

February 16, 2016

Ms. Regena Bronson  
U.S. Army Corps of Engineers  
Fredericksburg Field Office  
1329 Alum Spring Road  
Suite 202  
Fredericksburg, Virginia 22401

**NORTH ANNA POWER STATION  
USACE PERMIT NO. 10-V1256/NAO-2008-2534  
SPECIAL CONDITION: THREATENED AND ENDANGERED SPECIES SURVEYS**

Dear Ms. Bronson:

U.S. Army Corps of Engineers permit number 10-V1256/NAO-2008-2534 was issued to Dominion on September 29, 2011, for wetland impacts associated with construction and operation of a nuclear unit (Unit 3) at our North Anna Power Station (NAPS) site in Louisa County. In addition, the permit allows impacts associated with a supporting off-load facility at the Walkerton landing in King William County on the Mattaponi River. On page 3 of the permit, a Special Condition entitled "Threatened and Endangered Species" states, in part:

*Surveys for federally listed threatened and endangered species and/or their habitat shall be conducted every two years, commencing in 2012, until initiation of impacts.*

Currently, there are seven species that are federally listed as either threatened or endangered that have been documented or have suitable habitat within the project Counties. Two species (Northern long-eared bat, Atlantic Sturgeon) were federally listed after the Corps' permit was issued.

• Dwarf wedgemussel ( <i>Alasmodonta heterodon</i> )	Federally Endangered
• James spiny mussel ( <i>Pleurobema collina</i> )	Federally Endangered
• Swamp Pink ( <i>Helonias bullata</i> )	Federally Threatened
• Sensitive joint-vetch ( <i>Aeschynomene virginica</i> )	Federally Threatened
• Small-whorled pogonia ( <i>Isotria medeoloides</i> )	Federally Threatened
• Northern long-eared bat ( <i>Myotis septentrionalis</i> )	Federally Threatened
• Atlantic Sturgeon ( <i>Acipenser oxyrinchus</i> )	Federally Endangered

Three of the above-listed species (Dwarf wedgemussel, James spiny mussel, Swamp pink) do not require surveys. The U.S. Fish and Wildlife Service (Chesapeake Bay Field Office letter dated May 20, 2005) and the Nuclear Regulatory Commission (NRC; *Supplemental Information to the Biological Assessment for the North Anna Power Station Combined License Application*, U.S.

Nuclear Regulatory Commission Docket No. 52-017; dated September 2013), determined that suitable habitat for these species does not exist within the project boundaries.

Surveys for the Northern long-eared bat will be performed in May, 2016, to determine if this species is present at the NAPS site. Tree clearing is not proposed at the Walkerton off-load facility; therefore, bat surveys are not required at this site. Survey protocols will follow the guidelines in the *Northern Long-Eared Bat Interim Conference and Planning Guidance* (dated January 6, 2014).

Three species (Sensitive joint-vetch, Small-whorled pogonia, Atlantic Sturgeon) have suitable habitat within the project areas and would still require the biennial surveys. Atlantic Sturgeon do not occur in the immediate vicinity of the NAPS site but may occur near the Walkerton off-load facility in the Mattoponi River. Because the Atlantic Sturgeon was listed in 2014, previous surveys have not been performed at the project site. NRC is currently consulting with the National Marine Fisheries Service (NMFS) regarding potential impacts of the Walkerton off-load facility to Atlantic Sturgeon. The NMFS has prepared a draft Request for Additional Information (RAI) to the NRC to be finalized in the near future regarding Atlantic Sturgeon.

Suitable habitat for Small-whorled pogonia exists at the NAPS site; and exists for Sensitive joint-vetch at the Walkerton off-load facility. Surveys were initiated for these two species in 2012 and resulted in neither species being observed. In 2014, a waiver from performing the biennial surveys was granted from the Corps of Engineers (email from Tucker Smith, June 24, 2014).

Construction at either site is not anticipated in the near future. Consequently, we are requesting a waiver of the threatened and endangered species survey requirement for 2016 for Small-whorled pogonia, Sensitive joint-vetch, and Atlantic Sturgeon. We understand that surveys will be required for these species prior to any construction at either site should it occur prior to 2018 (the next required round of biennial surveys).

For any questions regarding this request, please contact Karen Canody of Dominion's Electric Environmental Services Department at (804) 271-5301.

Sincerely,



Cathy C. Taylor  
Director, Electric Environmental Services

cc: Mark Giles – Dominion - Director Nuclear Project Technical Support

Bc: Pamela Faggert – IN 2NW  
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Documentum: North Anna – North Anna 3 – T&E Surveys for 2016