



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 21, 2018

Mr. Thomas R. Chapman
Supervisor
U.S. Fish and Wildlife Service
New England Ecological Services Field Office
70 Commercial St., Suite 300
Concord, NH 03301

SUBJECT: REQUEST FOR CONCURRENCE WITH THE U.S. NUCLEAR REGULATORY COMMISSION'S DETERMINATION THAT LICENSE RENEWAL OF SEABROOK STATION, UNIT 1, IS NOT LIKELY TO ADVERSELY AFFECT THE NORTHERN LONG-EARED BAT, RUFA RED KNOT, PIPING PLOVER, AND ROSEATE TERN

Dear Mr. Chapman:

With this letter, the U.S. Nuclear Regulatory Commission (NRC) staff is forwarding a biological evaluation supporting the NRC's review of the application for renewal of Facility Operating License No. NPF-86. On June 1, 2010, NextEra Energy Seabrook, LLC (NextEra) requested an additional 20 years of commercial operation at Seabrook Station, Unit 1 (Seabrook). The enclosed evaluation addresses four species: northern long-eared bat (*Myotis septentrionalis*), rufa red knot (*Calidris canutus rufa*), piping plover (*Charadrius melodus*), and roseate tern (*Sterna dougallii dougallii*). The purpose of this letter is to request the U.S. Fish and Wildlife Service's (FWS) concurrence with the NRC staff's determination that the proposed license renewal of Seabrook is not likely to adversely affect these species.

Background

The NRC previously considered the potential effects of the proposed Seabrook license renewal on federally listed species under the FWS's jurisdiction in its final Supplement 46 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Seabrook Station" (FSEIS), which the NRC issued in July 2015.¹ During the development of the FSEIS, the NRC consulted with the FWS concerning the piping plover and roseate tern. The NRC concluded that the proposed license renewal was not likely to adversely affect these species, and the FWS concurred with this determination in a letter dated September 1, 2010. Appendix D of the FSEIS identifies relevant agency correspondence related to this consultation, and Appendix B of the enclosed evaluation includes a summary of the consultation and a reproduction of the FWS's September 1, 2010, concurrence letter.

In 2015, the FWS published final rules that list the northern long-eared bat and rufa red knot as threatened under the ESA throughout the two species' ranges, which include Rockingham County in which Seabrook is located. The enclosed biological evaluation considers the potential effects of the proposed license renewal on these two species, neither of which were addressed

¹ NUREG-1437, Supplement 46, Final Report, can be accessed at <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1437/supplement46/>.

during the previous consultation. In the biological evaluation, the NRC staff also considers whether any new or updated information exists that would affect the staff's previous finding that Seabrook license renewal is not likely to adversely affect the piping plover and roseate tern.

Project Summary

Seabrook is a one-unit nuclear power reactor located on an 889-ac (360-ha) site in the Town of Seabrook, Rockingham County, New Hampshire. NextEra operates and maintains the plant as an agent for the Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Lighting Plant. The NRC issued a facility operating license for Seabrook on March 15, 1990, and commercial operation began in August 1990. Seabrook's current license authorizes NextEra to operate the plant for a 40-year period through March 15, 2030.

The NRC's Federal action is the decision whether to renew the Seabrook operating license for an additional 20-year period, as requested in NextEra's application. If the NRC issues NextEra a renewed license, NextEra could continue to operate Seabrook through March 15, 2050.

ESA "Not Likely to Adversely Affect" Determinations

In the enclosed biological evaluation, the NRC staff describes the action area, the relevant life history characteristics, available ecological studies, and potential for the northern long-eared bat and rufa red knot to be present in the action area. The NRC staff then evaluates the potential impacts of license renewal on these species and finds all potential impacts to be insignificant, discountable, or both. Accordingly, the NRC staff concludes that the proposed license renewal may affect, but is not likely to adversely affect the northern long-eared bat and rufa red knot. The NRC staff also determines that no new information exists concerning the piping plover and roseate tern that would affect the NRC staff's previous determination that license renewal is not likely to adversely affect those species.

The NRC staff submits the enclosed evaluation for your review and requests your concurrence with its determination that Seabrook license renewal "may affect, but is not likely to adversely affect" the northern long-eared bat, rufa red knot, piping plover, and roseate tern within 30 days of receipt of this letter in accordance with Title 50 of the *Code of Federal Regulations* (50 CFR) 402.12(j). I respectfully request that if you are unable to make such a determination within this timeframe, you contact Ms. Briana Grange, Biologist, of my staff by phone at 301-415-1042 or by e-mail at briana.grange@nrc.gov to discuss an alternate review schedule.

You may address your response to me by U.S. mail at the following address: Benjamin Beasley, Division of Materials and License Renewal, Office of Nuclear Reactor Regulation, Mail Stop: OWFN-11-F01, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. If responding electronically, please address your correspondence to me at benjamin.beasley@nrc.gov and copy Briana Grange at briana.grange@nrc.gov.

Conclusion

I look forward to future coordination with your office to ensure the continued protection of federally listed species at Seabrook. Should you need to discuss the requests made in this letter or any other matters related to Seabrook and ESA Section 7 consultation, please contact Briana Grange.

Sincerely,

/RA/

Benjamin Beasley, Chief
Environmental Review and NEPA Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosure: Biological Evaluation

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