys.html>.

Seedco Site

The 1,061-acre Seedco site is located approximately 2.5 miles east of Shamokin in Northumberland County. No federally-listed, proposed or candidate species are known to occur in or near the project area. However, the project area is located within the range of the federally-listed endangered Indiana bat. To determine whether Indiana bats use this area as maternity habitat, a summer survey is recommended. As the Service is in the process of evaluating and refining the summer survey protocol for the Indiana bat, we recommend that you periodically check the Pennsylvania Field Office website for updates regarding the protocol and its implementation.

In addition, suitable hibernating habitat for Indiana bats may occur in abandoned mines located in or near the Seedco site. Mine openings in the project area should be assessed by a qualified Indiana bat surveyor in accordance with Service-approved survey protocols. A surveyor list and Indiana bat survey protocols for mine portals can be found on the Service's Pennsylvania Field Office website.

Montour Site

The 2,500-acre Montour site is located approximately two miles northeast of Washingtonville, adjacent to the Montour Coal Fired Power Plant in Montour County. This site is also within the range of the Indiana bat; therefore, development of this area should be evaluated with respect to this species. Depending on the anticipated impacts of the project on forest habitat, seasonal restrictions on forest removal and/or a summer bat survey may be warranted. We would need to know the extent of anticipated forest impacts before making final recommendations. As the Service is in the process of evaluating and refining the summer survey protocol for the Indiana bat, we recommend that you periodically check the Pennsylvania Field Office website for updates regarding the protocol and its implementation.

In addition, suitable hibernating habitat for Indiana bats may occur in abandoned mines located in or near the Montour site. Mine openings in the project area should be assessed by a qualified Indiana bat surveyor in accordance with Service-approved survey protocols. A surveyor list and Indiana bat survey protocols for mine portals can be found on the Service's Pennsylvania Field Office website.

Critical Habitat

There is no federally-designated critical habitat in or near the Bell Bend, Humboldt, Seedco or Montour project areas.

Bald Eagle


Bald eagles (*Haliaeetus leucocephalus*) and an active bald eagle nest have been documented within the Montour project area, along the shoreline of a reservoir located in the northern part of the project area.

Although the bald eagle no longer receives protection under the federal Endangered Species Act, this species is protected under the Migratory Bird Treaty Act (MBTA), and the Bald and Golden Eagle Protection Act (Eagle Act, 54 Stat. 250, as amended; 16 U.S.C. 668-668d). The Eagle Act prohibits killing, selling, or otherwise harming eagles, their nests, or their eggs. The Eagle Act also includes provisions not found in the MBTA, including the protection of unoccupied nests and a definition of take that prohibits disturbing eagles.

The Service recommends that applicants carefully evaluate their proposed project in light of the *National Bald Eagle Management Guidelines* to determine whether or not eagles might be disturbed as a direct or indirect result of the project. These guidelines as well as additional eagle information are available at <http://www.fws.gov/northeast/ecologicalservices/eagle.html>.

Our response to your list request is valid for two years from the date of this letter. *Please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

Sincerely,



Sarah Gannon-Nagle
Acting Field Office Supervisor

cc:

Tracey Librandi-Mumma - PGC

Amy Elliott - COE

Gary Petrewski - PPL