Appendix F

Key Early Site Permit Consultation Correspondence Regarding the VEGP Early Site Permit

Appendix F

Key Early Site Permit Consultation Correspondence Regarding the VEGP Early Site Permit

Correspondence received during the evaluation process of the early site permit application for the siting of two new nuclear units (Units 3 and 4) at the Vogtle Electric Generating Plant (VEGP) in Burke County, Georgia, is identified in Table F-1. Copies of the correspondence are included at the end of this appendix.

Table F-1. Key Early Site Permit Consultation Correspondence Regarding the VEGP Early Site Permit

Source	Recipient	Date of Letter
U.S. Nuclear Regulatory Commission (NRC) (Christopher Nolan)	Poarch Band of Creek Indians (Stephanie Rolin)	October 12, 2006
NRC (Christopher Nolan)	United Keetoowah Band of Cherokee Indians (Emma Sue Holland)	October 12, 2006
NRC (Christopher Nolan)	Poarch Band of Creek Indians (Eddie Tullis)	October 12, 2006
NRC (Christopher Nolan)	Eastern Band of Cherokee Indians (Kathy McCoy)	October 12, 2006
NRC (Christopher Nolan)	Coushatta Tribe of Louisiana (John Zachary)	October 12, 2006
NRC (Christopher Nolan)	Kialegee Tribal Town (Evelyn Bucktrot)	October 12, 2006
NRC (Christopher Nolan)	Miccosukee Tribe of Indians of Florida (Steven Terry)	October 12, 2006
NRC (Christopher Nolan)	Poarch Band of Creek Indians (Gale Thrower)	October 12, 2006
NRC (Christopher Nolan)	Thlopthlocco Tribal Town (Louis McGertt)	October 12, 2006

Source	Recipient	Date of Letter
NRC (Christopher Nolan)	Muscogee (Creek) Nation (A.D. Ellis)	October 12, 2006
NRC (Christopher Nolan)	Cherokee Nation of Oklahoma (Richard Allen)	October 12, 2006
NRC (Christopher Nolan)	Chickasaw Nation (Gingy [Virginia] Nail)	October 12, 2006
NRC (Christopher Nolan)	Chickasaw Nation of Oklahoma (Bill Anoatubby)	October 12, 2006
NRC (Christopher Nolan)	Georgia Tribe of Eastern Cherokee (Charles Thurmond)	October 12, 2006
NRC (Christopher Nolan)	Alabama-Quassarte Tribal Town (Tarpie Yargee)	October 12, 2006
NRC (Christopher Nolan)	National Marine Fisheries Service (David Bernhart)	October 12, 2006
NRC (Christopher Nolan)	U.S. Fish and Wildlife Service, Daphne Ecological Services (Elaine Snyder-Conn)	October 12, 2006
NRC (Christopher Nolan)	U.S. Fish and Wildlife Service, Georgia Ecological Services (Strant Colwell)	October 12, 2006
NRC (Christopher Nolan)	Advisory Council on Historic Preservation (Don Klima)	October 12, 2006
NRC (Christopher Nolan)	Seminole Nation of Oklahoma (Pare Bowlegs)	October 12, 2006
NRC (Christopher Nolan)	Eastern Band of Cherokee Indians (Michell Hicks)	October 12, 2006
NRC (Christopher Nolan)	Georgia State Historic Preservation Officer (Ray Luce)	October 12, 2006
NRC (Christopher Nolan)	Alabama Historical Commission (Ed Bridges)	October 12, 2006
NRC (Christopher Nolan)	United Keetoowah Band of Cherokee Indians (Dallas Proctor)	October 12, 2006

Source	Recipient	Date of Letter
NRC (Christopher Nolan)	Absentee-Shawnee Tribe of Oklahoma (Karen Kaniatobe)	October 12, 2006
NRC (Christopher Nolan)	Alabama-Coushatta Tribe of Texas (Debbie Thomas)	October 12, 2006
NRC (Christopher Nolan)	Muscogee (Creek) Nation of Oklahoma(Joyce A. Bear)	October 12, 2006
NRC (Christopher Nolan)	Cherokee Nation of Oklahoma (Chadwick Smith)	October 12, 2006
NRC (Christopher Nolan)	Catawba Indian Tribe (Gilbert Blue)	October 12, 2006
NRC (Christopher Nolan)	Seminole Tribe of Florida (Willard Steele)	October 12, 2006
NRC (Christopher Nolan)	Mississippi Band of Choctaw Indians (Kenneth H. Carleton)	October 12, 2006
Miccosukee Tribe of Indians of Florida (Steven Terry)	NRC (e-mail)	October 16, 2006
Alabama Historical Commission (Colonel [Ret.] John A. Neubauer)	NRC (Mark Notich)	October 20, 2006
Walt Wilson, National Marine Fisheries Service (Walt Wilson)	NRC	October 24, 2006
NRC (Mark Notich)	Georgia State Historic Preservation Officer (Ray Luce)	September 4, 2007
Georgia State Historic Preservation Division (Karen Anderson-Cordova)	NRC (Mark Notich)	December 27, 2007
NRC (William Burton)	U.S. Fish and Wildlife Services, Georgia Ecological Services (Sandra Tucker)	January 25, 2008
NRC (William Burton)	National Marine Fisheries Service (David Bernhart)	January 25, 2008
NRC (William Burton)	South Carolina Department of Natural Resources (Robert Perry)	February 20, 2008

Source	Recipient	Date of Letter
Georgia Department of Natural Resources (Karen Anderson-Cordova)	NRC (Mark Notich)	July 3, 2008

October 12, 2006

Ms. Stephanie Rolin, NAGPRA Contact
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Rolin:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Poarch Band of Creek Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Poarch Band of Creek Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Poarch Band of Creek Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Emma Sue Holland, NAGPRA Contact
United Keetoowah Band of Cherokee Indians
P.O. Box 746
Tahlequah, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Holland:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the United Keetoowah Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the United Keetoowah Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the United Keetoowah Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Eddie Tullis, Chairperson
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Tullis:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

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Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Poarch Band of Creek Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

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Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Kathy McCoy, NAGPRA Contact
Eastern Band of Cherokee Indian
P.O. Box 455
Cherokee, NC 28719

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. McCoy:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

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Accordingly, the staff invites the Eastern Band of Cherokee Indian to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

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Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. John Zachary, Attorney at Law
c/o Coushatta Tribe of Louisiana
P.O. Box 12730
Alexandria, LA 71315-2730

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Zachary:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

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Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff invites the Coushatta Tribe of Louisiana to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and

proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

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Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Evelyn Bucktrot, Town King
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Bucktrot:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Kialegee Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Kialegee Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Kialegee Tribal Town to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Steven Terry
Land Resources Manager
Miccosukee Tribe of Indians of Florida
Real Estate Services
Mile Marker 70
US 41 at Admin. Bldg.
Miami, FL 33194

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Terry:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Miccosukee Tribe of Indians of Florida. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Miccosukee Tribe of Indians of Florida to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Mr. S. Terry 2

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff invites the Miccosukee Tribe of Indians of Florida to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Gale Thrower, NAGPRA Contact
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Thrower:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Poarch Band of Creek Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Poarch Band of Creek Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Poarch Band of Creek Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Louis McGertt, Town King
Thlopthlocco Tribal Town
P.O. Box 188
Okema, OK 74859

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. McGertt:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Thlopthlocco Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Thlopthlocco Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Thlopthlocco Tribal Town to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

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On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. A.D. Ellis, Principal Chief
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Principal Chief Ellis :

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Muscogee (Creek) Nation. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Muscogee (Creek) Nation to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Muscogee (Creek) Nation to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Richard L. Allen, NAGPRA Contact
Cherokee Nation of Oklahoma
P.O. Box 948
Tahlequa, OK 74465-0948

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Allen:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Cherokee Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Cherokee Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Cherokee Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

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Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Gingy (Virginia) Nail, NAGPRA Contact
Chickasaw Nation
P.O. Box 1548
Ada, OK 74821-1548

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Ms. Nail:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Chickasaw Nation. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Chickasaw Nation to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Chickasaw Nation to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Bill Anoatubby, Governor
Chickasaw Nation of Oklahoma
P.O. Box 1548
Ada, OK 74821-1548

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Anoatubby:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Chickasaw Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Chickasaw Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Chickasaw Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Charles Thurmond, NAGPRA Contact
Georgia Tribe of Eastern Cherokee
P.O. Box 1324
Clayton, GA 30525

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mr. Thurmond:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Georgia Tribe of Eastern Cherokee. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Georgia Tribe of Eastern Cherokee to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Georgia Tribe of Eastern Cherokee to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation
Sincerely,

Project No. 737
cc: See next page

October 12, 2006

Mr. Tarpie Yargee, Chief
Alabama-Quassarte Tribal Town
P.O. Box 187
Wetumka, OK 74883

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chief Yargee:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Alabama-Quassarte Tribal Town. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Alabama-Quassarte Tribal Town to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Alabama-Quassarte Tribal Town to consult with the staff in this

regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. David Bernhart
Assistant Regional Administrator
National Marine Fisheries Service
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SUBJECT: APPLICATION FOR AN EARLY SITE PERMIT FOR THE VOGTLE ESP SITE

Dear Mr. Bernhart:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Southern Nuclear Operating Company (Southern) for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. As part of the review of this application the NRC is preparing an environmental impact statement (EIS). The impact analyses in the EIS will include the potential impacts of the construction and operation of one or more new nuclear power plants at the applicant's preferred site or at one of three alternate sites, including the potential impacts to fish and wildlife and threatened and endangered species.

The applicant's preferred location for the new unit(s), if built, would be adjacent to the existing Vogtle Electric Generating Plant (VEGP), located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. Southern also has identified three alternate sites that will be evaluated in the EIS. The three alternate sites owned by Southern: Barton Site (greenfield), in Chilton and Elmore Counties, Alabama, Edwin I. Hatch Nuclear Plant, Appling and Toombs Counties, Georgia, and Joseph M. Farley Nuclear Plant, in Houston County, Alabama.

Southern submitted the application for an ESP was on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 52. The applicant supplemented the application by letters dated August 17, 2006, September 6, 2006, (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006, and is available through the web-based version of the NRC's Agencywide Documents Access and Management System, which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248. If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the new unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including the above alternative sites.

To support the EIS preparation process and to ensure compliance with Section 7 of the Endangered Species Act of 1973, the NRC requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat under the

jurisdiction of NOAA Fisheries, that may be in the vicinity of the VEGP site and its transmission line corridors (Burke County, Jefferson County, Warren County, and McDuffie County), and the three alternate sites listed above. In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act of 1934.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. You and your staff are invited to attend. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. The anticipated publication date for the draft EIS is July 2007.

If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Elaine Snyder-Conn, Acting Field Supervisor
U.S. Fish and Wildlife Service
Daphne Ecological Services Field Office
1208-B Main Street
Daphne, AL 36526

SUBJECT: APPLICATION FOR AN EARLY SITE PERMIT FOR THE VOGTLE ESP SITE

Dear Ms. Conn:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Southern Nuclear Operating Company (Southern) for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. As part of the review of this application the NRC is preparing an environmental impact statement (EIS). The impact analysis in the EIS includes the potential impacts of the construction and operation of one or more new nuclear power plants at the applicant's preferred or at one of three alternate sites, including the potential impacts to fish and wildlife and threatened and endangered species.

The applicant's preferred location for the new unit(s), if built, would be adjacent to the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The three alternate sites that will be evaluated in the EIS at the Edwin I. Hatch Nuclear Plant, Appling and Toombs Counties, Georgia, the Barton Site, in Chilton and Elmore Counties, Alabama and Joseph M. Farley Nuclear Plant, in Houston County, Alabama located within the area serviced by your office.

Southern submitted the application for an ESP on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 52. The applicant supplemented the application by letters dated August 17, 2006, September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the new unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including the above alternative sites. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

To support the EIS preparation process and to ensure compliance with Section 7 of the Endangered Species Act of 1973, the NRC requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat, that may be in the vicinity of the three alternate sites. In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act of 1934.

If you have any questions concerning the VEGP ESP application or other aspects of this project, please contact Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Strant Colwell
Assistant Field Supervisor
US Fish and Wildlife Service
Georgia Ecological Services
Coastal Georgia Sub-Office
4270 Norwich St. Ext.
Brunswick, GA 31520

SUBJECT: APPLICATION FOR AN EARLY SITE PERMIT FOR THE VOGTLE ESP SITE

Dear Mr. Colwell:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Southern Nuclear Operating Company (Southern) for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. As part of the review of this application the NRC is preparing an environmental impact statement (EIS). The impact analysis in the EIS includes the potential impacts of the construction and operation of one or more new nuclear power plants at the applicant's preferred or at one of three alternate sites, including the potential impacts to fish and wildlife and threatened and endangered species.

The applicant's preferred location for the new unit(s), if built, would be adjacent to the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The three alternate sites that will be evaluated in the EIS at the Edwin I. Hatch Nuclear Plant, Appling and Toombs Counties, Georgia, the Barton Site, in Chilton and Elmore Counties, Alabama and Joseph M. Farley Nuclear Plant, in Houston County, Alabama located within the area serviced by your office.

Southern submitted the application for an ESP on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 52. The applicant supplemented the application by letters dated August 17, 2006, September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the new unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including the above alternative sites. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

To support the EIS preparation process and to ensure compliance with Section 7 of the Endangered Species Act of 1973, the NRC requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat, that may be in the vicinity of the three alternate sites. In addition, please provide any information you consider appropriate under the provisions of the Fish and Wildlife Coordination Act of 1934.

If you have any questions concerning the VEGP ESP application or other aspects of this project, please contact Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Don Klima, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Klima:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) submitted by Southern Nuclear Operating Company (Southern) on August 15, 2006. The applicant supplemented the application by letters dated August 17, 2006, September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. An ESP allows an applicant to set aside a site for potential future construction of one or more new nuclear power plants, and provides the opportunity to resolve site safety and environmental issues before construction begins. An ESP does not allow actual construction of a nuclear plant, which must be requested through another application. The ESP site proposed by Southern is adjacent to the existing Vogtle Electric Generating Plant on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The application was submitted by Southern pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52.

Southern has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is included in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. Southern would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) pursuant to 10 CFR Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969. In accordance with 36 CFR 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under §106 of the National Historic Preservation Act of 1966, as amended. Accordingly, the staff has identified parties who may wish to consult with the staff in this regard and invited them to consult with the NRC staff on this matter. Consultation will include participation in the scoping process; identification of historic properties on the Vogtle ESP site; assessment of the effects of the proposed action on any

historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties.

The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under §800.8, the NRC staff will forward the draft EIS to consulting parties for review and comment, and will address the comments in the final EIS. A draft EIS is scheduled for publication in June 2007, and will also be provided to you for review and comment.

If you have any questions or require additional information, please contact the Environmental Project Manager for the Vogtle ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Pare Bowlegs
Seminole Nation of Oklahoma
PO Box 1498
Wewoka, OK 74884

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Bowlegs:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Seminole Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Seminole Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff invites the Seminole Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and

proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Michell Hicks, Principal Chief
Eastern Band of Cherokee Indians
P.O. Box 455
Qualla Boundary
Cherokee, NC 28719

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Principal Chief Hicks:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Eastern Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Eastern Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Eastern Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Dr. W. Ray Luce, Division Director and Deputy SHPO
State Historic Preservation Officer
Historic Preservation Division
Department of Natural Resources
34 Peachtree Street, NW Suite 1600
Atlanta, GA 30303-2316

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE ESP SITE

Dear Dr. Luce:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The NRC staff is currently seeking information from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area, to identify issues relating to the proposed undertaking's potential effects on historic properties.

If built, the new unit(s) would be located adjacent to the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The application for an ESP was submitted by Southern Nuclear Operating Company (Southern), on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, which sets forth the NRC rules that implement the National Environmental Policy Act of 1969. In accordance with 36 CFR 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under §106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff has identified parties who may wish to consult with the staff in this regard and invited them to consult with the NRC staff on this matter. Consultation will include participation in the scoping process; identification of historic properties on the Vogtle ESP site; assessment of the effects of the proposed action on any historic properties identified; and development of alternatives and proposed measures that might avoid , minimize, or mitigate any adverse effects of the proposed action on historic properties. As set forth more fully below, you are invited to consult with the NRC staff regarding the proposed action.

If approved, the ESP would not authorize the applicant to begin construction of the unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites.

Southern has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is incorporated in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. Southern would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work.

In the context of the NHPA, the NRC staff has determined that the area of potential effect for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s), and construction and operation of new transmission lines that may parallel some of the existing transmission line systems now serving VEGP. The new units would utilize the new line or some combination of new and existing lines. The probable route of the new line will be to an existing substation. The specific route of a proposed line has not been determined; however, it will be routed northwest from the VEGP site, passing west of Fort Gordon, a U.S. Army facility west of Augusta, Georgia, then north to an existing substation. The power plant site is located in Burke County, Georgia, and the transmission line corridors traverse Jefferson County, Warren County, McDuffie County, and has not identified any conflicts, zoning or otherwise, that would preclude construction of a transmission line.

In its application, Southern refers to a comprehensive cultural resource and historic property investigation that was performed prior to the construction of VEGP. Southern further states that any issues that were raised were resolved through removal of these historic and cultural resources. No historic standing structures have been identified within the Southern ESP power block footprint, cooling tower footprint, or within the immediate vicinity of VEGP. The applicant has committed to perform further evaluation to determine if additional archaeological review is required if additional area within the ESP site is developed.

We invite you and your staff to participate in the review of the VEGP ESP application. We will also be contacting any Native American Tribes that may have a potential interest in the proposed undertaking, affording them the opportunity to participate in this process and identify issues of concern to them. These tribes are being identified by records research with the Bureau of Indian Affairs, State and local governments, tribal organizations, and through other historical documentation.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. You and your staff are invited to attend. To complete consultation under §800.8, the NRC staff will forward the draft EIS to the consulting parties for review and comment, and will address the comments in the final EIS. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. This draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is July 2007.

If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Dr. Ed Bridges, Interim SHPO
State Historic Preservation Officer
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE ESP SITE

Dear Dr. Bridges:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The NRC staff is currently seeking information from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area, to identify issues relating to the proposed undertaking's potential effects on historic properties.

If built, the new unit(s) would be located adjacent to the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia. The application for an ESP was submitted by Southern Nuclear Operating Company (Southern), on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The application is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. In accordance with 36 CFR 800.8. The NRC staff is using the NEPA process to comply with the obligations imposed under §106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff has identified parties who may wish to consult with the staff in this regard and invited them to consult with the NRC staff on this matter. Consultation will include participation in the scoping process; identification of historic properties on the Vogtle ESP site; assessment of the effects of the proposed action on any historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. As set forth more fully below, you are invited to consult with the NRC staff regarding the proposed action. The EIS will include analyses of potential impacts to historic properties, and will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. If approved, the ESP would not authorize the applicant to begin construction of the unit(s). However, in its review the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites.

In accordance with 40 CFR 1502.14, alternatives including the proposed action, Southern has selected Plant Farley in Dothan, Alabama and the Barton Site in Clanton, Alabama as alternate sites. This selection was made in order to determine if any alternate sites are obviously superior to the Plant Vogtle site. There are no ground breaking or construction activities planned for either Plant Farley or the Barton Site under this action.

We invite you and your staff to participate in the review of the VEGP ESP application. We will also be contacting any Native American Tribes that may have a potential interest in the proposed undertaking, affording them the opportunity to participate in this process and identify issues of concern to them. These tribes are being identified by records research with the Bureau of Indian Affairs, State and local governments, tribal organizations, and through other historical documentation.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. You and your staff are invited to attend. To complete consultation under §800.8, the NRC staff will forward the draft EIS to the consulting parties for review and comment, and will address the comments in the final EIS. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. This draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is July 2007.

If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Dallas Proctor, Chief
United Keetoowah Band of Cherokee Indians
P.O. Box 746
Tahlequah, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chief Proctor:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the United Keetoowah Band of Cherokee Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the United Keetoowah Band of Cherokee Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the United Keetoowah Band of Cherokee Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Karen Kaniatobe
Director of the Cultural/Historical Preservation Department
Absentee-Shawnee Tribe of Oklahoma
2025 S. Gordon Cooper Drive
Shawnee, OK 74801

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Ms. Kaniatobe:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Absentee-Shawnee Tribe of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Absentee-Shawnee Tribe of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff invites the Absentee-Shawnee Tribe of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site;

assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the

significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Ms. Debbie Thomas
Tribal Historic Preservation Officer
NAGPRA Coordinator
Alabama-Coushatta Tribe of Texas
571 State Park Road, 56
Livingston, TX 77351

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Ms. Thomas:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Alabama-Coushatta Tribe of Texas. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Alabama-Coushatta Tribe of Texas to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).
Accordingly, the staff invites the Alabama-Coushatta Tribe of Texas to consult with the staff in

this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mrs. Joyce A. Bear, NAGPRA Contact
Muscogee (Creek) Nation of Oklahoma
P.O. Box 580
Okmulgee, OK 74447

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Mrs. Bear:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Muscogee (Creek) Nation of Oklahoma . We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Muscogee (Creek) Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Muscogee (Creek) Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Chadwick Smith, Principal Chief
Cherokee Nation of Oklahoma
P.O. Box 948
Tahlequa, OK 74465

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Principal Chief Smith:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Cherokee Nation of Oklahoma. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Cherokee Nation of Oklahoma to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Cherokee Nation of Oklahoma to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Gilbert Blue, Chairperson
Catawba Indian Tribe
P.O. Box 188
Catawba, SC 29704

SUBJECT: EARLY SITE PERMIT (ESP) REVIEW FOR THE VOGTLE SITE

Dear Chairperson Blue:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Catawba Indian Tribe. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Catawba Indian Tribe to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Accordingly, the staff invites the Catawba Indian Tribe to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Willard Steele, Deputy THPO
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
HC 61, Box 21A
Clewiston, FL 33440

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Steele:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Seminole Tribe of Florida. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Seminole Tribe of Florida to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Accordingly, the staff invites the Seminole Tribe of Florida to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects of the proposed action on any historic properties identified; and

developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

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Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the

significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

October 12, 2006

Mr. Kenneth H. Carleton
THPO/Tribal Archaeologist
Mississippi Band of Choctaw Indians
P.O. Box 6257/ 101 Industrial Road
Choctaw, MS 39350

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE SITE

Dear Mr. Carleton:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application for an early site permit (ESP) to set aside a site for the potential future construction of one or more new nuclear power plants. The application was submitted by Southern Nuclear Operating Company, on August 15, 2006, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 52. The applicant supplemented the application by letters dated September 6, 2006 (two letters), and September 13, 2006. The application was accepted for docketing on September 19, 2006. If built, the new unit(s) would be located on a site adjacent to the existing Vogtle Electric Generating Plant (VEGP) site which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

As part of its review of the application, the NRC staff will prepare an environmental impact statement (EIS) under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969. The NRC environmental review process includes an opportunity for public participation in the environmental review. The VEGP ESP site is located on land that may be of interest to the Mississippi Band of Choctaw Indians. We want to ensure that you are aware of our efforts and, pursuant to our regulations at 10 CFR 51.28(b), the NRC invites the Mississippi Band of Choctaw Indians to provide input to the scoping process relating to the NRC's environmental review of the application. The following is a description of the application and the environmental review process.

The EIS will document the NRC staff's evaluation of the impacts of construction and operation of one or more new nuclear plants at the Vogtle ESP site. In addition, the staff will also consider alternatives to the proposed action, including alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the VEGP ESP site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested ESP should be granted or denied. If granted, the ESP would not authorize the applicant to begin construction of the unit(s).

Therefore, as part of this review, and in accordance with the provisions in 36 CFR § 800.8, the NRC staff is using the NEPA process to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended). Accordingly, the staff invites the Mississippi Band of Choctaw Indians to consult with the staff in this regard by participating in the scoping process; identifying historic properties on the Vogtle ESP site; assessing the effects

of the proposed action on any historic properties identified; and developing alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC intends to describe such alternatives and proposed measures in the EIS analyses of potential impacts to historical and cultural resources. To complete consultation under § 800.8, the NRC staff will forward the draft EIS to you for your review and comment, and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The APE for this ESP review is the area at the power plant site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s). The application, which describes the APE, is available through the web-based version of the NRC's Agencywide Documents Access and Management System which can be found at http://www.nrc.gov/reading-rm/adams.html. The application is listed under accession number ML062290248.

On October 19, 2006, the NRC will conduct a public environmental scoping meeting from 7:00 p.m. until 10:00 p.m., at the Augusta Technical College, Waynesboro Campus Auditorium, 216 Hwy 24 South, Waynesboro, GA 30830. Representatives of your tribe are invited to attend. The meeting will be preceded by a two-hour open house during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by December 4, 2006. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to Vogtle_EIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and will send a copy to you. In addition, after it is issued, your office will receive a copy of the draft EIS along with a request for comments. The anticipated publication date for the draft EIS is July 2007. If you have any questions or require additional information, please contact the Environmental Project Manager for the VEGP ESP project, Mark Notich at 301-415-3053 or Cristina Guerrero at 301-415-2981. You may also e-mail us at mdn@nrc.gov or cxg3@nrc.gov.

Sincerely,

/RA/

Christopher Nolan, Branch Chief
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Project No. 737

cc: See next page

From: "Steve Terry" <SteveT@miccosukeetribe.com>
To: <Vogtle_EIS@nrc.gov>
Date: Mon, Oct 16, 2006 9:57 AM
Subject: Vogtle Nuclear Power Plant potentail site

The Miccosukee Tribal Elders have decided that the Tribe will limit itself to those matters within the State of Florida. Therefore, the Tribe will defer to the wishes of the other Tribes which have a more direct cultural affiliation with this site.

Thank you for consulting with the Miccosukee Tribe. Please call me at 305.223.8380, Ext. 2243, if you require additional information.

Steve Terry
NAGPRA & Section 106 Representative
Miccosukee Tribe
P.O. Box 440021
Miami, FL 33144-0021
(305) 223-8380, Ext. 2243
Stevet@miccosukeetribe.com

10/5/06
71FR 58882
66

RECEIVED
2007 JAN -4 PM 12:38
RULES AND DIRECTIVES BRANCH USNRC

E-RIDS=ADM-03
Add=M. Tetlak (mdn)
O. Yuruzu (OXY3)

SUNSI Review Complete
Template=ADM-013

Mail Envelope Properties (45338FDA.B0E : 15 : 47886)

Subject: Vogtle Nuclear Power Plant potentail site
Creation Date Mon, Oct 16, 2006 9:50 AM
From: "Steve Terry" <SteveT@miccosukeetribe.com>

Created By: SteveT@miccosukeetribe.com

Recipients
nrc.gov
TWGWPO01.HQGWDO01
VOGTLE_EIS

Post Office	**Route**
TWGWPO01.HQGWDO01	nrc.gov

Files	**Size**	**Date & Time**
MESSAGE	545	Monday, October 16, 2006 9:50 AM
Mime.822	1592	

Options
Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: Standard

Junk Mail Handling Evaluation Results
Message is eligible for Junk Mail handling
This message was not classified as Junk Mail

Junk Mail settings when this message was delivered
Junk Mail handling disabled by User
Junk Mail handling disabled by Administrator
Junk List is not enabled
Junk Mail using personal address books is not enabled
Block List is not enabled

preserveALA
ALABAMA HISTORICAL COMMISSION

10/5/06
71FR58882
(14)

October 20, 20065

Mark Notich
Environmental Project Manager
VEGP ESP Project
Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: AHC 2006-1598, Early Site Permit, Review for the Vogtle ESP Site, Plant Farley, Dothan, Barton Site, Clanton, Chilton and Houston Counties, Alabama

Dear Mr. Notich:

The Alabama Historical Commission is in receipt of the above referenced document. Thank you for forwarding this notice; we will add it to our files. We look forward to reviewing each project action/undertaking on a case-by-case basis should either site in Alabama be chosen. Please complete the enclosed form for each undertaking and forward to our office for review prior to initiating project activities.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, please contact Amanda Hill of this office and include the AHC tracking number referenced above.

Sincerely,

Colonel (Ret.) John A. Neubauer

JAN/AMH/amh

enclosure: PRC form

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242•3184
fax 334 240•3477

RECEIVED
2006 NOV -7 PM 4:01
RULES AND DIRECTIVES BRANCH USNRC

SUNSI Review Complete
Template = ADM-013

E-RIDS = ADM-03
Add = M. Notich (MDN)
A. Guerrero (CXG3)

Alabama Historical Commission
468 S. Perry St.
Montgomery, AL 36130-0900
334-242-3184

PROJECT REVIEW CONSULTATION

APPLICANT_____ PROJECT COUNTY_____

ADDRESS_____ CITY_____ STATE____ ZIP_____

CONTACT PERSON_____ TELEPHONE_____

ADDRESS_____ CITY_____ STATE____ ZIP_____

FEDERAL PROGRAM_____ TYPE OF ASSISTANCE_____

SIGNATURE_____ DATE_____

I. GENERAL INFORMATION

1. What is the proposed actions? Project description_____
_____
_____

2. Has the identical project been previously submitted for review? If yes, enclose a copy of the State Historic Preservation Officer's comments. (Y/N):_____

3. Give the project's Township, Range, and Section description.

   TOWNSHIP____ RANGE____ SECTION____

4. How many acres are in the project area?_____

5. Attach a clearly labeled copy of a USGS topographic map indicating the precise location of the project. (Be sure to include the name of the quad sheet from which it came.)

6. Please provide at least two representative photographs of the project area, and be sure to include directional information (facing east, northwest, etc.).

II. STANDING STRUCTURE INFORMATION

1. In order to expedite review, please submit at least two good quality photographs of all standing structures (buildings, bridge, etc.) within or within view of the project area.

2. How will the project impact on structure/s (rehabilitations, relocation, demolition, encroachment, etc.)?

3. Are there any nationally-, statewide- or locally-designated historic buildings, districts or sites located within, adjacent to or within sight of, the boundaries of the proposed project? structure. (Y/N)_____

   If yes, please state the name of the building, site or historic district and the date it was listed.

   _____

III. SITE INFORMATION

1. To your knowledge, has a cultural resource assessment been conducted in the proposed project area? If yes, enclose a copy of the archaeologist's report. (Y/N)_____

2. Has the ground at the project location been disturbed other than by agriculture? If yes, please describe the ground disturbance (i.e. grading, grubbing, clear-cutting, filling, etc.). (Y/N)_____

   _____

3. Describe the present use and condition of the property._____

   _____

   _____

IV ADDITIONAL INFORMATION

Please elaborate on the above questions and/or include any additional information you feel may be helpful in the review process of your project. Attach additional pages if necessary.

RULES AND DIRECTIVES
BRANCH
USNRC

2006 NOV -7 PM 4: 01

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

Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701
(727) 824-5312, Fax 824-5309
http://sero.nmfs.noaa.gov

10/5/06
71FR 58882
(15)

RECEIVED
OCT 24 2006

Dear Colleague:

Pursuant to section 7(a)(2) of the Endangered Species Act (ESA), the Protected Resources Division of NOAA's National Marine Fisheries Service (NMFS) has reviewed your letter dated October 12, 2006, concerning an application for an early site permit for the Vogtle ESP site.

___ **There are no ESA-listed species** or designated critical habitat under our purview in the action area.

___**We cannot determine** impacts to threatened or endangered species, or designated critical habitat, under NOAA Fisheries purview because the letter lacks sufficient information to evaluate the project.
Enclosed are guidelines to conduct a proper biological evaluation.

___**Please provide a letter** from the lead federal action agency designating you to conduct ESA section 7 consultation with this office.

_X_**Enclosed is a list** of federally-protected species under the jurisdiction of NMFS for the states of Alabama and Georgia. Biological information on federally-protected species and candidate species can be found at the following website addresses:
http://www.nmfs.noaa.gov/prot_res/prot_res.html; http://www.cccturtle.org;.
http://noflorida.fws.gov/SeaTurtles/seaturtle-info.htm);
http://endangered.fws.gov/wildlife.html#Species; http://www.cmc-ocean.org/main.php3;
http://floridaconservation.org/psm/turtles/turtle.htm;
http://obis.env.duke.edu/data/sp_profiles.php;
www.mote.org/~colins/Sawfish/SawfishHomePage.html; www.floridasawfish.com;
www.flmnh.ufl.edu/fish/sharks/InNews/sawprop.htm;.Gulf sturgeon critical habitat rule and maps (http://alabama.fws.gov/gs/).

___ **It is NMFS' opinion that the project will have no effect** on listed species or critical habitat protected by the ESA under NOAA Fisheries purview. No further consultation with NOAA Fisheries pursuant to section 7(a)(2) of the ESA is required unless the project description changes.

Consultation with NMFS' Habitat Conservation Division (HCD), pursuant to the Magnuson-Stevens Fishery Conservation and Management Acts requirements for essential fish habitat consultation, may be required. Please contact HCD at (727) 824-5317. If you have any ESA questions, please contact me at (727) 824-5312 or by e-mail at walt.wilson@noaa.gov.

Sincerely,

Walt Wilson
Fisheries Biologist
Protected Resources Division

Enclosures

File: 1514-22.M

SONSI Review Complete
Template = ADM-013

E-RIDS = ADM-03
Add = M. Notich (MON)
C. Guerrero (CXG3)

Endangered and Threatened Species and Critical Habitats
under the Jurisdiction of the NOAA Fisheries Service

Alabama

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
blue whale	*Balaenoptera musculus*	Endangered	12/02/70
finback whale	*Balaenoptera physalus*	Endangered	12/02/70
humpback whale	*Megaptera novaeangliae*	Endangered	12/02/70
sei whale	*Balaenoptera borealis*	Endangered	12/02/70
sperm whale	*Physeter macrocephalus*	Endangered	12/02/70
Turtles			
green sea turtle	*Chelonia mydas*	Threatened[1]	07/28/78
hawksbill sea turtle	*Eretmochelys imbricata*	Endangered	06/02/70
Kemp's ridley sea turtle	*Lepidochelys kempii*	Endangered	12/02/70
leatherback sea turtle	*Dermochelys coriacea*	Endangered	06/02/70
loggerhead sea turtle	*Caretta caretta*	Threatened	07/28/78
Fish			
Gulf sturgeon	*Acipenser oxyrinchus desotoi*	Threatened	09/30/91

Designated Critical Habitat
Gulf Sturgeon: A final rule designating Gulf sturgeon critical habitat was published on March 19, 2003 (68 FR 13370) and 14 geographic areas (units) among the Gulf of Mexico rivers and tributaries were identified. Maps and details regarding the final rule can be found at alabama.fws.gov/gs

Species Proposed for Listing
None

Proposed Critical Habitat
None

[1] Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico, which are listed as endangered

Alabama

Candidate Species[2]	Scientific Name
None	

Species of Concern[3]	Scientific Name
Fish	
Alabama shad	*Alosa alabamae*
dusky shark	*Carcharhinus obscurus*
night shark	*Carcharinus signatus*
saltmarsh topminnow	*Fundulus jenkinsi*
sand tiger shark	*Carcharias taurus*
speckled hind	*Epinephelus drummondhayi*
Warsaw grouper	*Epinephelus nigritus*
white marlin	*Tetrapturus albidus*
Invertebrates	
ivory bush coral	*Oculina varicosa*

[2] The Candidate Species List has been renamed the Species of Concern List.. The term "candidate species" is limited to species that are the subject of a petition to list and for which NOAA Fisheries Service has determined that listing may be warranted (69 FR 19975).
[3] Species of Concern are not protected under the Endangered Species Act, but concerns about their status indicate that they may warrant listing in the future. Federal agencies and the public are encouraged to consider these species during project planning so that future listings may be avoided.

Endangered and Threatened Species and Critical Habitats
under the Jurisdiction of the NOAA Fisheries Service

Georgia

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
blue whale	*Balaenoptera musculus*	Endangered	12/02/70
finback whale	*Balaenoptera physalus*	Endangered	12/02/70
humpback whale	*Megaptera novaengliae*	Endangered	12/02/70
right whale	*Eubalaena glacialis*	Endangered	12/02/70
sei whale	*Balaenoptera borealis*	Endangered	12/02/70
sperm whale	*Physeter macrocephalus*	Endangered	12/02/70
Turtles			
green sea turtle	*Chelonia mydas*	Threatened[1]	07/28/78
hawksbill sea turtle	*Eretmochelys imbricata*	Endangered	06/02/70
Kemp's ridley sea turtle	*Lepidochelys kempii*	Endangered	12/02/70
leatherback sea turtle	*Dermochelys coriacea*	Endangered	06/02/70
loggerhead sea turtle	*Caretta caretta*	Threatened	07/28/78
Fish			
shortnose sturgeon	*Acipenser brevirostrum*	Endangered	03/11/67
smalltooth sawfish	*Pristis pectinata*	Endangered	04/01/03

Designated Critical Habitat
Right whale: Between 31°15'N (approximately the mouth of the Altamaha River, Georgia) and 30°15'N (approximately Jacksonville, Florida) from the coast out to 15 nautical miles offshore; the coastal waters between 30°15'N and 28°00'N (approximately Sebastian Inlet, Florida) from the coast out to 5 nautical miles.

Species Proposed for Listing
None

Proposed Critical Habitat
None

[1] Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico, which are listed as endangered

Georgia

Candidate Species[2]	Scientific Name
None	

Species of Concern[3]	Scientific Name
Fish	
Atlantic sturgeon	*Acipenser oxyrhynchus oxyrhynchus*
dusky shark	*Carcharhinus obscurus*
night shark	*Carcharinus signatus*
sand tiger shark	*Carcharias taurus*
speckled hind	*Epinephelus drummondhayi*
Warsaw grouper	*Epinephelus nigritus*
white marlin	*Tetrapturus albidus*

[2] The Candidate Species List has been renamed the Species of Concern List. The term "candidate species" is limited to species that are the subject of a petition to list and for which NOAA Fisheries Service has determined that listing may be warranted (69 FR 19975).

[3] Species of Concern are not protected under the Endangered Species Act, but concerns about their status indicate that they may warrant listing in the future. Federal agencies and the public are encouraged to consider these species during project planning so that future listings may be avoided.

September 4, 2007

Dr. W. Ray Luce, Division Director and Deputy SHPO
State Historic Preservation Officer
Historic Preservation Division
Department of Natural Resources
34 Peachtree Street, NW Suite 1600
Atlanta, GA 0303-2316

SUBJECT: EARLY SITE PERMIT REVIEW FOR THE VOGTLE ELECTRIC GENERATING PLANT (VEGP) SITE

Dear Dr. Luce:

The U.S. Nuclear Regulatory Commission (NRC) staff contacted you by letter dated October 12, 2006, in regard to an application for an early site permit (ESP) for the potential future construction of one or more new nuclear power plants. If built, the new unit(s) would be located at the existing Vogtle Electric Generating Plant (VEGP) site, which is located on a Coastal Plain bluff on the southwest side of the Savannah River in eastern Burke County, Georgia.

The NRC staff prepared its draft environmental impact statement (EIS) under the provisions of Title 10 of the Code of *Federal Regulations* Part 51 (10 CFR Part 51), the NRC rules that implement the National Environmental Policy Act of 1969, as amended (NEPA). In addition, as outlined in 36 CFR 800.8, Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) in meeting the requirements of NEPA. In accordance with our letter to you dated October 12, 2006, a copy of the draft EIS is enclosed. We are requesting your comments on the draft EIS and on our preliminary conclusions regarding historic properties.

If approved, the ESP will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one or more new nuclear plants. The ESP would not authorize the applicant to begin construction of the unit(s). However, in its review, the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites.

Southern Nuclear Operating Company, Inc. (Southern) has also included a site redress plan in its application in accordance with 10 CFR 52.17(c) and 52.25. If a site redress plan is included in an ESP approved by the NRC, the applicant may carry out certain site preparation and limited construction activities. See Part 4 of the application for the associated site redress plan. Southern would still be required to obtain the appropriate local, State, and other Federal permits required for these activities prior to starting work.

In the context of the NHPA, the NRC staff has determined that the area of potential effects (APE) for this ESP review is the area at the power plant site and its immediate environs which

may be impacted by land-disturbing activities associated with the construction and operation of the new unit(s).

The APE may extend beyond the immediate environs in those instances where these land-disturbing activities may potentially have an effect on known or proposed historic sites. This determination is made irrespective of ownership or control of the lands of interest.

In its application, Southern has stated that, prior to any activities that would disturb existing ground conditions, it would assess the need, in coordination with the Georgia Historic Preservation Division, to undertake subsurface investigations for the identification of potentially significant historic or cultural resources in the area(s) to be disturbed. In addition, Southern has stated that it would implement the necessary administrative steps to make proper notifications in the event of an unanticipated discovery (including human remains).

Pursuant to 36 CFR 800.2(c)(2)(ii), the NRC staff has conducted an environmental audit at the site and has reviewed historic and archaeological records. The NRC staff also contacted twenty-five Native American Tribes identified as having potential interest in the proposed undertaking. To date, no comments have been received.

In the context of the NEPA, under which the draft environmental impact statement was prepared, the NRC staff's preliminary determination is that the impact granting the ESP on historical and archaeological resources is moderate, and additional mitigation might be warranted. Under the provisions of the NHPA, the NRC staff's preliminary determination is that no historic properties will be affected by the proposed action.

Please note that the period for public comment expires on November 28, 2007. If your office requires additional time, or if there are any other questions regarding this correspondence, please have your representative contact me at 301-415-3053 or by email at MDN@nrc.gov.

Sincerely,

/RA/

Mark D. Notich, Environmental Project Manager
Division of Site and Environmental Review
Office of New Reactors

Docket No.: 52-011

Enclosure: As stated

cc w/o encl: See next page

January 25, 2008

Ms. Sandra Tucker
Field Supervisor
Georgia Ecological Services
U.S. Fish and Wildlife Service
105 West Park Drive
Athens, GA. 30607

SUBJECT: BIOLOGICAL ASSESSMENT FOR THREATENED AND ENDANGERED SPECIES AND DESIGNATED CRITICAL HABITAT FOR THE VOGTLE ELECTRIC GENERATING PLANT EARLY SITE PERMIT APPLICATION

Dear Ms. Tucker:

The U.S. Nuclear Regulatory Commission (NRC) has prepared the enclosed biological assessment (BA) to evaluate whether the proposed action of the Vogtle Electric Generating Plant (VEGP) Early Site Permit (ESP) would have adverse effects on threatened and endangered species and designated critical habitat at the VEGP Site. The VEGP ESP Site is located in Burke County, Georgia, within the existing boundaries of VEGP and adjacent to the Savannah River. The proposed Federal action is the issuance under provisions of Title 10, Part 52 of the *Code of Federal Regulations* of an ESP for the VEGP ESP Site for postulated additional nuclear power facilities and to conduct site preparation and limited construction activities. The site preparation and limited construction activities allowed by 10 CFR 52.25 include clearing, grading, and constructing non-safety-related facilities. The proposed action does not include approval to construct and operate new units; therefore, only impacts to protected species resulting from site-preparation activities are considered in this BA. Impacts associated with actual facility construction and operation will be assessed during the NRC staff's review of an application for a combined license or construction permit should the applicant choose to go forward with the project.

In a letter dated October 12, 2006, the NRC requested that the U.S. Fish and Wildlife Services (FWS) Field Office in Brunswick, GA., provide information regarding federally listed species at the proposed VEGP Site. This BA examines the impacts of the proposed action on seven federally listed species (Table 1-1) that could occur in the vicinity of the VEGP Site.

The federally listed species considered in this BA include:

- three plants: smooth coneflower (*Echinacea laevigata*), Canby's dropwort (*Oxypolis canbyi*), and relict trillium (*Trillium reliquum*),

- two birds: the wood stork (*Mycteria americana*) and red-cockaded woodpecker *Picoides borealis*),

- one reptile: American alligator (*Alligator mississippiensis), and*

- one amphibian: flatwoods salamander (*Ambystoma cingulatum*).

S.Tucker 2

We are placing this BA in our project files and are requesting your concurrence with our determination. In reaching this conclusion, the NRC staff relied on information provided by the applicant on research performed by NRC staff and information from FWS (i.e., current listings of species provided by the FWS, Field Office, Brunswick, GA.).

If you have any questions regarding this BA or the staff's request, please contact Mr. Mark D. Notich, Environmental Project Manager at 301-415-3053 or by e-mail at mdn@nrc.gov.

Sincerely,

/RA/

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket No. 52-011

Enclosure: As stated

cc w/encl: See next page

January 25, 2008

Mr. David Bernhart
Assistant Regional Administrator
for Protected Resources
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, FL 33701

SUBJECT: BIOLOGICAL ASSESSMENT FOR THE SHORTNOSE STURGEON FOR THE VOGTLE ELECTRIC GENERATING PLANT EARLY SITE PERMIT APPLICATION

Dear Mr. Bernhart:

The U.S. Nuclear Regulatory Commission (NRC) has prepared the enclosed biological assessment (BA) to evaluate whether the proposed action of the Vogtle Electric Generating Plant (VEGP) Early Site Permit (ESP) would have adverse effects on the shortnose sturgeon. The Plant Vogtle ESP Site is located in Burke County, GA., within the existing boundaries of the current Vogtle Electric Generating Plant (VEGP) and adjacent to the Savannah River. The proposed Federal action is the issuance under provisions of Title 10, Part 52 of the *Code of Federal Regulations* of an ESP for the Plant Vogtle ESP Site for postulated additional nuclear power facilities and to conduct site preparation and limited construction activities. The site preparation and limited construction activities allowed by 10 CFR 52.25 include clearing, grading, and constructing non-safety-related facilities. The proposed action does not include approval to construct and operate new units; therefore, only impacts to protected species resulting from site-preparation activities are considered in this BA. Impacts associated with actual facility construction and operation will be assessed during the NRC staff's review of an application for a combined license or construction permit should the applicant choose to go forward with the project.

In a letter dated October 12, 2006, the NRC requested that the National Marine Fisheries Service (NMFS), Southeast Regional Office provide information regarding federally listed species at the proposed Vogtle ESP Site and along the route of the proposed new 500-kilovolt (kV) transmission lines. The NMFS responded with a list of federally protected species under the jurisdiction of the NMFS for the State of GA. This list included six species of whales, five marine turtles, and the small-tooth sawfish (*Pristis pectinata*), none of which would be expected to be affected by the construction and operation of the two additional units at the VEGP Site. The only listed species indicated that occurs in the Savannah River that may be affected by the proposed action is the shortnose sturgeon (*Acipenser brevirostrum*). No designated or proposed critical habitats were identified in the vicinity of the VEGP Site. There were no candidate species or species proposed for listing. There were seven species of concern, six of which occur in coastal areas but not in the Savannah River. The seventh species of concern is the Atlantic sturgeon (*Acipenser oxyrinchus*), which also occurs in the Savannah River and resembles the shortnose sturgeon. Species of concern are not protected under the Endangered Species Act.

D. Bernhart 2

We are placing this BA in our project files and are requesting your concurrence with our determinations. In reaching this conclusion, the NRC staff relied on information provided by the applicant on research performed by NRC staff and information from NFWS (i.e., current listings of species provided by the NFWS, Field Office, St. Petersburg, FL).

If you have any questions regarding this BA or the staff's request, please contact Mr. Mark D. Notich, Environmental Project Manager at 301-415-3053 or by e-mail at mdn@nrc.gov.

Sincerely,

/RA/

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-011

Enclosure: As stated

cc w/encl: See next page

February 20, 2008

Mr. Robert D. Perry
Special Projects Manager
Office of Environmental Programs
South Carolina Department of
Natural Resources
1000 Assembly Street Room 310A
PO Box 167
Columbia, SC 29202

SUBJECT: SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES COMMENTS CONCERNING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR AN EARLY SITE PERMIT FOR THE VOGTLE ELECTRIC GENERATING PLANT

Dear Mr. Perry:

We have received your letter of December 28, 2007, providing comments on the Draft Environmental Impact Statement for an Early Site Permit (ESP) for the Vogtle Electric Generating Plant Site. We appreciate your comments contained in your letter and we will consider them during our preparation of the Final Environmental Impact Statement (FEIS).

Your letter references coordination and consultation under the Fish and Wildlife Coordination Act (FWCA) between the Federal agency and the state or states in which the modification to the watercourse is to occur. Although the facility will be located wholly in the State of Georgia, the facility withdraws and discharges water from the Savannah River which is, as you point out in your letter, the shared border for much of its length between Georgia and South Carolina. We recognize the State of South Carolina's concerns over potential for damage to wildlife resources that could result from the construction and operation of new nuclear units at the Vogtle Electric Generating Plant (VEGP) site. We would like to consult with the South Carolina Department of Natural Resources (SCDNR) consistent with the provisions of the FWCA to solicit any additional comments and recommendations you might have on the wildlife aspects of the proposed ESP. Any additional comments, recommendations or reports provided will be afforded full consideration during our review.

We would be happy to meet with you in Columbia, South Carolina, to discuss the proposed project and discuss any concerns you might have related to the Savannah River. If you have any specific reports or recommendations directed to conserving fish and wildlife by preventing loss of and damage to resources or improving habitat related to this activity at this time please do not hesitate to forward them to us.

Again we would give them full consideration during the preparation of the FEIS. The point of contact for this review is Mr. Mark D. Notich, Environmental Project Manager, mdn@nrc.gov, 301-415-3053. Please contact Mr. Notich if you believe a meeting to discuss the project would be helpful to the consultation.

Sincerely,

/RA/

William F. Burton
Branch Chief, Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-011

cc: see next page

Georgia Department of Natural Resources

Nan Holcomb, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer
34 Peachtree Street, NW, Suite 1600, Atlanta, Georgia 30303-2316
Telephone (404) 656-2840 Fax (404) 657-1040 http://www.gashpo.org

July 3, 2008

Mark D. Notich, Environmental Project Manager
Division of Site and Environmental Review
Office of New Reactors
United States Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: **Addendum Archaeological Survey Report**
Vogtle Electric Generating Plant Expansion
Burke County, Georgia
HP-060428-001

Dear Mr. Notich:

The Historic Preservation Division (HPD) has received information concerning the above referenced project. Our comments are offered to assist the federal agencies and their applicants in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

HPD has reviewed archaeological survey report entitled "Addendum Report: Intensive Archaeological Survey of the Proposed Expansion Areas at the Vogtle Electric Generating Plant, Borrow Pit Area, Burke County, Georgia" prepared by New South Associates. Based on the information contained in this document, HPD concurs with the finding that archaeological sites 9BK459 through 9BK465 should be considered ineligible for listing on the National Register of Historic Places.

If you have any questions, please do not hesitate to contact Elizabeth Shirk, Environmental Review Coordinator, at (404) 651-6624.

Sincerely,

Karen Anderson-Cordova
Manager, Planning and Local Assistance Unit

KAC/ECS

cc: Jennifer Davis, USNRC, 11555 Rockville Pike, Rockville, MD 20852
Tom Moorer, Southern Nuclear Operating Company, P.O. Box 1295, Birmingham, AL 35201
Anne Floyd, Central Savannah River Area RDC