



Tennessee Valley Authority, 1101 Market Street, LP 5A, Chattanooga, Tennessee 37402-2801

August 1, 2008

10 CFR 52.80

Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

In the Matter of )  
Tennessee Valley Authority )

Docket Numbers 52-014 and 52-015

**BELLEFONTE COMBINED LICENSE APPLICATION – RESPONSE TO  
ENVIRONMENTAL REPORT REQUEST FOR ADDITIONAL INFORMATION – HISTORIC  
AND CULTURAL RESOURCES**

**Reference:**

Letter from Mallecia Hood (NRC) to Ashok S. Bhatnaker (TVA), Request for Additional Information Regarding the Environmental Review of the Combined License Application for Bellefonte Nuclear Plant, Units 3 and 4, dated July 11, 2008 [ML081840493].

This letter provides the Tennessee Valley Authority's (TVA) response to four of the Nuclear Regulatory Commission's (NRC) request for additional information (RAI) items included in the reference letter.

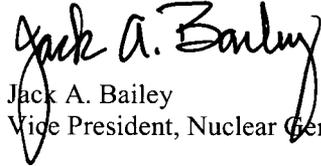
The enclosure to this letter provides a response to four of the RAIs related to Historic and Cultural Resources, as well as identifying any associated changes that will be made in a future revision of the BLN application. The status of the historic and cultural resources RAIs is also provided in the enclosure.

If you should have any questions, please contact Thomas Spink at 1101 Market Street, LP5A, Chattanooga, Tennessee 37402-2801, by telephone at (423) 751-7062, or via email at [tespink@tva.gov](mailto:tespink@tva.gov)

DO85  
MRO

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1<sup>st</sup> day of Aug, 2008.



Jack A. Bailey  
Vice President, Nuclear Generation Development

Enclosure:

Responses to Environmental Report Information Needs – Historic and Cultural Resources

Attachments:

- 2.5.3-1. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Jackson County Historical Society, "AHC 2006-1221, Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008. (Letter states that identical letters were sent to Tennessee Valley Genealogical Society and the Scottsboro Public Library.) (Entire document)
- 2.5.3-2A. TRC, Inc., *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*, Final Report, dated June 2008. (Entire document)
- 2.5.3-2B. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Stacey Hathorn, Alabama Historical Commission, "AHC 2006-1221; Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008. (Entire document)
- 2.5.3-2C. Letter from Elizabeth A. Brown, Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development; Historic Resource Survey; Jackson County," dated June 10, 2008. (Entire document)
- 2.5.3-2D. Figure 2.5-8, NRHP- and ARLH- Listed Aboveground Historic Properties within 10 Mi. Radius of the BLN Site, Revision 1. (Entire document)
- 5.1.3-1. Letter from Colonel (Ret.) John A. Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development, Jackson County," dated October 13, 2006. (Entire document)

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cc (Enclosure and Attachments):

M. A. Hood, NRC/HQ

cc (w/o Enclosure and Attachments):

S.P. Frantz, Morgan Lewis

R.C. Grumbir, NuStart

P.S. Hastings, NuStart

R.H. Kitchen, PGN

M.C. Kray, NuStart

A.M. Monroe, SCE&G

C.R. Pierce, SNC

L. Reyes, NRC/RII

R.F. Smith-Kevern, DOE/HQ

G.A. Zinke, NuStart

ENCLOSURE  
RESPONSE TO ENVIRONMENTAL REPORT REQUESTS FOR ADDITIONAL INFORMATION  
HISTORIC AND CULTURAL RESOURCES

**RESPONSE TO ENVIRONMENTAL REPORT  
REQUESTS FOR ADDITIONAL  
INFORMATION**

**HISTORIC AND CULTURAL RESOURCES**

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This enclosure provides the status of the five requests for additional information (RAI) related to Historic and Cultural Resources and provides the BLN responses to four of these requests.

Status of Requests for Additional Information Related to Historic and Cultural Resources

<u>RAI Number</u>	<u>Date of TVA Response</u>
• 2.5.3-1	This letter – see following pages.
• 2.5.3-2	This letter – see following pages.
• 2.5.3-3	This letter – see following pages.
• 5.1.3-1 and 2.2.2-1	This letter – see following pages.
• 9.3-1	July 30, 2008.

**NRC Review of the BLN Environmental Report**

**NRC Environmental Category: HISTORIC AND CULTURAL RESOURCES**

**NRC RAI NUMBER: 2.5.3-1**

Provide results of efforts made to identify relevant stakeholders that may have an interest in understanding impacts from the BLN site on newly identified above-ground resources.

**BLN RESPONSE:**

The following parties were notified of the Bellefonte Nuclear Plant, Units 3 and 4 (BLN) project and its effects to historic structures in the vicinity, as indicated in Attachment 2.5.3-1:

- Jackson County Historical Society
- Tennessee Valley Genealogical Society
- Scottsboro Public Library

TVA received no responses from these parties regarding the BLN project.

This response is PLANT-SPECIFIC.

**ASSOCIATED BLN COL APPLICATION TEXT CHANGES:**

None.

**ATTACHMENTS:**

The following document is provided as Attachment 2.5.3-1:

- 2.5.3-1. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Jackson County Historical Society, "AHC 2006-1221, Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008. (Letter states that identical letters were sent to Tennessee Valley Genealogical Society and the Scottsboro Public Library.) (Entire document)

TVA Letter Dated: August 1, 2008

Responses to Environmental Report Information Needs – Historic and Cultural Resources

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### **NRC Review of the BLN Environmental Report**

#### **NRC Environmental Category: HISTORIC AND CULTURAL RESOURCES**

#### **NRC RAI NUMBER: 2.5.3-2**

Provide copies of cultural resources survey reports conducted within five miles of the BLN APE up until 2008.

#### **BLN RESPONSE:**

In addition to the cultural resources surveys identified in response to NRC Information Need CR-16 in the referenced TVA letter of May 16, 2008, 10 other cultural resources surveys were conducted within five miles of the BLN area of potential effect (APE) from 1979 through 2003. These survey reports are made available for NRC review at NuStart's contractors' offices.

TVA was unable to locate a TVA report titled, "Record of Archaeological Findings in the Guntersville Reservoir," dated 1937, in which Sites 1JA111 and 1JA113 were recorded by David DeJarnette and John Dodd, University of Alabama. This report is listed in site records for 1JA111 and 1JA113 in the Alabama Office of Archaeological Research restricted online cultural resources database, hardcopies of which were included in the 2006 *Phase I Archaeological Survey of 606 Acres at the Bellefonte Nuclear Site, Jackson County* report, which was provided to the NRC staff during the BLN site audit on March 31 through April 4, 2008.

On April 15-17, 2008, TVA's contractor conducted a survey of historic resources within a one-mile radius of the midpoint between the BLN cooling towers. The survey report titled, "Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama," dated June 2008, is provided as Attachment 2.5.3-2A. The survey identified two historic resources (HR) eligible for listing in the National Register of Historic Places (NRHP). These two resources consist of two cemeteries that are associated with the community of Bellefonte; they are identified as HR-8 and HR-9 in the attached survey report and referred to by property name (Bellefonte Cemetery and African-American Bellefonte Cemetery, respectively) in the COL application ER text changes. Two additional resources that are also NRHP-eligible were identified just beyond the 1-mile radius. These resources are an additional (family) cemetery (identified in the attached survey report as H-13) and a house/barn homestead (identified as H-3 in the attached survey report); they are referred to by property name (Carter-Hansbrough Cemetery and Old Snodgrass Place, respectively) in the COL application ER text changes.

The HR-8 (Bellefonte Cemetery) and HR-9 (African-American Bellefonte Cemetery) properties are shielded from the viewshed of the existing cooling towers by the presence of dense vegetation. The BLN project would not introduce substantial new visual impacts to those properties or to the other two newly recorded resources (HR-13 and HR-3) located just beyond the one-mile radius. TVA, in consultation with the Alabama State Historic Preservation Officer (SHPO), has determined that these historic resources will not be adversely affected by the BLN project. Letters of correspondence between TVA and the Alabama SHPO, regarding the 2008 historic resources survey and findings, are provided as Attachments 2.5.3-2B and 2.5.3-2C.

ER Figure 2.5-8 is updated to reflect the results of the 2008 historic resources survey and is provided as Attachment 2.5.3-2D.

This response is PLANT-SPECIFIC.

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Reference:

Letter from Jack A. Bailey (TVA) to NRC Document Control Desk, "Response to NRC Information Needs Related to Cultural Resources," dated May 16, 2008 [ML081410174].

**ASSOCIATED BLN COL APPLICATION TEXT CHANGES:**

1. Change COLA Part 3, ER Chapter 2, Subsection 2.5.3, to update the changes identified in TVA's May 2, 2008, response to NRC sufficiency review comments ER09, ER10, and ER12, as follows:

**2.5.3 Historic Properties**

This section of the report focuses on a detailed description of the existing historic properties on the BLN site (Figure 2.5-7) and within a 10-mi. radius of its center (Figure 2.5-8). This includes portions of Jackson County, Alabama, and within the 10-mi. radius, a small area of DeKalb County, Alabama. According to 36 CFR 800.16 (1)(1), historic properties are defined as those properties that are eligible for listing on the National Register of Historic Places (NRHP) or that are already listed on the NRHP. In Jackson County, Alabama, within a 10-mi. radius of the BLN site center, there are three aboveground historic properties listed in the NRHP, four additional properties determined eligible for and pending listing in the NRHP including a cemetery already listed on the Alabama Historic Cemetery Register, and with two additional properties that are currently listed in the Alabama Register of Landmarks and Heritage (ARLH). Two NRHP-listed historic districts contain another 42 aboveground structures that contribute directly to the significance and integrity of their respective districts (Table 2.5-19 and Table 2.5-20). None of these historic aboveground properties occur on the BLN site, but two occur or within 1 mi. of its center, a point centered between the extant BLN site cooling towers and two occur just beyond the 1-mi radius. In addition, five archaeological sites, four prehistoric and one Historic Period, have been identified on the BLN site, and 21 more exist within a 1-mi. radius, including 20 prehistoric and one Historic Period (Table 2.5-21). Only one prehistoric site within the BLN site boundary is considered potentially eligible for listing in the NRHP (1JA111), and only one Historic Period site and three prehistoric sites within the 1-mi. radius are considered potentially eligible, with the closest 2100 ft. to the east on an island across the main channel of the Tennessee River. Additionally, there are 439 archaeological sites located beyond 1 mi. but within a 10-mi. radius of the BLN site center. Some of these are solely prehistoric, some are solely Historic Period, and some contain both prehistoric and Historic Period components. None of these sites are currently listed on the NRHP (Reference 91). There are also no cultural resources of NRHP concern in the small portion of the 10-mi. radius that crosses into DeKalb County, Alabama. Overall, there are no archaeological sites currently listed in the NRHP on the BLN site or within 10 mi. of its center. No additional effects are to be expected along an extant transmission line that is to service the BLN site, and therefore, no further cultural resource considerations or assessments along the transmission line corridor are deemed necessary. TVA's procedure for reviewing the operations and maintenance of existing transmission lines is called a Sensitive Area Review. Under this review procedure transmission line corridors where routine operation and maintenance occur, are reviewed by TVA Cultural Resource staff for the potential to effect historic properties on or eligible for the NRHP.

### 2.5.3.1 Cultural Resource Surveys

~~Six~~ Eight cultural resource surveys (archaeological and/or historical investigations) have been conducted within or immediately adjacent to the BLN site, including off-site portions of the extant transmission line corridors (References 85, 86, 87, 88, 89, and 90, 91, and 146). During the 1930s nearly 350 sites along the portion of the Tennessee River that would become the Guntersville Reservoir were surveyed (References 90 and 91). Varying levels of archaeological testing were subsequently conducted at 41 of the recorded sites. In 1972, an archaeological survey of the BLN site was conducted (Reference 89). This survey resulted in the examination of five sites, including 1JA978, 1JA112, JA300, and JA301. This 1972 survey is the first record of sites 1JA300 and 1JA301, both located within the BLN site. The authors recommended additional archaeological investigations for both 1JA300 and 1JA301 (Reference 89).

In 1973 and 1974 excavations at 1JA300 were conducted (Reference 88). The excavations resulted in the recovery of Early Archaic through Mississippian components. A total of 22 features and nine burials were excavated at the site. One of these features consisted of a small structure footprint defined by 17 post holes. This was indicative of village-level habitation.

In 1974 a history of the historic town of Bellefonte, Alabama, was published (Reference 87). This document consists of a detailed historical summary of the settlement. Although no archaeological investigations were undertaken as part of this study, the report includes a section on the “archaeological value” of the site (Reference 87). This section includes assessments of known disturbances and describes features that existed at the site in 1974. No known archaeological excavations have been conducted at the town of Bellefonte, Alabama. Though no aboveground structures remain at the site today, many subsurface archaeological features are likely intact.

Between 1983 and 1985, an archaeological survey of TVA lands along the Guntersville Reservoir was conducted during winter draw-down periods (Reference 86). This included approximately 34,000 ac. of land spread across 149 survey tracts. Near the current BLN site, the survey resulted in reinvestigations of previously recorded sites 1JA108 through 110, 112, 114, 116, and 117 and identification of sites 1JA226, 229, 255, 256, 348, 462, 463, 533, and 609.

The past surveys of the area specific to the BLN site were conducted before the Secretary of the Interior’s Historic Preservation Professional Qualification Standards were issued on September 29, 1983 (48 *Federal Register* (FR) 44716), so further investigations were necessary. In November 2006, archaeologists conducted a Phase I archaeological survey on 606 ac. of the BLN site in support of TVA’s application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license for the nuclear facility (Reference 85). The purpose of the investigation was to document archaeological resources within the area of potential effect (APE), as recommended by the TVA, and to evaluate their eligibility for inclusion in the NRHP according to the criteria set forth in 36 CFR 60.4. The recommended APE for archaeological studies consisted of a 606-ac. tract. The survey revealed that approximately 70 percent (423 ac.) of the archaeological APE had been heavily disturbed as a result of past BLN site construction.

The 2006 survey resulted in the identification and recording of one new historic archaeological site, 1JA1103, which has been disturbed by modern reuse. This Phase I survey also relocated four previously recorded sites (1JA300, 1JA301, 1JA111, and

1JA113) situated within the archaeological APE on the BLN site. Prehistoric site 1JA300 (referred to in the literature as “the Bellefonte Site”) had been previously destroyed due to past construction of an intake channel for the nuclear facility, and no portions of that site remain intact within the APE. In addition, no artifacts were recovered from the location of 1JA301 during the investigation, and only a single prehistoric flake was recovered from 1JA113. No intact archaeological deposits were located at sites 1JA301 or 1JA113 (Reference 85). However, given the depth and nature of cultural materials located at site 1JA111 in the 2006 survey, and given the possibility that the site is actually an extension of the otherwise destroyed site 1JA300 that once had significant archaeological deposits, the archaeologist recommended that 1JA111 is likely to have significant intact archaeological deposits and is to be considered potentially eligible for inclusion in the NRHP under Criterion D of 36 CFR 60.4.

The 2006 archaeological survey was directed by Principal Investigator Aaron Deter-Wolf. Mr. Deter-Wolf has an M.A. from Tulane University and a B.A. from Duke University in Cultural Resource related fields and extensive field experience planning and supervising Cultural Resource Management projects for commercial and Federal contracts. He qualifies as a Principal Investigator under the Secretary of the Interior’s Standards and Guidelines and has served as Principal Investigator and Field Director on projects throughout the southeastern United States, including work in Tennessee, Kentucky, North Carolina, Alabama, Mississippi, Virginia, and Louisiana. He has directed numerous Phase I archaeological surveys involving subsurface testing and surface reconnaissance programs designed to identify and map both prehistoric and historic sites.

Prior to the 2006 survey, a background literature search and site file examination was conducted to locate any previously recorded archaeological sites in or adjacent to the BLN site. This included a search of the Alabama Online Cultural Resources Database and hardcopy site forms (Reference 91), documents and maps located at the UAB Office of Archaeological Research at Moundville, Alabama, and USGS topographic maps. The purpose of this review was to identify whether any properties within the project area had previously been inventoried, listed in the NRHP, and/or identified as eligible for listing in the NRHP.

The 2006 BLN site survey closely followed all guidelines for Phase I archaeological investigations as defined within the *Policy for Archaeological Survey and Testing in Alabama*, issued by the Alabama Historical Commission in 2002 (Reference 84). The survey included systematic pedestrian examination of all exposed ground surfaces and shovel testing of areas having less than 50 percent surface exposure. No survey was undertaken within areas of obvious construction disturbance (parking lots, building footprints, etc.). Pedestrian survey transects were spaced no more than 30 m apart. When artifacts were located during the investigations, the survey interval was shortened to 10 m increments. In areas containing previously recorded sites, transects were spaced at intervals of either 10 or 20 m in an effort to relocate site deposits. The survey area was also closely inspected for caves, quarries, benches, rock faces, and rock overhangs. Shovel tests consisted of 30 cm x 30 cm excavations into subsoil, and were excavated at 30 m intervals along evenly spaced transects not more than 30 m apart. The soil was screened through 0.25-in. mesh. A Trimble GeoXT handheld GPS unit running TerraSync software was used to map site locations in the field. Most of the 606 ac. was previously disturbed, 103 ac. were surveyed and shovel tested, and an additional 13 ac. were surveyed without shovel testing where ground surface visibility was high.

On April 15-17, 2008, one additional historic property survey was conducted by TRC for aboveground properties beyond the 606-ac. APE, and within a 1-mi. radius of a point located equidistant between the extant BLN site cooling towers (Reference 146). That survey was conducted to comply with a request by NRC reviewers for an aboveground property survey of the 1-mi. radius. That request was made and the 1-mi. radius defined by the NRC review team during the March 31 – April 4, 2008 site audit of the BLN COL application. The request for the survey reflected concern for the possible existence of aboveground properties located beyond the 606-ac. APE, but within 1-mi. of the BLN site cooling towers, including both isolated structures and cemeteries, that might be NRHP eligible, but which had not yet been recorded or evaluated by previous studies.

The 2008 TRC aboveground property survey was directed by Principal Investigator Ms. G. Ellen Jenkins. Ms. Jenkins holds a B.S. in Architectural History and a B.A. in Archaeology, both from the University of Virginia, 2004, and holds professional certification under the National Park Service, 36 CFR, Part 61-Architectural Historian. Currently, Ms. Jenkins is a Preservation Planner and Archeologist with TRC. She has for the past four years conducted Phase I/II/III archaeological investigations and large-scale architectural surveys, producing eligibility and effect determinations; mitigation of adverse effects; and Section 106/110 and 4(f) Compliance-Related Surveys and Evaluations. Additionally, she has compiled HABS/HAER documentation, written National Register nominations for historic districts, and researched and written historic contexts for both architectural and archaeological resources. Ms. Jenkins has worked on projects in Alabama, Arkansas, Delaware, the District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Mississippi, Missouri, Oklahoma, New Jersey, New York, Virginia, and West Virginia. These projects involved federal clients such as the Federal Emergency Management Agency, Tennessee Valley Authority, and the United States Army, as well as private-sector clients and state, county, and municipal governments.

As with the previous TRC survey, a literature and records search was performed in concert with the fieldwork. Consistent with previous research, it was found that there were no known Alabama Register listed, NRHP listed, or pending NRHP properties within the 1-mi. radius. However, one historic property, the Bellefonte (town) Cemetery, had been recently listed (in 2006) on the Alabama Historic Cemetery Register. The field survey consisted of pedestrian and vehicular reconnaissance of the area defined by the 1-mi. radius to identify aboveground properties at least 50 years of age or that appeared to exhibit architectural and/or potential historical significance. During the 2008 TRC survey, five previously recorded and 10 newly recorded aboveground Historic Period resources were identified beyond the 606-ac. APE, but within the 1-mi. radius, and two additional properties were identified just beyond the 1-mi. radius. In accordance with 36 CFR 60.4 and in consultation with TVA and the Alabama SHPO, two of the previously recorded and nine of the newly recorded resources were determined not eligible for the NRHP, as they do not exhibit any unique architectural features, are in a severely deteriorated condition, or otherwise do not meet NRHP criteria for eligibility. Two other previously recorded resources (roads outside of the 606-ac. APE) remain unassessed for the NRHP and have been determined to be unaffected by potential adverse impacts of BLN site construction or operation, though it was noted that they have received major alterations in the past (Reference 146). These 13 resources are not discussed below as they are located outside of the 606-ac. construction APE for the BLN site and have not been determined to be NRHP-eligible properties. The

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two remaining resources within the 1-mi. radius are the previously recorded Bellefonte Cemetery and the newly recorded African-American Bellefonte Cemetery. These were recommended as eligible for the NRHP based on architecture and/or age and association with events or persons of historical significance. Two additional resources, the old Snodgrass farmstead and the Carter-Hansbrough Cemetery, were those recorded just outside the 1-mi. radius and were determined eligible for the NRHP during the survey and subsequent TVA and SHPO consultation (References 150 and 151). In a letter dated June 10, 2008, the Alabama SHPO concurred with the recommendations of the 2008 TRC survey (Reference 151). Each of the four NRHP eligible properties reported by the 2008 TRC survey are discussed below, as are all NRHP eligible aboveground resources within 10-mi. of the BLN site.

#### 2.5.3.2 Consultations ~~W~~with the State Historic Preservation Office and Native American Tribes

Under Section 106 of the National Historic Preservation Act (NHPA) and the federal regulations in 36 CFR Part 800, federal agencies are required to consult with the (Alabama) SHPO as part of an effort to determine whether historic properties are located within the APE of the BLN site. Following the decline of the 19th century town of Bellefonte, Alabama, no concerted development or commercial efforts took place in the area until 1974. In that year, the NRC (then the Atomic Energy Commission) issued TVA a permit to construct Bellefonte Units 1 and 2 nuclear reactors at the BLN site. By 1988, these units were respectively 90 and 57 percent complete (Reference 69).

On July 29, 1988, TVA notified the NRC that completion of the BLN site was being deferred due to lower-than-expected load forecasts. Five years later, in March 1993, TVA resumed work at the site. One year later, construction was again halted (Reference 69). By that time both cooling towers had been constructed, along with numerous buildings and associated infrastructure (roads, utilities, etc.).

In 2004 and 2005, an in-depth assessment of the site potential was conducted, including examining criteria such as seismic characteristics, demographics, emergency planning, transmission access, and water availability. The BLN site was determined to meet the desired criteria (References 66 and 69).

On June 30, 2006, NuStart Energy began Section 106 consultation by sending correspondence to the Alabama State Historic Preservation Office (SHPO). However, in response to the Section 106 consultation letter, the SHPO declined to review the document because TVA, rather than NuStart, would be the applicant for the BLN site development. On September 7, 2006, TVA sent correspondence to the SHPO explaining the TVA/NuStart/Enercon BLN project roles. Subsequently, on September 14, 2006, TVA, as the Applicant, inquired about the Section 106 consultation process with the Alabama SHPO and provided the spatial recommendation of the archaeological APE. In correspondence dated October 13, 2006, the SHPO concurred with TVA's determination of the APE (Reference 149). Because past surveys of the area specific to the BLN site were conducted prior to the Secretary of the Interior's Historic Preservation Professional Qualification Standards, issued on September 29, 1983, it was also determined that a new survey of the area was required to meet those standards. The APE was redefined slightly in a TVA-issued PDF map document (last modified on November 2, 2006) that recommended the on-site APE area as 606 ac. Following the final APE recommendation, in November 2006, archaeologists with

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the Nashville office of TRC, Inc. conducted the required Phase I archaeological survey on the 606 ac. of the BLN site (Subsection 2.5.3.1) (Reference 85). On April 15-17, 2008, one additional historic property survey was conducted by TRC for aboveground properties beyond the 606-ac. APE but within a 1-mi. radius of a point located equidistant between the extant BLN site cooling towers (Reference 146). That survey was conducted in response to a request by NRC reviewers for an aboveground property survey for the area defined by the 1-mi. radius that had not yet been surveyed as part of the 606-ac. APE. That request was made and the 1-mi. radius was defined by the NRC review team during the March 31 – April 4, 2008 site audit of the BLN COL application. The request for the survey reflected concern for the possible existence of aboveground properties located beyond the 606-ac. APE, but within a 1-mi. viewshed of the BLN site cooling towers, including both isolated structures and cemeteries, that might be NRHP eligible, but which had not yet been recorded or evaluated by previous studies.

Prior to the 2006 TRC survey, consultation letters were sent on July 24, 2006. On August 11, 2006, additional letters were sent to the Native American Tribal Historic Preservation Officers (THPO) and related tribal authorities for the federally and state-recognized tribes that have a historical, cultural, and traditional interest in Jackson County, Alabama. These tribes and organizations are as follows: federally recognized entities include Poarch Band of Creek Indians, United Keetoowah Band of Cherokee Indians in Oklahoma, Cherokee Nation of Oklahoma, Eastern Band of Cherokee Indians, Muscogee (Creek) Nation of Oklahoma, Kialegee Tribal Town, Thlopthlocco Tribal Town, Alabama-Quassarte Tribal Town, Alabama-Coushatta Tribe of Texas, Chickasaw Nation, Mississippi Band of Choctaw Indians, Jena Band of Choctaw Indians, Seminole Tribe of Florida, Seminole Nation of Oklahoma, Choctaw Nation of Oklahoma, Shawnee Tribe, Eastern Shawnee Tribe of Oklahoma, and the Absentee Shawnee Tribe of Oklahoma; state-recognized entities include Cherokee Tribe of Northeast Alabama, Piqua Shawnee Tribe, United Cherokee Ani-Yun-Wiya Nation, and Echota Cherokee of Alabama. No concerned responses to the consultation letters have been received. The consultation letters and responses are in Appendix A. Appendix A includes letters sent to and received from regulatory agencies in regard to issues surrounding the Cultural Resources assessments for the BLN, including letters to and from the Tribes, the Alabama State Historic Preservation Office (SHPO), Tennessee Valley Authority (TVA), and the NuStart consortium.

#### 2.5.3.3 Prehistoric Archaeological Sites

Four prehistoric archaeological sites (1JA300, 1JA301, 1JA111, and 1JA113) are located within the archaeological APE on the BLN site (Figure 2.5-7). These were identified prior to the 2006 survey (Reference 85), and it was part of the goal of the 2006 survey to relocate these sites and to assess their current status in regard to eligibility for listing in the NRHP. A result of that effort is that site 1JA300 has been determined to be destroyed due to previous construction of an intake channel for the nuclear facility, and no portions of that site remain intact within the BLN site property. However, it was also determined, based on artifact similarities, that site 1JA111 could actually be an extension of the occupation represented by site 1JA300. In addition, no artifacts were recovered from the location of 1JA301 during the current investigations and only a single prehistoric flake was recovered from 1JA113, nor were any intact archaeological deposits located at either of these two sites. The 2006 recommendation by TRC Inc. (Reference 85) is that prehistoric site 1JA113 lacks archaeological integrity and is not

eligible for inclusion in the NRHP under the criteria set forth in 36 CFR 60.4. Additionally, sites 1JA300 and 1JA301 have both been destroyed by construction activities at the nuclear facility. TRC has therefore recommended that no additional archaeological consideration is warranted for those three prehistoric sites (1JA300, 1JA301, and 1JA113). However, site 1JA111 yielded a collection of prehistoric artifacts, including shell, bone, lithic debitage, fire-cracked rock, and shell-tempered ceramics. One shovel test profile from the site resulted in the recovery of shell and lithic artifacts from silty loam soils up to 80 cm (2 ft.) below ground surface. Given the depth and nature of the cultural materials located at site 1JA111 in the 2006 survey and given the possibility that the site is actually an extension of the otherwise destroyed site 1JA300, which once had significant archaeological deposits that included 22 features and nine burials, TRC has recommended that 1JA111 is likely to contain additional intact archaeological deposits and is to be considered potentially eligible for inclusion in the NRHP under Criterion D of 36 CFR 60.4. TVA has determined, in consultation with the Alabama SHPO, that site 1JA111 is potentially eligible for listing in the NRHP. TVA has agreed to avoid site 1JA111. Protection measures include the establishment of a 50-ft. buffer around this site. Fencing placed around this site ensures protection during construction and operation of the plant. The Alabama SHPO has concurred with this finding (Reference 129), as discussed in Subsection 4.1.3.1.1.

Twenty additional prehistoric archaeological sites have been identified within a 1-mi. radius of the BLN site center (Figure 2.5-7). Summary information on these sites, including site numbers, location in relation to the current APE, cultural components, and NRHP-status (if known), is presented in Table 2.5-21. This information was adapted from summary tables presented in the 2006 archaeological survey report (Reference 85) along with independent references to original hard-copy site forms provided by the AOAR. All other identified prehistoric sites within a 10-mi. radius of the BLN site are located more than 1 mi. from the site center. Overall, the archaeological sites on and within a 10-mi. radius of the BLN site, including both prehistoric and Historic Period sites, are 1JA: 50-164, 189-197, 200-264, 278-304, 347-348, 373-377, 385-555, 588-597, 606-609, 623-625, 658-672, 850-855, 933-937, 951-953, 978, 980-981, 1015-1017, 1019, 1028-1033, 1038, 1042, 1071-1073, 1082, 1093, 1095-1098, 1101, and 1103. There are no NRHP-listed archaeological sites on the BLN site or within a 10-mi. radius of its center.

#### 2.5.3.4 Historic Archaeological Sites

Prior to the 2006 survey (Reference 85), no Historic Period archaeological sites were identified on the BLN site. However, the 2006 survey resulted in the identification and recording of one new historic archaeological site, 1JA1103. The site consists of a collapsed Historic Period structure and an associated outbuilding. Materials present include hand-made brick and hand-hewn mortise and tenon structural members. Extensive modern garbage and structural remains are also present, including factory manufactured lumber, wire nails, and flat, clear glass. As a result of the 2006 survey, TRC recommended that historic site 1JA1103 is not eligible for inclusion in the NRHP under the criteria set forth in 36 CFR 60.4. The collapsed Historic Period structure at 1JA1103 has been disturbed by modern reuse, and there are no undisturbed archaeological deposits at the site. TRC therefore recommended no additional archaeological consideration for the site.

Two additional historic period archaeological sites are located outside, but within 1 mi. of the BLN site center, 1JA348, and the old Bellefonte town site for which no trinomial has ever

been assigned. Site 1JA348 is a small, 19<sup>th</sup> century, non-aboriginal cemetery (apparently disturbed by looting) located just east of the old Bellefonte town and approximately 2100 ft. northwest of the TVA-recommended archaeological APE for the BLN site construction. The Bellefonte town is a potentially eligible site that has not been assessed for the NRHP, but it is an important part of the historical context for Jackson County, Alabama, and includes a number of structure foundations, other intact subsurface features, and a cemetery (not associated with 1JA348). The town area lies outside of the TVA-recommended archaeological APE for the BLN site but only by 700 ft., depending on how the Bellefonte town site boundaries would ultimately be defined. Figure 2.5-7 depicts the town boundaries as defined by a TVA Guntersville Reservoir Land Map dated 1936 (Reference 87).

Bellefonte was an early through mid-19th century town, once the seat of Jackson County, and it played an important role in early river trade, was locally if not regionally important during the Civil War, and played an historic role in the saga of the Cherokee Trail of Tears (Reference 87). All other previously identified Historic Period archaeological sites within a 10-mi. radius of the BLN site are located more than 1 mi. from the BLN site center.

#### 2.5.3.5 Historic Sites

No aboveground historic sites with intact standing structures were identified on the BLN site during any previous survey. Therefore, the BLN site has no aboveground historic properties that are potentially eligible for listing, eligible for listing, or listed on the NRHP. However, in Jackson County, within a 10-mi. radius of the BLN site center, there are three aboveground historic properties listed in the NRHP with two additional properties listed in the ARLH, and there are four additional aboveground properties eligible for listing in the NRHP that are now pending that listing. One of these four properties is the Bellefonte Cemetery, which was listed on the Alabama Historic Cemetery Register in 2006. Two NRHP-listed historic districts contain another 42 aboveground historic structures that contribute directly to the historical significance and integrity of their respective districts (Table 2.5-19). None of these historic aboveground properties occur on ~~or within 1 mi. of the BLN site,~~ but two occur within 1-mi. of a point equidistant between the two extant BLN site cooling towers and two more occur just beyond the 1-mi. radius. ~~All of t~~These historic sites properties and their NRHP status are presented in Tables 2.5-19 and 2.5-20, and their locations are depicted in Figure 2.5-8. All information presented below in Subsections 2.5.3.5.1, 2.5.3.5.2, and 2.5.3.5.3 is referenced from the specific historic property or historic district NRHP listing, or ARLH listing forms housed at the AOAR, Moundville, Alabama, with the exception of the four NRHP-eligible sites pending listing. Information concerning those four sites is derived from the 2008 TRC survey report (Reference 146).

##### 2.5.3.5.1 National Register of Historic Places Listed and Pending Sites

The Townsend Farmhouse is a historic property that was listed in the NRHP on August 11, 2005, by the U.S. Department of the Interior. It is located approximately 30,500 ft. (6 mi.) from the BLN site on the east side of County Road 34, 0.8 mi. north of County Road 234, Hollywood, Alabama (Figure 2.5-8). It is composed of two contributing properties including the main farmhouse (constructed circa 1870) and a log secondary dwelling (constructed circa 1860). The property is significant under National Register Criterion A (Event) and C (Design/Construction) (36 CFR 60.4).

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The Brown-Proctor House (208 South Houston Street, Scottsboro, Alabama) is a historic property that was listed in the NRHP on September 16, 1982. The Brown-Proctor House is located approximately 37,100 ft. (7 mi.) from the BLN site (Figure 2.5-8). It was constructed in 1881 and purchased in 1907 by John F. Proctor. The significance of this property, under Criterion B (Person) (36 CFR 60.4), is its association with John F. Proctor who was a prominent attorney serving in the Alabama House of Representatives from 1892 to 1895 and in the Alabama Senate from 1896 to 1899, and as a member of the Alabama Constitutional Convention.

The Scottsboro Memphis and Charleston Railroad Depot (Scottsboro Southern Railroad Freight Depot), a historic site, is located approximately 36,700 ft. (7 mi.) from the BLN site on the northwest corner of North Houston Street and Maple Avenue, north of the railroad line, in Scottsboro, Alabama (Figure 2.5-8). The Railroad Depot was listed in the NRHP on February 20, 1998. The depot's significance falls under Criterion C (Design/Construction) and Criterion A (Event) (36 CFR 60.4).

The Snodgrass Place was recorded by the 2008 TRC survey and is pending NRHP listing. It is located approximately 3800 ft. from the BLN site 606-ac. APE boundary with the physical address at 5119 CR-33. Set on a brick piers, this one-story, three-bay, vernacular dwelling was constructed ca. 1890. The dwelling is frame construction clad with weatherboard. There are no known alterations or additions to the dwelling, although it now stands vacant. A one-story, one-bay barn, constructed ca. 1900, is set on wood posts and is clad with vertical wood planks. The dwelling and barn retain integrity of materials, design, feeling, and workmanship. The dwelling and barn are eligible for the NRHP under Criterion A (Event) for association with the history of Bellefonte town and Criterion C for architecture. The resource is known as the Snodgrass Place, but historical research failed to associate the dwelling with any Snodgrass significant on the national, state, or local level; thus, it is not eligible for the NRHP under Criterion B (Person).

The Bellefonte Cemetery was added to the Alabama Historic Cemetery Register in 2006 following restoration efforts in 2005, and was subsequently revisited and reported again by the 2008 TRC survey. The property is also pending NRHP listing as result of the 2008 TRC survey recommendation. The cemetery is located approximately 2300 ft. northwest of the 606-ac. BLN site APE on a hill on the north side of CR-33. The earliest inscribed marker is from 1819 and the last from 1936. In 1936, a TVA survey of the cemetery found 229 grave plots and 57 inscribed markers. Grave-related aboveground structures still present today include simple limestone rocks, tombs, headstones and footstones, vault covers, and an obelisk. There are three fenced family plots, one is unmarked, and the other two are for the Scruggs and Whisenant families. The resource retains the integrity of both location and workmanship. It is eligible for the NRHP under Criterion A (Event) for its association with the history of the Bellefonte town and Criterion B (Person) for the interments of the early settlers of the area. The Bellefonte Cemetery also meets Criterion D for historical research potential and Consideration D (for cemeteries) given persons of transcendent importance and resource age. It derives its primary significance from graves of persons important to the founding of the Bellefonte town and from its general association with the history and events of that town.

The African-American Bellefonte Cemetery was recorded by the 2008 TRC survey and is pending NRHP listing. It is located on the west side of Town Creek, north of the Bellefonte Cemetery and approximately 3300 ft. from the BLN site 606-ac. APE boundary. Established ca. 1820, the cemetery was used for the burials of the slaves in the community of Bellefonte.

In 1936, a TVA survey found 54 markers that provided names, but not the year of birth or death. Located on a low hill, most of the interments are unmarked or are marked simply with limestone rocks. The resource retains integrity of location and workmanship. The cemetery is eligible for the NRHP under Criterion A for its association with the African-American history of Bellefonte. The resource is not associated with a person(s) significant on the national, state, or local level; thus, it is not eligible for the NRHP under Criterion B. The African-American Bellefonte Cemetery also meets Criterion D for historical research potential and Consideration D (for cemeteries) given resource age. Its primary significance derives from its association with the African-American history of the town of Bellefonte and, in general, of regional slave populations.

The Carter-Hansbrough Cemetery was recorded by the 2008 TRC survey and is pending NRHP listing. It is located approximately 3800 ft. from the BLN site 606-ac. APE boundary on the west side of CR-113. Established ca. 1829, the cemetery was used for the burials of the Carter and Hansbrough families. A lintel carries a metal name plate which reads "Hansbrough Cemetery." In 1936, a TVA survey found approximately 12 graves, some of which are unmarked. The marked graves belong to some of the earliest residents of the area, Stephen Carter and his family, who married into the Hansbroughs. The graves are made of limestone and sandstone and the markers are headstones, footstones, and brick vault covers. The resource retains integrity of location and workmanship. The cemetery is eligible for the NRHP under Criterion B (Person) for its association with the Carter Family. The Hansbrough-Carter Cemetery does meet Criterion D for research potential and Consideration D (for cemeteries) as it derives its primary significance from its age and its association with the Carter family, who were among the earliest white settlers in the area and founders of the town of Bellefonte.

#### 2.5.3.5.2 National Register of Historic Places Listed Historic Districts

The Scottsboro Public Square Historic District (historic structures in and surrounding the city square, Scottsboro, Alabama) was listed in the NRHP on April 15, 1982 by the U.S. Department of the Interior. It is located approximately 36,200 ft. (7 mi.) from the BLN site (Figure 2.5-8). The district has 26 contributing structures, including the two-story Neo-Classical 1911 – 1912 Jackson County Courthouse, 12 marginally contributing or nonintrusive structures, and eight intrusive or noncontributing structures. The district remains the core commercial area of the town and is the political center of Jackson County, Alabama, as the County Seat. The district is historically significant under Criteria A (Event), B (Person), and C (Design/Construction) (36 CFR 60.4).

The College Hill Historic District (Historic Structures along the 300 and 400 blocks of College Avenue, Scottsboro, Alabama) is located two blocks south and three blocks east of the Jackson County Courthouse between Scott and Kyle streets. The district was listed in the NRHP on March 30, 1983 by the U.S. Department of the Interior. It is located approximately 35,000 ft. (7 mi.) from the BLN site (Figure 2.5-8). Ten of the houses were built between 1890 and 1929, three were built in the 1930s, and one noncontributing home was built in 1971. The district was the first platted in Scottsboro and has a list of prominent citizen owners. The significance of the district lies in Criteria C (Design/Construction) and B (Person) (36 CFR 60.4).

#### 2.5.3.5.3 Alabama Register of Landmarks and Heritage Listed Historic Sites

The Shelton-Jones House (414 South Scott Street, Scottsboro, Alabama), a historic property, was listed on the Alabama Register of Landmarks and Heritage on May 10, 2000. The Shelton-Jones House is located approximately 37,100 ft. (7 mi.) from the BLN site (Figure 2.5-8). This historic property was constructed in 1907 (or within a year of that date) and was sold in 1909 to Robert E. Jones Sr., father of Robert E. Jones Jr., who was born in the home on June 12, 1912. The house was his only childhood home. The significance of this property under Criterion B (Person) (36 CFR 60.4) lies in its association with the politician who was a prominent congressman for Alabama's 5th District serving in the U.S. House of Representatives from 1947 to 1977, a total of 15 consecutive terms. He is known for his involvement in the preparation and enactment of Public Works Committee legislation, including the interstate highway system, the Tennessee Valley Authority, the Water Quality Act of 1972, and Appalachian Relief and rural housing aid efforts.

The Maples' House (200-block W. Maple Ave., Scottsboro, Alabama), a historic property, was listed in the Alabama Register of Landmarks and Heritage on November 3, 1976. The Maples' House is located approximately 36,500 ft. (7 mi.) from the BLN site (Figure 2.5-8). It was constructed between 1870 and 1874. The property was purchased prior to construction by William M. Whitworth from Robert T. Scott. The home was later sold to attorney W.F. Kirk, who deeded it to Mrs. Parks who ran it as a small-town hotel or boarding house beginning in 1890. It was later purchased in 1905 by Dr. W.C. Maples. As of 1976, the Maples still owned the home. The significance of the property is in Criteria A (Event) and C (Design/Construction) (36 CFR 60.4).

#### 2.5.3.6 Historic Cemeteries

No extant Euroamerican cemeteries have been identified within the BLN site APE. The closest Euroamerican cemetery is the Finnell Cemetery located to the east of the TVA-recommended APE at the BLN site, lying 420 ft. beyond the APE boundary. The Finnell Cemetery is labeled (original map label) on the Hollywood, Alabama, 7.5' USGS quadrangle map used in Figure 2.5-7. The Finnell (also Finnell-Hicks) Cemetery was evaluated during the 2008 TRC aboveground survey and was recommended as not eligible for the NRHP. Additional Euroamerican cemeteries are the Norwood (also Netherland-Norwood) Cemetery, located approximately 3000 ft. to the north of the BLN site APE (also mapped on the Hollywood quadrangle), and an unnamed and previously unmapped family cemetery within the old Bellefonte town boundaries, located approximately 1500 ft. north of the BLN site APE. Evaluated during the 2008 TRC survey, these family cemeteries were determined not eligible for the NRHP. The Alabama SHPO concurred with those NRHP evaluations in a letter to TVA dated June, 10, 2008 (Reference 151). Another cemetery (Historic Period archaeological site 1JA348) is located on the northeast side of the old Bellefonte town, approximately 2300 ft. north of the BLN site APE. This family cemetery remains unassessed for the NRHP and was not relocated (found) during the 2008 TRC survey; its status is that of an archaeological site rather than an aboveground property. An additional Euroamerican cemetery, the Hansbrough (also Carter-Hansbrough) Cemetery (also discussed in Subsection 2.5.3.5.1), is located just beyond the 1-mi. radius of the BLN site cooling towers, and is depicted on Figure 2.5-8. It was determined during the 2008 TRC survey to be an NRHP-eligible aboveground historic property. Two additional historic cemeteries, each NRHP-eligible, are the Bellefonte Cemetery and the African-American Bellefonte Cemetery (old Bellefonte town cemeteries). The former is located approximately 2300 ft. from the BLN site APE, and the latter is located approximately 3300 ft. from the BLN site APE and 1 mi.

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~~from the center point between the BLN site cooling towers. Both are considered eligible for the NRHP as a result of the 2008 TRC survey and concurrence with that assessment by TVA and the Alabama SHPO. Both are depicted on Figure 2.5-8. Those historic cemeteries now pending NRHP listing are also discussed in Subsection 2.5.3.5.1. An additional Euroamerican cemetery is that for the old Bellefonte town itself. It is located just to the north of town, approximately 2300 ft. from the recommended archaeological APE. The eligibility of these cemeteries for listing on the NRHP has not been determined. The locations of the cemeteries are shown in Figure 2.5-7. Numerous other municipal, church, and small family cemeteries are located within a 10-mi. radius of the BLN site center in Jackson County, but none are nearer to the BLN site.~~

#### 2.5.3.7 Traditional Cultural Properties

The Native American tribes and organizations that maintain a historical, cultural, and traditional interest in the lands of Jackson County were consulted to identify any traditional cultural properties (TCP) that might exist on or very near the BLN site. No specific TCPs of special sensitivity or concern to these groups are known to exist on the BLN site or anywhere nearby, and none were revealed in consultation with tribal groups. No TCPs important to Euroamerican communities have been identified on the BLN site or at nearby locations outside the site boundaries.

2. Change COLA Part 3, ER Chapter 2, Subsection 2.5.6, to update changes made in TVA's May 2, 2008, response to NRC sufficiency review comment ER09, by including additional references, as follows:

129. Letter from Colonel (Ret.) John A. Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Diane A. Cargill, Cargill Archaeological Services, "AHC 06-1211, Jackson Camp, Bellefonte Nuclear Site, Jackson County, Alabama," dated July 26, 2007.
146. TRC, Inc., *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*, Final Report, June 2008.
149. Letter from Colonel (Ret.) John A. Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development, Jackson County," dated October 13, 2006.
150. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Stacye Hathorn, Alabama Historical Commission, "AHC 2006-1221; Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008.
151. Letter from Elizabeth A. Brown, Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development; Historic Resource Survey; Jackson County," dated June 10, 2008.

3. Change COLA Part 3, ER Chapter 2, Section 2.5, to update Table 2.5-19, as follows:

**TABLE 2.5-19  
NUMERICAL SUMMARY OF ABOVEGROUND HISTORIC PROPERTIES  
WITHIN A 10-MI. RADIUS OF THE BLN SITE, JACKSON COUNTY, ALABAMA**

Historic Property	NRHP/Landmark Status		
	Eligible <sup>(a)</sup>	Listed	Total
Individual Sites (NRHP)	<u>0</u> <del>4</del>	3	<u>3</u> <del>7</del>
Individual Sites (Alabama Landmarks)	0	2	2
Historic Districts (NRHP)	0	2	2
Total Historic Places (Individual Sites and Districts)	<u>0</u> <del>4</del>	7	<u>7</u> <del>11</del>
Contributing Properties to Historic Districts	0	42	42
Marginally Contributing Properties to Historic Districts	0	11	11
Total Contributing Properties to Historic Districts	0	53	53
Total Aboveground Historic Properties	<u>0</u> <del>4</del>	58	<u>58</u> <del>62</del>

a) Eligible aboveground historic properties are those already nominated but pending official listing.

4. Change COLA Part 3, ER Chapter 2, Section 2.5, to update Table 2.5-20 by adding four properties to the table, as follows:

**TABLE 2.5-20 (Sheet 6 of 6)  
DESCRIPTIVE SUMMARY OF ABOVEGROUND HISTORIC PROPERTIES  
WITHIN A 10-MI. RADIUS OF THE BLN SITE,  
JACKSON COUNTY, ALABAMA**

Property Name	Address (if known)	General Location	Property Association	NRHP/ARLH Status
<u>Snodgrass Place</u>	<u>5119 CR-33</u>	<u>N/W and within 0.25-mi. of the old Bellefonte town</u>	<u>Individual</u>	<u>Eligible &amp; Pending NRHP Listing</u>
<u>Bellefonte Cemetery</u>	<u>On hill on north side of CR-33 on northwest side of old Bellefonte town</u>	<u>Within old Bellefonte town</u>	<u>Individual</u>	<u>Eligible &amp; Pending NRHP Listing; Listed on the Alabama Historic Cemetery Register</u>
<u>African-American Bellefonte Cemetery</u>	<u>West side of Town Creek</u>	<u>North and adjacent to old Bellefonte town</u>	<u>Individual</u>	<u>Eligible &amp; Pending NRHP Listing</u>
<u>Carter-Hansbrough Cemetery</u>	<u>West side of CR-113</u>	<u>North and within 0.25-mi. of the old Bellefonte town</u>	<u>Individual</u>	<u>Eligible &amp; Pending NRHP Listing</u>

5. Change COLA Part 3, ER Chapter 2, Subsection 4.1.3, to update the changes identified in TVA's May 2, 2008, response to NRC sufficiency review comments ER10 and ER12, as follows:

#### 4.1.3 HISTORIC PROPERTIES

This subsection focuses on the effects of BLN construction on existing historic properties on the BLN site and within a 10-mi. radius of its center point. According to 36 CFR Part 800 (l)(1) (Reference 2), historic properties are defined as those properties that are eligible for inclusion in the National Register of Historic Places (NRHP) or that are already listed on the NRHP. Aboveground historic properties and archaeological sites are among the entities that can be considered for NRHP inclusion. According to 36 CFR 60.4 (Reference 3), aboveground historic properties can possess integrity individually or as contributing properties to historic districts. Furthermore, their significance depends on specific criteria of event, person, design/construction, or information potential, and integrity involves both architectural and aesthetic elements, including location, design, setting, materials, workmanship, feeling, and association. Archaeological sites are generally classified as prehistoric or Historic Period, and integrity depends on the existence of intact and patterned surface or subsurface cultural deposits with an emphasis on the site's ability to address scientific research questions. In general, effects from construction on aboveground historic properties include direct damage to the physical integrity of the property, which detracts from its design, materials, or workmanship, or indirect (noise-related or visual) effects to the property or its surroundings, which detracts from its historic setting, feeling, or association. Archaeological sites can be affected directly by physical damage to surface features or subsurface deposits. Such damage disrupts the patterning of the previously intact cultural deposits. Generally, noise-related effects are extraneous to archaeological sites because the integrity of site patterning is unaffected; likewise, visual effects on archaeological sites are extraneous because archaeological site integrity depends on the ability to address research questions that are independent of the preservation of site ambiance. Properties determined to be ineligible for the NRHP by the SHPO do not require protection, and are not eligible for protection by the provisions of the NHPA. The Alabama SHPO has concurred with the recommendation that BLN site construction be allowed to proceed, including within the areas occupied by archaeological sites determined not eligible for inclusion in the NRHP (see Appendix A). Therefore, the potential impacts of BLN site construction on ineligible archaeological sites range from inadvertent avoidance resulting in no impacts to total site destruction, but by definition there will be no impacts on cultural heritage. There are no requirements for measures or controls to avoid adverse impacts on ineligible sites. The determination of ineligibility defines a site as one lacking the potential to yield significant information concerning our cultural heritage beyond that already obtained in the process of adding the site to the state inventory.

Because the Federal Section 106 Process (36 CFR Part 800) has been initiated for the BLN site construction and operation phases, and because that process involves the oversight of the Alabama State Historic Preservation Office (SHPO), which also oversees State laws on historic preservation, concerns relating to Alabama state laws and plans for historic preservation are also addressed. Therefore, no separate consideration of impacts or mitigation pursuant to Alabama state law beyond the Section 106 consultation is warranted.

The number, location, and NRHP status of relevant historic properties at BLN are addressed in Subsection 2.5.3. Additional information is provided in Tables 2.5-19 and 2.5-20, and in Figures 2.5-7 and 2.5-8.

#### 4.1.3.1 Site and Vicinity

Direct effects from BLN construction on existing historic properties are possible only within the archaeological area of potential effect (APE) for the BLN site. The archaeological APE was recommended by the Tennessee Valley Authority (TVA) in agreement with the Alabama SHPO and in consideration of BLN construction and operation plans. It includes 606 ac. (see Figure 2.5-7). The archaeological APE lies entirely within the BLN vicinity located in U.S. Public Land Survey System Township 04S, Range 07E, Sections 5, 6, 7, 8, 12, and 18 of Jackson County, Alabama, with the majority of the area situated in Section 7. Indirect (noise-related and visual) effects from BLN construction are possible on the BLN site or potentially within a 10-mi. radius of its center point (see Figure 2.5-8). The 10-mi. radius extends through portions of Jackson County, Alabama, and also includes a small area of DeKalb County, Alabama.

##### 4.1.3.1.1 Prehistoric Archaeological Sites

Four prehistoric archaeological sites have been identified within the BLN site APE (1JA300, 1JA301, 1JA111, and 1JA113), and 20 more exist within a 1-mi. radius of the BLN site center point (Table 2.5-21). One prehistoric site within the BLN site boundaries is considered potentially eligible for listing in the NRHP (1JA111), and three prehistoric sites within the 1-mi. radius are considered potentially eligible. Additionally, 439 archaeological sites are located beyond 1 mi. but within the 10-mi. radius of the BLN site center point. Some of these are solely prehistoric, some are solely Historic Period, and some contain both prehistoric and Historic Period components. As addressed in Subsection 2.5.3, none of these sites are currently listed on the NRHP.

Between 1930 and 2006, six cultural resource surveys were conducted within or immediately adjacent to the BLN site, accounting for the 24 known prehistoric sites in the BLN site vicinity. In November 2006, archaeologists with the Nashville office of TRC Inc. (TRC) conducted the most recent of the six cultural resource surveys on the 606-ac. BLN site APE. That survey relocated the four previously recorded sites (1JA300, 1JA301, 1JA111, and 1JA113) that are situated within the APE. The survey determined that prehistoric site 1JA300 had been totally destroyed due to past construction of an intake channel for the nuclear facility, and no intact archaeological deposits were located at sites 1JA301 or 1JA113. Only 1JA111 was considered likely to have significant intact archaeological deposits and was recommended as potentially eligible for inclusion in the NRHP (for site description see Subsection 2.5.3.3 and note that site 1JA111 may be similar to site 1JA300 which contained Native American burials excavated in 1973 and 1974). TVA drafted official correspondence (described initially in Subsection 2.5.3.2) assuring site protection and avoidance for site 1JA111 (Reference 9). During the follow-up National Historic Preservation Act (NHPA) Section 106 process review, the Alabama SHPO concurred with TRC's ineligible recommendations for sites 1JA300, 1JA301, and 1JA113. Further, the SHPO agreed with the recommendation of potential eligibility for site 1JA111 and agreed that the site must be protected by avoidance during BLN construction (Reference 8). ~~The TVA subsequently drafted official correspondence (described initially in~~

~~Subsection 2.5.3.2) assuring site protection and avoidance for site 1JA111.~~ Protection measures are planned to include a 50-ft. protective buffer established around the site with further protection by an obstructive barrier consisting of construction fencing or chain link fencing, and a sign posted informing personnel that an archaeological resource protected under the Archaeological Resource Protection Act is present (see Appendix A for this and other associated historic property consultation letters).

Given TVA protection and avoidance procedures for potentially eligible site 1JA111, no effects on this site are anticipated. Properties determined to be ineligible for the NRHP do not require protection as, by definition, they contain no significant information concerning cultural heritage that could be impacted. Given the ineligible determination for sites 1JA301, 1JA113, and 1JA300 and the previous total destruction of site 1JA300, no effects from construction are anticipated for eligible or potentially eligible prehistoric archaeological sites within the BLN site APE. As for the 20 prehistoric sites beyond the BLN site APE but within 1 mi. and the numerous prehistoric and multicomponent archaeological sites within the 10-mi. radius of the BLN site center point, no effects on these sites are anticipated from construction, given that indirect (noise-related and visual) effects are extraneous considerations for archaeological sites. Because no effects are anticipated, there are no cumulative effects to the prehistoric archaeological record from BLN construction. Therefore, construction impacts on prehistoric archaeological sites on the BLN site, in its vicinity, and within a 10-mi. radius of it are considered SMALL. No mitigation is warranted.

#### 4.1.3.1.2 Historic Archaeological Sites

One Historic Period archaeological site has been identified within the BLN site APE, and two additional Historic Period sites have been identified within a 1-mi. radius of the BLN site center point (see Table 2.5-21). Additionally, 439 archaeological sites are located beyond 1 mi., but within a 10-mi. radius of the BLN site center point. Some of these are solely prehistoric, some are solely Historic Period, and some contain both prehistoric and Historic Period components. As addressed in Subsection 2.5.3 none of these sites are currently listed on the NRHP.

The one Historic Period site within the BLN site APE (1JA1103) was identified during the 2006 TRC survey and was recommended as ineligible for inclusion in the NRHP. The TVA has also performed a deed records search which resulted in the finding that no persons of historical significance pursuant to Criterion B of 36 CFR 60.4 occupied the property. During the follow-up NHPA Section 106 process review, the Alabama SHPO concurred with the recommendation that 1JA1103 was ineligible for inclusion in the NRHP. Properties determined to be ineligible for the NRHP do not require protection as, by definition, they contain no significant information concerning cultural heritage that could be impacted. Given the ineligible determination for site 1JA1103, no effects from construction are anticipated for eligible or potentially eligible Historic Period archaeological sites within the BLN site APE. Because 1JA1103 is the only Historic Period site within the BLN site APE, and because indirect (noise-related or visual) effects are extraneous considerations for archaeological sites, no construction effects on Historic Period archaeological sites are anticipated. Because no effects are anticipated, there are no cumulative effects to the historic archaeological record from BLN construction. Therefore, construction impacts on Historic Period archaeological sites on the BLN site, in its vicinity, and within a 10-mi. radius of it are considered SMALL. No mitigation is warranted.

#### 4.1.3.1.3 Historic Sites

This subsection refers to historic sites defined as aboveground historic properties. NRHP eligibility requirements for such properties are discussed in Subsection 4.1.3, with detailed descriptions addressed in Subsection 2.5.3.5. No aboveground historic properties with intact standing structures were identified on the BLN site during any previous survey. Therefore, the BLN site has no aboveground historic properties that are potentially eligible for listing, eligible for listing, or listed on the NRHP. However, in Jackson County, within a 10-mi. radius of the BLN site center point, three aboveground historic properties are listed in the NRHP and four additional NRHP-eligible properties are currently pending NRHP listing. One of the four NRHP-pending properties is the Bellefonte Cemetery, which was listed in the Alabama Historic Cemetery Register in 2006. Two additional properties are listed in on the Alabama Register of Landmarks and Heritage (ARLH) and share NRHP protection status. These historic sites properties are presented in Tables 2.5-19 and 2.5-20, and their locations are depicted in Figure 2.5-8. Because no historic sites exist within the BLN site APE, there are no direct construction effects on historic sites associated with BLN. Unlike the case with archaeological resources, indirect (noise-related or visual) effects are an intrinsic consideration in regard to potential adverse effects of construction for aboveground historic properties. However, none of the currently NRHP-listed aboveground historic properties exist within a 1-mi. radius of the BLN site center point; the closest such property (the Townsend Farmhouse) is within approximately 5 mi., and the second closest (College Hill Historic District) is within approximately 6 mi. Both have intervening topographic features that obscure visual and noise effects. These distances are beyond any noise-effect considerations for BLN construction, as is addressed in Subsection 2.5.5, and the BLN site is obscured from the viewshed of the currently NRHP-listed historic properties within the 10-mi. radius of the BLN site center point. Four additional NRHP-eligible aboveground properties exist beyond the 606-ac. APE for the BLN site: two properties (Bellefonte Cemetery and African-American Bellefonte Cemetery) are located within the 1-mi. radius and two (Carter-Hansbrough Cemetery and Old Snodgrass Place) are located just beyond the 1-mi. radius of the extant BLN site cooling towers (Reference 10). These properties are currently pending NRHP listing. Although these properties have been determined eligible for the NRHP, it has also been determined by the same cultural resource survey, survey report, and TVA and SHPO consultation (References 11 and 12), that those resources will receive no adverse impacts from BLN site construction. Consequently, there are no anticipated effects on historic sites from BLN construction. Because no effects are anticipated, there are ~~be~~ no cumulative effects to historic sites from BLN construction. Therefore, construction impacts on aboveground historic sites on the BLN site, in its vicinity, and within a 10-mi. radius of its center point are considered SMALL. No mitigation is warranted.

#### 4.1.3.1.4 Historic Cemeteries

No extant Euroamerican cemeteries have been identified within the TVA-recommended APE at the BLN site. The closest Euroamerican cemeteries ~~include~~ are the Finnell (family) Cemetery, the Hansbrough (family) Cemetery, the Norwood (family) Cemetery, an additional unnamed family cemetery, Historic Period archaeological site 1JA348 (also a family cemetery), the old African-American Bellefonte (town) Cemetery, and the old Bellefonte (town) town eCemetery, with the closest of ~~these the three~~ being the Finnell Cemetery at approximately 400 420 ft. from the eastern boundary of the 606-ac. BLN site APE boundary.

Numerous other municipal, church, and small family cemeteries are located within a 10-mi. radius of the BLN site center point in Jackson County, but none are nearer the site than these. The eligibility of these cemeteries for inclusion in the NRHP has recently been evaluated (Reference 10) with the result that the Hansbrough Cemetery, the African-American Bellefonte Cemetery, and the Bellefonte Cemetery have been determined eligible for the NRHP and are currently pending their NRHP listing. The other cemeteries have been determined not eligible for the NRHP, with the exception of the family cemetery that is archaeological site 1JA348, which remains unassessed and was not relocated (found) during the 2008 aboveground property survey (Reference 10) not been determined (for a more detailed assessment of these historic cemeteries see Subsection 2.5.3.6, and Figure 2.5-7, and Figure 2.5-8). Because none of these cemeteries lies within the BLN site APE, none are affected by BLN construction. As archaeological site 1JA348 none of the cemeteries have has not been assessed for NRHP status, was not relocated (found) during the recent aboveground historic properties survey (Reference 10), and is considered a belowground archaeological site, potential indirect effects related to noise or visual aesthetics are unsupported. For those cemeteries determined not eligible for the NRHP, there can be no adverse impacts because the concept of adverse impacts is only applicable to NRHP eligible sites. The remaining three cemeteries determined eligible for the NRHP (Reference 10) were also determined by that survey, survey report, and TVA and SHPO consultation (References 11 and 12) to have no anticipated adverse impacts from BLN site construction. Consequently, no effects on historic cemeteries from BLN construction are anticipated. Because no effects are anticipated, there are no cumulative effects to historic cemetery cultural heritage from BLN construction. Therefore, construction impacts on historic cemeteries in the vicinity of the BLN site and within a 10-mi. radius of its center point are considered SMALL. No mitigation is warranted.

#### 4.1.3.1.5 Traditional Cultural Properties

No traditional cultural properties (TCPs) are located on the BLN site, in its vicinity, or within a 10-mi. radius of the site center point (see Subsection 2.5.3.7). Therefore, construction on the BLN site has no effect on TCPs in these areas. In addition, construction on the BLN site is not expected to contribute to cumulative effects on TCPs because there are no effects on TCPs from the BLN site to add to cumulative effects. Therefore, construction impacts on TCPs on the BLN site, in its vicinity, and within a 10-mi. radius of its center point are considered SMALL. No mitigation is warranted.

#### 4.1.3.2 Transmission Corridor

No effects on historic properties along the extant transmission line that is to service the BLN site are anticipated; therefore, no further historic property considerations or assessments along the transmission line corridor are deemed necessary (for TVA correspondence, see Appendix A). One aboveground historic property (the Townsend Farmhouse) is located within 1.2 mi. of the transmission line corridor and is also beyond that area already assessed for potential adverse impacts by BLN site construction and operations (the 606-ac. BLN site APE and the area within 1-mi. of the cooling towers). The Townsend Farmhouse is located within 4800 ft. of the existing transmission line; however, that transmission line was extant when the property was listed on the NRHP (August 11, 2005), so its effect has already been assessed in regard to site integrity. Therefore, the Townsend Farmhouse

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situation is consistent with the determination that there are no anticipated effects on historic properties along the extant transmission line. Because no effects are anticipated, there are no cumulative effects to collective cultural heritage associated with the transmission corridor. Therefore, construction impacts on historic properties within the transmission corridor and within 1.2 mi. of it are considered SMALL. No mitigation is warranted.

#### 4.1.3.3 Archaeological Monitoring

It has been determined through the Section 106 process (Section 2.5.3) that archaeological monitoring is not required during BLN construction. TVA determined, in consultation with the Alabama SHPO, that the protection procedures discussed in Subsection 4.1.3.1.1 for site 1JA111 are sufficient for protecting the site, and the remaining areas within the BLN APE have been cleared for construction (References 8 and 9). To provide assurance that cultural materials inadvertently encountered during BLN construction are properly evaluated in compliance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA) (43 CFR Part 10) (Reference 4), TVA cultural resource staff inform construction managers and workers during site orientation that in the event of the discovery of cultural materials described under 43 CFR 10.2(d), construction work must cease in the area of the discovery, with reasonable efforts applied to protect the area and discovered objects. In such an event, TVA cultural resource staff are informed immediately by telephone followed by a written confirmation [43 CFR 10.4(b)]. Following such notification, TVA implements procedures as described in 43 CFR Part 10, beginning with a written confirmation by certified mail of the receipt of notification. In order to assure that any cultural materials encountered during BLN construction are properly evaluated, it is the consensus of the TVA and the Alabama SHPO that archaeological monitoring of BLN construction should be conducted. The conditions of the monitoring are expected to be arrived at through a memorandum of agreement (MOA) pursuant to NHPA Section 106. The planned parties to the MOA would be the TVA, the Alabama SHPO, the Alabama State Archeologist, and any other interested parties. Should it be determined through the process agreed to in the MOA that any encountered cultural materials are human remains, associated funerary items, sacred objects, or items of cultural patrimony, such items are treated according to a plan of action pursuant to the Native American Graves Protection and Repatriation Act (Reference 4). As owner of the property and any cultural materials on the BLN site, the TVA plans to construct a plan of action with relevant Native American Tribes and Nations.

6. Change COLA Part 3, ER Chapter 2, Subsection 4.1.4, to update the changes identified in TVA's May 2, 2008, response to NRC sufficiency review comments ER10 and ER12, to add references, as follows:

8. Letter from Colonel (Ret.) John A. Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Diane A. Cargill, Cargill Archaeological Services, "AHC 06-1211, Jackson Camp, Bellefonte Nuclear Site, Jackson County, Alabama," dated July 26, 2007.
9. Letter from Thomas O. Maher, PhD., Tennessee Valley Authority, to Colonel John Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, "AHC 2006-1211; Bellefonte NuStart Energy Development; Jackson County," dated April 17, 2007.

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10. TRC, Inc., *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*, Final Report, June 2008.
11. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Stacye Hathorn, Alabama Historical Commission, "AHC 2006-1221; Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008.
12. Letter from Elizabeth A. Brown, Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development; Historic Resource Survey; Jackson County," dated June 10, 2008.

7. Change COLA Part 3, ER Chapter 2, Subsection 5.1.3, as follows:

### 5.1.3 HISTORIC PROPERTIES

This subsection focuses on the effects of BLN operations on existing historic properties on the BLN site and within a 10-mi. radius of its center point. Aboveground historic properties and archaeological sites are among the entities that can be considered for listing on the National Register of Historic Places (NRHP). They are the principal historic properties of concern with regard to effects from operations at BLN, along with ~~cemeteries~~ and traditional cultural properties (TCPs) and cemeteries (also considered aboveground resources). For definitions of the terms historic properties, site integrity, and significance in relation to eligibility for the NRHP, and related concerns about effects, see Subsection 4.1.3. For the site numbers, locations, and NRHP status of relevant historic properties, see Subsection 2.5.3, Tables 2.5-19 and 2.5-20, and Figures 2.5-7 and 2.5-8.

#### 5.1.3.1 Site and Vicinity

Direct effects from BLN site operations on existing historic properties are possible only within the archaeological area of potential effect (APE) for the BLN site. The archaeological APE was recommended by the Tennessee Valley Authority (TVA) in agreement with the Alabama SHPO and in consideration of BLN site construction and operations plans. It includes 606 ac. (see Figure 2.5-7). The archaeological APE lies entirely within the BLN site vicinity, located in U.S. Public Land Survey System Township 04S, Range 07E, Sections 5, 6, 7, 8, 12, and 18, of Jackson County, Alabama, with the majority of the area situated in Section 7. Indirect (noise-related and visual) effects from BLN site operations are possible on the BLN site or potentially within a 10-mi. radius of its center point (see Figure 2.5-18). The 10-mi. radius extends through portions of Jackson County, Alabama, and also includes a small area of DeKalb County, Alabama.

##### 5.1.3.1.1 Prehistoric Archaeological Sites

For a detailed discussion of previous cultural resource surveys of the BLN site see Subsection 2.5.3.1 and for relevant prehistoric archaeological sites see Subsection 2.5.3.3. For a brief overview of prehistoric archaeological site assessments in relation to eligibility, planned site protection, and site integrity see Subsection 4.1.3.1.1. For a detailed discussion

of the Alabama SHPO site determinations and preservation plans under the National Historic Preservation Act (NHPA) Section 106 process review, see Subsection 4.1.3.1.1.

During the NHPA Section 106 process review, the Alabama SHPO concurred with the NRHP eligibility recommendations of the cultural resource survey and the TVA (see Subsection 4.1.3.1.1 and see Appendix A associated historic property consultation letters). As a result, one prehistoric site within the BLN site boundaries is considered potentially eligible for listing in the NRHP (1JA111). The SHPO agreed that the site must be protected by avoidance during BLN construction and operation. TVA subsequently drafted official correspondence (described initially in Subsection 2.5.3.2) assuring site protection and avoidance for site 1JA111. According to the letter, the protection measures are planned to include a 50-ft protective buffer established around the site with further protection by an obstructive barrier consisting of construction fencing or chain link fencing, and a sign posted informing personnel that an archaeological resource protected under the Archaeological Resource Protection Act is present (see Appendix A for this and other associated historic property consultation letters). These protections are planned to preclude operational impacts associated with the BLN site including operations associated with the nearby canal. Given the results of the NHPA Section 106 process consultation, it has been determined that BLN operations have no effects on this site. Furthermore, operations have no effects on any potentially eligible or eligible prehistoric archaeological sites within the BLN site APE. With regard to prehistoric sites located beyond the BLN site APE (but within 1 mi.) and the numerous prehistoric and multi-component archaeological sites within the 10-mi. radius, there are no effects from BLN site operations because operations are expected to be confined to the site, and because indirect (noise-related and visual) effects are extraneous considerations for archaeological sites. Therefore, the impacts of BLN site operations on prehistoric archaeological sites are considered SMALL. Mitigation is not warranted.

#### 5.1.3.1.2 Historic Archaeological Sites

For a detailed discussion of previous cultural resource surveys of the BLN site see Subsection 2.5.3.1 and for relevant Historic Period archaeological sites see Subsection 2.5.3.4. For a brief overview of archaeological site assessments in relation to NRHP eligibility see Subsection 4.1.3.1.1.

One Historic Period site (1JA1103) was identified within the BLN site APE during the most recent cultural resource survey. During the NHPA Section 106 process review, the Alabama SHPO concurred with the recommendation that 1JA1103 was ineligible for inclusion in the NRHP. Sites determined to be ineligible for the NRHP do not require protection. Given the ineligible determination for site 1JA1103, no effects from BLN site operation are anticipated for eligible or potentially eligible Historic Period archaeological sites within the BLN site APE. Because 1JA1103 is the only Historic Period site within the BLN site APE and because indirect (noise-related or visual) effects are extraneous considerations for archaeological sites, no BLN site operation effects on Historic Period archaeological sites are anticipated. Therefore, operation impacts on Historic Period archaeological sites on the BLN site, in its vicinity, and within a 10-mi. radius of it are considered SMALL. No mitigation is warranted.

#### 5.1.3.1.3 Historic Sites

This subsection refers to historic sites defined as aboveground historic properties. The NRHP eligibility requirements for such properties are discussed in Subsection 4.1.3, and detailed descriptions are provided in Subsection 2.5.3.5. No aboveground historic properties with intact standing structures were identified on the BLN site during any previous survey. Furthermore, the BLN railroad spur is not itself part of a historic site or district. Therefore, the BLN site has no aboveground historic properties that are potentially eligible for listing, eligible for listing, or listed on the NRHP. However, in Jackson County, within a 10-mi. radius of the BLN site center point; there are several aboveground historic properties. These properties are presented in Tables 2.5-19 and 2.5-20, and their locations are depicted in Figure 2.5-7 2.5-8. Because no historic sites exist within the BLN site APE, BLN site operations have no direct effects on historic sites. Unlike archaeological resources, indirect (noise-related or visual) effects are an intrinsic consideration in regard to the potential adverse effects of construction and operations on aboveground historic properties. However, none of the above-ground historic properties currently listed on the NRHP exist within a 1-mi. radius of the BLN site center point; the closest such property (the Townsend Farmhouse) is within approximately 5.4 mi., and the second closest (College Hill Historic District) is within approximately 65.9 mi. Both have intervening topographic formations that obscure visual and noise effects. These distances are beyond any noise-effect considerations for BLN site operations, as addressed in Subsection 2.5.5, and the BLN site is obscured from the viewshed of the historic properties currently listed on the NRHP within the 10-mi. radius of the BLN site center point. Four additional NRHP-eligible aboveground properties exist beyond the 606-ac. APE for the BLN site: two properties (Bellefonte Cemetery and African-American Bellefonte Cemetery) are located within the 1-mi. radius and two (Carter-Hansbrough Cemetery and Old Snodgrass Place) are located just beyond the 1-mi. radius of the extant BLN site cooling towers (Reference 2). These properties are currently pending NRHP listing. Although these properties have been determined eligible for the NRHP, it has also been determined by the same cultural resource survey, survey report, and TVA and SHPO consultation (References 3 and 4), that those resources will receive no adverse impacts from BLN site operation. Therefore, BLN site operations have no effects on historic sites. The impacts of BLN site operations on aboveground historic sites are considered SMALL, and mitigation is not warranted.

#### 5.1.3.1.4 Historic Cemeteries

No extant Euroamerican cemeteries have been identified within the TVA-recommended APE at the BLN site. The closest Euroamerican cemeteries and the general types of cemeteries located within a 10-mi. radius of the BLN site center point are discussed in Subsections 2.5.3.6 and 4.1.3.1.4. Because the cemetery that is archaeological site 1JA348 has not been assessed for NRHP status, was not relocated (found) during the 2008 aboveground historic properties survey (Reference 2), and is considered a belowground archaeological site, potential indirect effects related to noise or visual aesthetics are unsupported. For those cemeteries determined not eligible for the NRHP, there can be no adverse impacts as the concept of adverse impacts is only applicable to NRHP-eligible sites. The remaining three cemeteries determined eligible for the NRHP (Reference 2) were also determined by that survey, survey report, and TVA and SHPO consultation (References 3 and 4) to have no anticipated adverse impacts from BLN site operations (Reference 2). Because none of these cemeteries lie within the BLN site APE, none are affected by BLN site operations. As none of the cemeteries have been assessed for NRHP status, potential

~~indirect effects related to noise or visual aesthetics are unsupported.~~ Therefore, BLN site operations should have no effects on historic cemeteries. The impacts of BLN site operations on historic cemeteries isare considered SMALL. Mitigation is not warranted.

#### 5.1.3.1.5 Traditional Cultural Properties

No traditional cultural properties (TCPs) are located on the BLN site, in its vicinity, or within a 10-mi. radius from the site (see Subsection 2.5.3.7). Therefore, BLN operations have no effect on TCPs in these areas. Therefore, the impacts of BLN site operations on TCPs are considered SMALL. Mitigation is not warranted.

#### 5.1.3.2 Transmission Corridor

No effects on historic properties along the extant transmission line that is to service the BLN site are anticipated; therefore, no further historic property considerations or assessments along the transmission line corridor are deemed necessary (see Appendix A for TVA correspondence on this issue). One above-ground historic property (the Townsend Farmhouse) is located within 1.2 mi. of the transmission line corridor and beyond that area already assessed for BLN site operations (the 606-ac. BLN site APE and within 1-mi. of the cooling towers). The Townsend Farmhouse is located within 4800 ft. of the existing transmission line; however, that transmission line was extant when the property was listed on the NRHP (August 11, 2005), so its effects have already been assessed in regard to site integrity. Therefore, the Townsend Farmhouse situation is consistent with the determination that BLN operations have no effects on historic properties along the extant transmission line. The impacts of BLN site operations on historic properties associated with transmission line corridors are considered SMALL, and mitigation is not warranted. TVA's procedure for reviewing the operations and maintenance of transmission lines is called a Sensitive Area Review (SAR). Under this review procedure all transmission line corridors, where routine operation and maintenance occur, are reviewed by TVA Cultural Resource staff for the potential to effect historic properties on or eligible for the NRHP. The regulatory guidance for the Sensitive Area Review concerning cultural resources is the same guidance for all cultural resource assessments: 36 CFR 800 (Reference 1). At the time of review, TVA would determine the need for consultation with the State SHPO and if needed, define an APE with the State SHPO. That requirement would range from no investigations (area already surveyed) to resurvey (if past surveys were not deemed sufficient) to site avoidance, data recovery, or monitoring if a previously or newly identified cultural resource within the APE was determined eligible or potentially eligible for inclusion in the NRHP. As TVA has already determined that no further historic property considerations or assessments along the extant transmission line corridor are deemed necessary, it is expected that the impacts of transmission line maintenance on historic properties are considered SMALL. Mitigation is not warranted.

8. Change COLA Part 3, ER Chapter 2, Subsection 5.1.4, to add references, as follows:

2. TRC, Inc., *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*, Final Report, June 2008.

TVA Letter Dated: August 1, 2008

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3. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Stacye Hathorn, Alabama Historical Commission, "AHC 2006-1221; Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008.
4. Letter from Elizabeth A. Brown, Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development; Historic Resource Survey; Jackson County," dated June 10, 2008.

**ATTACHMENTS:**

The following documents are provided as Attachments 2.5.3-2A through 2.5.3-2D to this enclosure. Attachments 2.5.3-2 and 2.5.3-3 will be included in Appendix A to the Applicant's Environmental Report (ER). Attachment 2.5.3-2 will be included in Section 2.5 of the ER:

- 2.5.3-2A. TRC, Inc., *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*, Final Report, dated June 2008. (Entire document)
- 2.5.3-2B. Letter from Thomas O. Maher, Ph.D., Tennessee Valley Authority, to Stacye Hathorn, Alabama Historical Commission, "AHC 2006-1221; Bellefonte NuStart Energy Development; Nuclear Regulatory Commission Application; Jackson County, Alabama," dated May 9, 2008. (Entire document)
- 2.5.3-2C. Letter from Elizabeth A. Brown, Deputy State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development; Historic Resource Survey; Jackson County," dated June 10, 2008. (Entire document)
- 2.5.3-2D. Figure 2.5-8, NRHP- and ARLH- Listed Aboveground Historic Properties within 10 Mi. Radius of the BLN Site, Revision 1. (Entire document)

TVA Letter Dated: August 1, 2008

Responses to Environmental Report Information Needs – Historic and Cultural Resources

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**NRC Review of the BLN Environmental Report****NRC Environmental Category: HISTORIC AND CULTURAL RESOURCES****NRC RAI NUMBER: 2.5.3-3**

Provide site form for Bellefonte town, if there is one.

**BLN RESPONSE:**

However, in response to information need CR-20 in the referenced TVA letter, dated May 16, 2008, TVA discussed a 1974 document titled, "Report on Old Bellefonte: An Historical Site in North Alabama," which provides the extent of known archaeological discussion concerning the town. This report is the only known work on the town of Bellefonte, as no archaeological investigations of the town have been conducted to date. The report contains a map of town boundaries that was used to determine the Old Town of Bellefonte boundaries shown in ER Figure 2.5-7. This 1974 report is made available for NRC review at NuStart's contractors' offices. . The other known documents related to the town of Bellefonte are those pertaining to the nomination of the Bellefonte Town Cemetery for listing in the Alabama Cemetery Register.

This response is PLANT-SPECIFIC.

Reference:

Letter from Jack A. Bailey (TVA) to NRC Document Control Desk, "Response to NRC Information Needs Related to Cultural Resources," dated May 16, 2008 [ML081410174].

**ASSOCIATED BLN COL APPLICATION TEXT CHANGES:**

None.

**ATTACHMENTS:**

None.

**NRC Review of the BLN Environmental Report**

**NRC Environmental Category: HISTORIC AND CULTURAL RESOURCES**

**NRC RAI NUMBER: 5.1.3-1 and 2.2.2-1**

Describe the applicant's process for concluding that impacts to cultural resources from ongoing maintenance of transmission lines are small.

**BLN RESPONSE:**

TVA determined the transmission lines would not require an archaeological or visual survey, and that impacts to cultural resources from ongoing maintenance of transmission lines are SMALL, because no new construction or ground disturbance along the transmission rights-of-way is anticipated. Any ground-disturbing activities associated with construction of the transmission lines rights-of-way would have occurred when the transmission lines were originally constructed for Bellefonte Units 1 and 2. Visual effects already exist, and no new visual impact would occur. Should this change, a review of areas proposed for ground disturbance or future maintenance would be conducted to identify historic properties that may be affected, as described in TVA's Sensitive Area Review (SAR) process document that was provided at the site audit. In a letter dated September 14, 2006 (provided in Attachment A to the referenced TVA letter, dated May 2, 2008), TVA provided their recommendation for the area of potential effects (APE) and stated their determination that an archaeological survey for the transmission lines would not be necessary. The Alabama SHPO was copied on that September 14, 2006 letter. The SHPO responded on October 13, 2006 (see Attachment 5.1.3-1) that they concurred with TVA's determination of the APE.

If, during the SAR process, it is determined that a maintenance activity may adversely affect a historic property (based on the SAR process), TVA will initiate National Historic Preservation Act (NHPA) Section 106 consultation with the SHPO and other consulting parties. The NHPA Section 106 process requires TVA to determine an APE for each undertaking.

This response is PLANT-SPECIFIC.

Reference:

Letter from Andrea L. Sterdis (TVA) to NRC Document Control Desk, "Response to Environmental Report (ER) Sufficiency Review Comments," dated May 2, 2008.

**ASSOCIATED BLN COL APPLICATION TEXT CHANGES:**

None.

**ATTACHMENT:**

The following document is provided as Attachment 5.1.3-1 for inclusion in Appendix A to the Applicant's Environmental Report:

- 5.1.3-1. Letter from Colonel (Ret.) John A. Neubauer, State Historic Preservation Officer, State of Alabama, Alabama Historical Commission, to Thomas O. Maher, Ph.D., Tennessee Valley Authority, "AHC 2006-1211; Bellefont Nustart Energy Development, Jackson County," dated October 13, 2006. (Entire document)

ATTACHMENT 2.5.3-1  
TENNESSEE VALLEY AUTHORITY  
LETTER TO JACKSON COUNTY HISTORICAL SOCIETY  
AHC 2006-1221, BELLEFONTE NUSTART ENERGY DEVELOPMENT  
NUCLEAR REGULATORY COMMISSION APPLICATION, JACKSON COUNTY, AL  
MAY 9, 2008

## **Tennessee Valley Authority**

**Letter from Thomas O. Maher, Ph.D., TVA,  
to Jackson County Historical Society**

**“AHC 2006-1221, Bellefonte NuStart Energy  
Development; NRC Application;  
Jackson County, Alabama”  
(3 pages: Entire document)**

**May 9, 2008**



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499

May 9, 2008

Jackson County Historical Society  
Route 1  
Langston, Alabama 35755

To Whom It May Concern:

AHC 2006-1211; BELLEFONTE NUSTART ENERGY DEVELOPMENT; NUCLEAR REGULATORY COMMISSION APPLICATION; JACKSON COUNTY, ALABAMA

The Tennessee Valley Authority (TVA) is a participant in the NuStart Energy Development and has submitted an application to the Nuclear Regulatory Commission (NRC) for a combined construction and operating license at the TVA-owned Bellefonte Nuclear Site in Jackson County, Alabama.

As part of the NRC review, TVA was asked to conduct a standing structures survey within the one-mile view shed of the existing cooling towers located at the original plant site to include historic cemeteries and other features associated with the historic town of Bellefonte. Enclosed is a copy of the report titled *Historic Resource Survey for the Bellefonte Nuclear Site in Jackson County, Alabama*. TRC, Inc. revisited five previously recorded sites and identified 12 new properties within the view shed. These properties are summarized in the Table below.

Resource	TRC Recommendation	TVA Recommendation
#25 Old Stage Road (CR-33/588)	Not Assessed	
#26 Bellefonte Landing Rd.	Not Assessed	
#27 Daniel Martin Hotel	Demolished	Agree
#28 Bellefonte	Demolished	Agree
HR-8 Bellefonte Cemetery	Eligible-No Adverse Effect	Agree
HR-1	Not Eligible	Agree
HR-2	Not Eligible	Agree
HR-3	Eligible-No Adverse Effect	Agree-Outside APE
HR-4	Eligible-No Adverse Effect	Disagree-Not Eligible
HR-5	Not Eligible	Agree
HR-6	Not Eligible	Agree
HR-7	Eligible-No Adverse Effect	Disagree-Not Eligible
HR-9	Eligible-No Adverse Effect	Agree
HR-10	Not Eligible	Agree
HR-11	Not Eligible	Agree
HR-12	Not Eligible	Agree
HR-13	Eligible-No Adverse Effect	Disagree-Outside APE

May 9, 2008

TVA agrees with most of the findings in the report, but finds that three resources, HR-4, HR-7 and HR-13 to be ineligible for listing in the National Register of Historic Places (NRHP). TVA finds that HR-4 and HR-7 have long been abandoned and have suffered from extensive deterioration and therefore lack the integrity to be considered eligible for listing in the NRHP. Two resources were evaluated but do not lie within the visual area of potential effects (APE) for this undertaking. These resources include HR-3 and HR-13. Both appear to meet the criteria of eligibility for listing in the NRHP, but are outside the scope of this project.

Two roads were identified within the project area (#25 and #26). These roads have been heavily altered over the years and would require additional research to determine their eligibility. TVA does not have any plans at this time to expand or widen these roads as a result of the proposed nuclear project. If plans change, we will consult with your office on potential effects to these resources.

While several resources were identified within the APE to be eligible for listing in the NRHP, TVA agrees with the report author that these resources will not be impacted by any new visual obstructions. Several resources, including the Bellefonte Cemetery, appear to be visually protected with heavy vegetation. Based on the findings in this report, TVA finds that no Historic Properties will be visually affected by the proposed undertaking. Pursuant to 36CFR Part 800.4(a), TVA is seeking your comments on these findings and recommendations.

If you have any questions regarding this project, please contact Erin Pritchard at [eepritchard@tva.gov](mailto:eepritchard@tva.gov) or 865-632-2463.

Sincerely,

*Original signed by Thomas O. Maher*

Thomas O. Maher, Ph.D.  
Manager  
Cultural Resources

EEP:IKS

Enclosure

cc: EDMS, WT 11D-K ✓

Identical letter sent to:

Tennessee Valley Genealogical Society  
Post Office Box 1568  
Huntsville, Alabama 35807

Scottsboro Public Library  
1002 South Broad Street  
Scottsboro, Alabama 35768

ATTACHMENT 2.5.3-2A  
TRC, INC.  
HISTORIC RESOURCE SURVEY FOR THE BELLEFONTE NUCLEAR SITE  
IN JACKSON COUNTY, ALABAMA  
JUNE 2008

**TRC, Inc.**

*Historic Resource Survey for the  
Bellefonte Nuclear Site  
in Jackson County, Alabama*  
**Final Report**  
**(Entire document)**  
**(95 pages: Entire document)**

**June 2008**