



April 15, 2009

UN#09-180

Mr. Michael Smolek, Director  
Jefferson Patterson Park and Museum  
10515 Mackall Road  
St. Leonard, Maryland 20685

Subject: Invitation to Participate as a Consulting Party Under  
Section 106 of the National Historic Preservation Act  
Calvert Cliffs Nuclear Power Plant, Unit 3, Calvert County, Maryland

UniStar Nuclear Energy, LLC (UniStar) is proposing construction of a new nuclear power generating unit adjacent to the existing Calvert Cliffs Nuclear Power Plant (CCNPP) in Calvert County, Maryland. In partial fulfillment of an application for a Maryland Public Services Commission (PSC) Certificate of Public Convenience and Necessity (CPCN), and in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), UniStar is in the process of developing a Memorandum of Agreement for the purpose of resolving potential adverse effects of the proposed Undertaking on historic resources. GAI Consultants, Inc. (GAI) has been contracted by UniStar to assist them in these efforts.

Between October 2006 and December 2008, GAI conducted Phase I cultural resources survey, Phase II National Register Site Evaluations, and a Criteria of Effects Evaluation for Architectural and Historical Resources within the approximately 727-acre (294-hectare) project Area of Potential Effect (APE). The purpose of the Phase I survey was to identify cultural resources within the project area, to evaluate the eligibility of identified architectural and historical resources for listing in the National Register of Historic Places (NRHP), and to provide recommendations on the potential National Register eligibility of identified archaeological sites. Phase II studies were performed to conclusively determine NRHP eligibility of potentially-eligible archaeological sites that could not be avoided by project construction. The Criteria of Effects study evaluated potential project impacts to NRHP-eligible architectural and historical resources. The results of cultural resources investigations, as summarized below, were presented in reports that have been reviewed by the Maryland Historical Trust (MHT); copies of these reports can be made available for your review upon request.

Phase I investigations of the project APE included background research, Phase Ia geomorphological and archaeological reconnaissance, Phase Ib archaeological survey (initial and supplemental), and an architectural survey. Phase Ib survey identified 17 archaeological sites and 37 isolated archaeological finds within the project area. Based on Phase Ib results and MHT's concurrence with site eligibility recommendations, four of the 17 identified

archaeological sites were concluded to be Potentially Eligible for listing in the NRHP. Because these four potentially-eligible archaeological sites could not be avoided by proposed construction activities, Phase II National Register Site Evaluations were conducted to conclusively determine their NRHP eligibility. Based on Phase II results and concurrence from MHT, one site (18Cv474) is recommended as eligible to the NRHP; the other three sites (18Cv480, 18Cv481 and 18Cv482—mid-nineteenth to twentieth-century domestic sites) were concluded to be ineligible for listing in the NRHP. Site 18Cv474 is a mid-nineteenth to early-twentieth-century domestic site centered on the remains of a stone foundation. Because this site is located within the proposed construction footprint of CCNPP Unit No. 3 and cannot be avoided by proposed construction, a Phase III Data Recovery of Site 18Cv474 will be conducted to mitigate adverse effects. A Phase III Data Recovery Plan for the site has been submitted to the MHT for review.

Five architectural and historical resources were also identified within the project area. Based on review of Phase I results by the MHT, four of these resources were determined eligible for listing in the NRHP. These four properties include portions of the Baltimore and Drum Point Railroad prism (CT-1295), the abandoned YMCA Camp Conoy (CT-1312), Preston's Cliffs farmstead (CT-59), and Parran's Park farmstead (CT-58); the existing CCNPP facility (CT-154) was determined ineligible for listing in the NRHP. Three of the four NRHP-eligible historic properties may be impacted by proposed construction activities; no impacts are anticipated at Preston's Cliffs. Based on a Criteria of Effects Evaluation and review by MHT, the project will have an Adverse Effect on two of these properties: the Baltimore and Drum Point Railroad and Camp Conoy. The project will have No Effect on Preston's Cliffs and will have No Adverse Effect on Parran's Park. A Mitigation Plan for resolving adverse effects to the Baltimore and Drum Point Railroad and Camp Conoy has been submitted to the MHT for review.

UniStar is in the process of developing a Memorandum of Agreement in compliance with Section 106 of the NHPA and 36 CFR §800.6(b) to resolve adverse effects to historic properties from the proposed Undertaking. In accordance with 36 CFR §800.2, UniStar would like to extend an invitation to your organization to participate as a consulting party. Please complete the attached Request for Consulting Party Status form and return it to my attention in the pre-addressed envelope. We kindly request the favor of your reply within 15 calendar days of receipt of this invitation.

If you have any questions concerning the attached document, please call me at (410) 470-5524.

Sincerely,



Dimitri Lutchenkov

Enclosure – Request for Consulting Party Status, Calvert Cliffs Nuclear Power Plant Unit 3 Project, Calvert County, Maryland

cc: Dixie Henry, Preservation Officer, Maryland Historic Trust  
Laura Quinn, NRC Project Manager, Environmental Projects Branch 2

**Enclosure**  
**Request for Consulting Party Status**  
**Calvert Cliffs Nuclear Power Plant Unit 3 Project**  
**Calvert County, Maryland**

**Request for Consulting Party Status  
Calvert Cliffs Nuclear Power Plant Unit 3 Project  
Calvert County, Maryland**

We, Jefferson Patterson Park and Museum by signature of an authorized representative below are:

\_\_\_\_\_ requesting to be considered a consulting party .  
\_\_\_\_\_ indicating that we do not want to be considered as a consulting party  
for the purposes of consultation under 36 CFR §800.6 for the Calvert Cliffs Nuclear Power Plant  
Unit 3 Project, Calvert County, Maryland.

**Add Name of Invited Consulting Party**

Name: Michael Smolek

Title: Director

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please return an original signed copy of the form to the address below, retaining a copy for your records.

Dimitri Lutchenkov  
Director, Environmental Affairs  
UniStar Nuclear Energy, LLC  
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Baltimore, MD 21202