



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

3817 Luker Road  
Cortland, NY 13045



July 14, 2015

David J. Wrona, Chief  
Environmental Review and Guidance Update Branch  
Division of License Renewal  
Office of Nuclear Reactor Regulation  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dear Mr. Wrona:

This responds to your July 1, 2015, letter regarding the proposed renewal of Facility Operating Licenses DPR-26 and DPR-64 for an additional 20 years at the Indian Point Nuclear Generating Units 2 and 3 located in the Village of Buchanan, Westchester County, New York. The Nuclear Regulatory Commission (NRC) prepared a biological assessment (BA) evaluating the potential impacts of activities associated with this renewal on the federally-listed endangered Indiana bat (*Myotis sodalis*) and the federally-listed threatened northern long-eared bat (*Myotis septentrionalis*). There is no construction (and, therefore, no tree clearing) associated with the proposed action. The BA assessed the potential for impacts associated with presence of the existing facility (discountable collision risk) as well as the potential for impacts associated with noise, lighting, and other human activity during continued operations of the existing facility.

Pursuant to Section 7(a)(2) of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the NRC has determined that the proposed project may affect, but is not likely to adversely affect, the Indiana bat nor the northern long-eared bat. Based on the analysis provided in the BA, we concur with your determination.

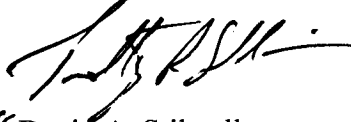
No further coordination or consultation pursuant to the ESA is required with the U.S. Fish and Wildlife Service (Service) at this time. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of federally-listed and proposed endangered and threatened species in New York is available for your information. Until the proposed project is complete, we recommend that you (or the project sponsor) check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.\*

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and the New York State Department of Environmental Conservation.

Thank you for your time. We would also like to thank you and your staff for providing us with a well-written BA. If you require additional information please contact Robyn Niver at 607-753-9334. Future correspondence with us on this project should reference project file 70193.

Sincerely,

  
Acting  
for David A. Stilwell  
Field Supervisor

\*Additional information referred to above may be found on our website at:  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

cc: NYSDEC, New Paltz, NY (Env. Permits)