



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

April 19, 2022

Bob Coffey
Executive Vice President
Nuclear and Chief Nuclear Officer
Florida Power & Light Company
700 Universe Boulevard
Mail Stop EX/JB
Juno Beach, FL 33408

SUBJECT: TRANSMITTAL OF THE U.S. FISH AND WILDLIFE SERVICE'S
MARCH 21, 2022, AMENDMENT TO BIOLOGICAL OPINION
2014-F-0177-R001 CONCERNING TURKEY POINT NUCLEAR
GENERATING, UNIT NUMBERS 3 AND 4

Dear Bob Coffey:

By letter dated March 21, 2022, the U.S. Fish and Wildlife Service (FWS) amended its July 29, 2019, biological opinion¹ concerning continued operations of Turkey Point Nuclear Generating, Unit Nos. 3 and 4 (Turkey Point). The FWS's March 21, 2022, letter is enclosed.

On November 18, 2021, the U.S. Nuclear Regulatory Commission (NRC) requested to reinstate consultation with the FWS under Section 7 of the Endangered Species Act of 1973, as amended (ESA), following two vehicular collision-related American crocodile (*Crocodylus acutus*) mortalities in calendar year 2021 that were associated with Turkey Point operations.² These incidents exceeded the amount of allowable take of this species specified in the incidental take statement of the FWS's biological opinion.

As a result of the reinstituted consultation, the FWS revised the amount of extent of take of the American crocodile as follows.

The proposed Project is expected to result in the incidental take of crocodiles in the form of harm from habitat loss and injuries or mortalities from vehicle collisions and/or plant operation. The Service expects no more than three crocodiles be taken within a calendar year or ten crocodiles within a five-year period.

The eastern indigo snake (*Drymarchon couperi*) was not subject to this consultation, and the amount or extent of take for this species is unchanged.

¹ FWS. Biological Opinion for Turkey Point Nuclear Plant Units 3 and 4 License Renewal. Consultation Code 04EF2000-2014-F-0177-R001. July 25, 2019. Agencywide Documents Access and Management System (ADAMS) Accession No. [ML19221B583](#).

² NRC. Letter from B. Arlene, Conservation Biologist & ESA Consultation Coordinator, to J. Rivera, Supervisory Fish and Wildlife Biologist, FWS. Subject: Request to Reinitiate Endangered Species Act Section 7 Consultation for Continued Operation of Turkey Point Nuclear Generating Unit Nos. 3 and 4. November 18, 2021. ADAMS Accession No. [ML21307A288](#).

The FWS also revised the Reasonable and Prudent Measures and Terms and Conditions (T&Cs) of the incidental take statement. The NRC, FWS, and Florida Power & Light Company (FPL) discussed and agreed upon the revised T&Cs during the consultation. The revised T&Cs are as follows.

1. The wildlife safety video will be viewed by all employees every 6 months and the list of employees that attended the training will be provided to the Service annually. Viewing the wildlife safety video is recommended for all contractors visiting the site.
2. The three 25 mph speed limit signs will be maintained along Grand Canal Road.
3. Add an educational sign that talks about crocodiles on site and includes information about how the hatchlings and juveniles are small and extra care should be taken to avoid them on the roads.
4. New lighting will be added along Palm Drive.

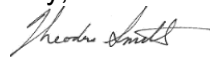
Additionally, the amendment includes updated protocol for the disposition of dead or injured specimens and clarifies monitoring and reporting requirements for dead, injured, or sick endangered or threatened species within the action area.

Finally, the amendment removes the requirement for blood samples to be taken in connection with monitoring of crocodile body condition. The FWS made this change because body condition metrics for determining crocodile health have been proven to be accurate without the inclusion of blood analysis.

Section 2.1, "Endangered Species Act," of Appendix B, Environmental Protection Plan (Non-Radiological), to the Turkey Point renewed operating licenses require FPL to "adhere to the requirements within the Incidental Take Statement of the currently applicable Biological Opinion." With this letter, the NRC affirms that the currently applicable biological opinion is the July 25, 2019, biological opinion, as amended on March 21, 2022. FPL does not need to take any action for this change to apply.

Should you need to discuss the information in this letter, or any other matters related to Endangered Species Act Section 7 consultation for Turkey Point, please contact Ms. Briana Arlene, Conservation Biologist and ESA Section 7 Coordinator, at 301-415-1042 or via e-mail at briana.arlene@nrc.gov.

Sincerely,



Signed by Smith, Theodore
on 04/19/22

Theodore Smith, Chief
Environmental Review License Renewal Branch
Division of Regulatory, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 50-250 and 50-251

Enclosure:
Biological Opinion Amendment

cc: Listserv

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DATED: April 19, 2022

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Lindsay Nester, FWS (lindsay_nester@fws.gov)
John Wrublik, FWS (john_wrublik@fws.gov)
Jose Rivera, FWS (jose_rivera@fws.gov)
Laura Brandt, FWS (laura_brandt@fws.gov)
Ryan Ford, FWC (ryan.ford@myfwc.com)
Jodie Eldridge, FPL (jodie.eldridge@nexteraenergy.com)
Michael Lloret, FPL (michael.lloret@fpl.com)
Christine Raininger, FPL (christine.raininger@fpl.com)
Kristin Eaton, FPL (kristin.eaton@fpl.com)
Mary-jo Hernandez, FPL (mary-jo.hernandez@fpl.com)
Andrea Harper, FPL (andre.harper@fpl.com)
Robert Hess, FPL (robert.hess@fpl.com)

**ADAMS Accession Nos.: Package: ML22094A093, Letter: ML22094A094,
Enclosure: ML22089A060**

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