



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

JUL 15 2009

Operations Division

Mr. Reid J. Nelson
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building, Suite 803
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Mr. Nelson:

I am writing to notify you that pursuant to 33 CFR 325, Appendix C, Paragraph 7(d) and 36 CFR 800.6(a)(1), certain activities associated with the project known as Calvert Cliffs Nuclear Power Plant will have an adverse effect on historic properties. The project proposes a power block; laydown areas; cooling tower; switchyard, access and haul roads; intake structures; discharge pipe and fish return pipe; restoration of a barge unloading facility; and dredging for an additional unit at the Calvert Cliffs facility located off MD Route 4 near Lusby, in Calvert County, Maryland. Department of the Army (DA) permit application CENAB-OP-RMS(NAB-2007-08123-M05 (Calvert Cliffs 3 Nuclear Project, LLC/Unistar Nuclear Operating Services, LLC) has been submitted to the U.S. Army Corps of Engineers (Corps) requesting approval to perform site preparation activities and construct supporting facilities at the site of a proposed nominal 1,710 MW nuclear power generation station (Unit 3).

The Corps has determined that the work associated with the proposed project would have an adverse effect on Baltimore & Drum Point Railroad (CT-1259) which has been determined to be eligible for listing in the National Register of Historic Places (NRHP) under Criteria A and C. Within the project area, this historic property consists of several non-contiguous segments of a nineteenth-century railroad construction project that was never completed. The project proposes to demolish segments of the rail bed that maintain integrity and contribute to the significance of the resource. Consequently, the historic property, Baltimore & Drum Point Railroad (CT-1259) will be adversely affected.

The proposed project would also have an adverse effect on Camp Conoy (CT-1312), which is a recreational facility dating from the first half of the twentieth century that has been determined to be eligible for listing in the NRHP under Criteria A. The project will cause a change in the qualifying characteristics of this historic property (CT-1312) by destruction of contributing buildings that constitute this historic property and convey its historic significance. Consequently, the historic property will be adversely affected.

In addition, the proposed project would have an adverse impact on archeological site 18CV474 which has been identified as a mid-nineteenth to early-twentieth century domestic site from which 3,644 artifacts have been recovered including a variety of temporally diagnostic ceramics (pearlware, yellowware, and whiteware), bottle glass, cut nails, brick fragments, window glass, lamp chimney glass, buttons, tobacco pipe fragments, and a glass bead. Four intact features have also been identified, including a stone foundation and chimney base, a builder's trench, an area of stone paving, and a possible pier support for a north addition. The property encompassing these sites was, in fact, owned and occupied by the Somervell family during the eighteenth and nineteenth centuries, and census data indicates that this locally prominent family relied heavily on enslaved labor throughout the first half of the nineteenth century. Archeological investigations conducted at site 18CV474 indicate that the site may represent one such residence for some of the slaves and/or tenants, sharecroppers, or freed African Americans. Site 18CV474 is eligible for listing in the National Register under Criterion D. The expansion of the Calvert Cliffs Nuclear Power Plant, as currently proposed, would result in the destruction of site 18CV474 and would constitute an adverse effect on this significant archeological resource.

The Maryland Historical Trust (MHT) has been consulted on this project and they concur that the proposed project will result in adverse effects to historical resources. Moreover, the Corps believes that the project can be mitigated by following a Data Recovery Plan for the 18CV474 site and mitigation for the Baltimore & Drum Point Railroad and Camp Conoy sites.

In accordance with 36 CFR 800.11(e), *Findings of no adverse effect or adverse effect*, please find enclosed the following information:

1. The permit application and plans for the permit application.
2. An overall wetland impact plan and an overall mitigation plan.
3. Maryland Historical Trust June 19, 2008 letter.
4. Maryland Historical Trust February 13, 2009 letter.
5. The Phase I Cultural Resources Investigations and Phase II National Register Site Evaluations dated March 2009 (revised) and Appendices.
6. The Submerged Cultural Resources Survey of a Proposed Outfall Pipe, Calvert Cliffs Nuclear Power Plant Unit 3 Construction, Calvert County, Maryland dated March 2009.

As a result of our coordination with MHT and the applicant, a Memorandum of Agreement will be developed to mitigate the adverse effect. In accordance with 36 CFR 800.6(a)(1) and 36 CFR Part 800.5, we are requesting that you provide us with any comments or notify us of your desire to participate in Section 106 consultation on this project within 15 days of your receipt of this letter.

A copy of this letter will be furnished to Ms. Cheryl Kerr, Maryland Department of the Environment and Ms. Laura Quinn of the Nuclear Regulatory Commission. If you have any questions concerning this matter, please contact Mrs. Kathy Anderson, of this office, at (410) 962-5690.

Sincerely,

A handwritten signature in cursive script that reads "Beth E. Bachur".

Beth E. Bachur
Acting Chief, Maryland Section Southern

Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED