



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office  
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MEMORANDUM FOR: Peer Reviewer

FROM: Stephanie K. Bolden, Ph.D.   
Fishery Biologist

SUBJECT: Review of the draft Biological Opinion for the relicensing of the  
South Carolina Public Service authority Hydroelectric Project

DATE: 27 September 2010

Enclosed please find the draft Biological Opinion for the relicensing of the South Carolina Public Service Authority Hydroelectric License. I appreciate your willingness to peer review the document, especially within such a short time frame.

Background

This draft Biological Opinion is the result of consultation required by section 7 of the Endangered Species Act (ESA). The ESA is available for download at:  
<http://www.nmfs.noaa.gov/pr/laws/esa/text.htm>.

The ESA Section 7 Handbook explains the consultation process and provides guidance to both the National Marine Fisheries Service and the U.S. Fish and Wildlife Service for the development of required consultation documents. The Handbook is available for download at:  
[http://www.nmfs.noaa.gov/pr/pdfs/laws/esa\\_section7\\_handbook.pdf](http://www.nmfs.noaa.gov/pr/pdfs/laws/esa_section7_handbook.pdf).

The Federal Energy Regulatory Commission (FERC) published a Final Environmental Impact Statement (FEIS) for the project that is the subject of the draft Biological Opinion; the FEIS describes the proposed action, alternatives, and staff recommendations. The FERC FEIS is available for download at: <http://www.ferc.gov/industries/hydropower/enviro/eis/2007/10-26-07.asp>.

On February 22, 2002, the Office of Management and Budget issued government-wide guidelines to “provide policy and procedural guidance to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by federal agencies” for implementing the Information Quality Act. In turn NOAA adopted this guidance for dissemination of influential scientific information. The draft Biological Opinion has been determined as influential and therefore I am seeking your peer review as required by the Information Quality Act.



NOAA posts agendas for peer review at: [http://www/cio.noaa.gov/Policy\\_Programs/prplans](http://www/cio.noaa.gov/Policy_Programs/prplans). A peer review report will be uploaded onto the website summarizing the review. This report will be a compilation of the comments received and will include a list of reviewer names and affiliation. However, comments will be compiled into a single document prior to posting so no specific comment will be linked to any individual. Be mindful that your review comments will be made public through this compiled document.

### Review

The purpose of this independent review is to evaluate and comment on the use of the best available scientific and commercial information in the draft biological opinion concerning the relicensing of the hydropower project on the listed endangered shortnose sturgeon (*Acipenser brevirostrum*). The review should focus on the technical aspects and scientific information contained within the draft biological opinion; the review will not determine if NMFS' conclusions regarding the project's potential to jeopardize the continued existence or recovery of the listed shortnose sturgeon are correct. Your comments should address at minimum the following 6 questions:

1. Does the draft Biological Opinion fail to include any pertinent literature? If so, please identify omitted literature.
2. Does the draft Biological Opinion correctly interpret results and apply them appropriately in reaching its findings?
3. If you believe justification is lacking or specific information was applied incorrectly in reaching a conclusion, please specify.
4. Does the draft Biological Opinion utilize the best scientific and commercial data available?
5. Has the draft Biological Opinion adequately evaluated the potential effects of the action on the shortnose sturgeon?
6. Was appropriate evidence provided to support conclusions regarding the influence of the proposed action on the shortnose sturgeon?

Please summarize your comments in a letter that provides a brief overview followed by a more detailed description of the specific questions stated above. A reply via e-mail by October 31 is greatly appreciated.

Again, thank you so much for your willingness to review the draft. Peer review is an important process to science and its application in our administration of the ESA. I appreciate your dedication to the process and the species. Please feel free to call (727.824.5312) or email me ([Stephania.Bolden@noaa.gov](mailto:Stephania.Bolden@noaa.gov)) with questions or clarification.