

**Subject:** FW: Surry Relicensing, Scoping Comments: NRC-2018-0280 (ESSLog# 38468)  
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ADD=Eric Oesterle, Tam Tran, Barbara Hayes

**From:** Ewing, Amy <amy.ewing@dgif.virginia.gov>  
**Sent:** Thursday, February 14, 2019 11:38 AM  
**To:** Castellon, Krupskaya <Krupskaya.Castellon@nrc.gov>  
**Subject:** [External\_Sender] Surry Relicensing, Scoping Comments: NRC-2018-0280 (ESSLog# 38468)

COMMENT (11)  
PUBLICATION DATE: 12/20/2018  
CITATION 83 FR 65367

I apologize if these comments are late. I hope they are still useful.

We have reviewed the information available for the subject project, relicensing of Surry Power Station (SPS) Units 1 and 2, located at Surry Power Station in Surry County, adjacent to Hog Island Wildlife Management Area, owned and managed by the Virginia Department of Game and Inland Fisheries. We note that the applicant, Dominion Energy, reached out to us for information about wildlife resources under our jurisdiction that are known from the project area, and have, therefore, been provided this same information as has the Virginia Department of Environmental Quality's Office of Environmental Impact Review.

Since SPS was licensed and began operation, Atlantic sturgeon, in addition to other wildlife native to VA, have been federally listed as an Endangered Species. Therefore, the James River has been designated a Threatened and Endangered Species Water due to presence of Atlantic sturgeon. These fish are known from the river year-round, and to engage in both spring and fall migration and spawning in this reach of the river. These fish also are known to congregate in the James River from Hog Island downstream. In addition, this stretch of the James River, and Lawnes Creek, have been designated Anadromous Fish Use Areas because of the presence of alewife herring, blueback herring, American shad, striped bass, yellow perch, and hickory shad. The applicant stated in their coastal consistency determination that with relicensing and continued operation of SPS, "aquatic organisms would continue to be impinged and entrained at the intake structure, but these impacts were determined to be SMALL." To protect resident aquatic species including federally Endangered Atlantic sturgeon and other anadromous fishes from impingement and entrainment, we recommend that the applicant consider redesign/retrofitting of the cooling water intake on the James River to take advantage of currently best technology available (BTA). In addition, we are concerned about potential impacts of cooling water discharge upon Atlantic sturgeon. Furthermore, we understand that it is necessary for the applicant to periodically dredge the canal that diverts water from the James River to the cooling water intake, an activity which also may impact sturgeon. We note that NRC may engage in consultation with the U.S. Fish and Wildlife Service to address potential impacts of this project on Atlantic sturgeon, and that USFWS has expressed interest in our input to that process. We gladly would participate in such discussions, and believe such consultation may offer the best path toward determination of appropriate measures, if any, that are needed to ensure continued protection of Atlantic sturgeon and other resident aquatic species. Such measures could include intake screen mesh or design, intake velocity restrictions, or time-of-year restrictions on certain dredging or instream construction activities. Though we would anticipate mutual agreement among the agencies regarding any measures that may be appropriate, until such issues are resolved, we cannot determine the likely impacts of relicensing and continued operations on these fishery resources. We also recommend that NOAA Fisheries Service be included in these discussions, as a cognizant federal agency.

Regarding other fish and wildlife resources under our jurisdiction, we offer the following additional comments:

(1) We recommend coordination with the USFWS regarding potential impacts upon federally Threatened northern long-eared bats associated with any tree removal associated with upland development on site.

(2) We document state Endangered peregrine falcons from the project area. Based on the information we currently have, we do not believe this project is likely to result in adverse impacts upon peregrine falcons. However, we recommend the applicant consider this species as one that may be encountered onsite, especially as they could be impacted by future site development.

(3) We document bald eagle nests, roosts, and the James River Bald Eagle Concentration Zone from the project area. Significant habitat alteration, location of water-dependent facilities within concentration zones and/or near nests, or other recreational and commercial activities may result in adverse impacts upon eagles. Therefore, we recommend that the applicant ensure that this project is consistent with [state and federal guidelines for protection of bald eagles](#); and that they coordinate as appropriate with the U.S. Fish and Wildlife Service regarding possible impacts upon bald eagles or the need for a federal bald eagle incidental take permit. We recommend referencing the Center for Conservation Biology's [Eagle Nest Locator](#) to determine if any recently active nests are on site.

(4) We document colonial waterbird colonies from the project area. To best protect these resource associated with upland development at SPS, we recommend that any colonies located on site be mapped and that an undisturbed, naturally vegetated buffer of 500ft be maintained around each colony. We recommend that any significant construction activities within 0.25 mile of any colony adhere to a time-of-year restriction from February 15 through June 15 of any year.

(5) This project is located within 2 miles of a documented occurrence of a state or federal threatened or endangered plant or insect species and/or other Natural Heritage coordination species. Therefore, we recommend coordination with VDCR-DNH regarding the protection of these resources.

Thank you for this opportunity to review this project; we look forward to resolving these issues through consultation with the appropriate federal and state agencies, as is indicated in the applicant's request for our input.

Thanks,  
Amy

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