

August 21, 2015

Mr. Louis Chiarella
Assistant Regional Administrator
National Marine Fisheries Service
Habitat Division, NE Regional Office
55 Great Republic Drive
Gloucester, MA 01930

SUBJECT: SUBMITTAL OF THE SUPPLEMENTAL BIOLOGICAL ASSESSMENT, AND
THE SUPPLEMENTAL ESSENTIAL FISH HABITAT ASSESSMENT FOR THE
EARLY SITE PERMIT FOR THE PSEG SITE

Dear Mr. Chiarella:

The U.S. Nuclear Regulatory Commission (NRC) is reviewing an application submitted by PSEG Power, LLC, and PSEG Nuclear, LLC (PSEG), for an early site permit (ESP) for the PSEG Site. The U.S. Army Corps of Engineers (USACE), Philadelphia District, is participating as a cooperating agency under the requirements of the National Environmental Policy Act of 1969, as amended (NEPA), as part of its review conducted for action on a Department of the Army permit application. As part of the review of the proposed actions, the NRC and USACE review team completed the draft environmental impact statement (DEIS), biological assessment (BA), and essential fish habitat (EFH) assessment to evaluate the environmental impacts from building and operating a new nuclear power plant at the PSEG Site, including impacts on Federally listed species and Federally managed fish and their EFH. A copy of the DEIS, NUREG-2168, "Environmental Impact Statement for an Early Site Permit (ESP) at the PSEG Site: Draft Report for Comment," which included a BA and EFH assessment in Appendix F to the DEIS, was provided for your information and review in August 2014. National Marine Fisheries Service (NMFS) commented on the DEIS and requested specific supplemental information for both the BA and EFH. The NRC staff has prepared both a supplemental BA and supplemental EFH assessment to address information requested by NMFS. These new documents augment the information provided in the previous BA and EFH assessment; hence are complements, not replacements. Both the original documents and the enclosed supplements will be published in Appendix F of the final environmental impact statement (FEIS).

The supplemental BA examines the potential impacts of the proposed project on seven Federally listed species that occur, or have the potential to be present, in the site vicinity: the Shortnose Sturgeon (*Acipenser brevirostrum*), the Atlantic sturgeon (*A. oxyrinchus oxyrinchus*), the loggerhead sea turtle (*Caretta caretta*), the Atlantic green sea turtle (*Chelonia mydas*), the hawksbill sea turtle (*Eretmochelys imbricata*), the leatherback sea turtle (*Dermochelys coriacea*), and the Kemp's ridley sea turtle (*Lepidochelys kempii*). There are no areas designated as critical habitat for threatened and endangered species near the PSEG Site. The supplemental EFH assessment provides an evaluation of the impacts of the proposed project on designated EFH and the respective Federally managed fish species that may occur within the vicinity of the PSEG Site.

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Please note that the NRC and USACE have different regulatory authorities. In the event that NMFS issues an Incidental Take Statement (ITS), please specify in the ITS which Terms and Conditions are imposed on which agency.

If you have any questions regarding the supplemental BA, or EFH assessment, please contact Dr. Allen Fetter, NRC Environmental Project Manager, by phone at 301-415-8556, or via e-mail to Allen.Fetter@nrc.gov.

Sincerely,

/RA/

Jennifer Dixon-Herrity, Chief
Environmental Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-043

Enclosure:
As stated

cc: See next page

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/RA/

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Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-043

cc: See next page

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ACCESSION NOS:

Package: ML15229A189

Letter: ML15229A152

PSEG ESP BA Supplement: ML15231A406

PSEG ESP EFH Supplement: ML15231A746

***via email**

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DATE	08/14/2015	08/20/2015	08/14/2015	08/14/2015	08/21/2015

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