

PMLevyCOLPEm Resource

From: Bruner, Douglas
Sent: Tuesday, August 23, 2011 6:07 AM
To: Miller, Beverly M; Scherpelz, Robert I
Cc: Jack Cushing; LevyCOL Resource
Subject: FW: Corps's final notes for teleconference on August 17, 2011 - LNP/PEF - Cultural Resources (UNCLASSIFIED)
Attachments: Meeting Notes for August 17 2011.docx

Bob/Bev,

Pass this on to Tara.

Thanks,

Doug

-----Original Message-----

From: Hambrick, Gordon A SAJ [<mailto:Gordon.A.Hambrick@usace.army.mil>]
Sent: Monday, August 22, 2011 4:03 PM
To: Anne Mullins; Elliott York; Bruner, Douglas; Snead, Paul; Palmer, John C SAJ; Pugh, David W SAJ
Cc: Don Hambrick
Subject: Corps's final notes for teleconference on August 17, 2011 - LNP/PEF - Cultural Resources (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

All:
Please find attached my finalized notes from our teleconference on August 17, 2011.
Thanks for the comments on the draft notes from John and Doug.

Don

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Created By: Douglas.Bruner@nrc.gov

Recipients:

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**Cultural Resources Surveys for PEF/LNP (SAJ-2008-00490) and Coordination with the
Seminole Tribe of Florida
Teleconference – August 17, 2011 – 10:00 AM EDT
CORPS'S MEETING NOTES**

Participants: Seminole Tribe of Florida (STOF)

- Anne Mullins

- Elliott York

Progress Energy Florida (PEF)

- Paul Snead

- Amy Dierolf

- Michael Arbuthnot (SEARCH)

- Bob Austin (SEARCH)

U.S. Nuclear Regulatory Commission (NRC)

- Doug Bruner

U.S. Army Corps of Engineers (Corps)

- John Palmer

- David Pugh

- Don Hambrick

1. Don Hambrick led off with listing the names of all the participants, then stating reason for the teleconference from the Corps's perspective: To find path forward and assure that all participants are on the same page as to the path forward for the proposed LNP project in regard to timelines and mechanisms for cultural resource surveys and the review and protection of cultural resources, especially in regard to coordination with the Seminole Tribe of Florida (STOF).

2. Mr. Hambrick had provided via email an outline/agenda to help facilitate the teleconference. From the outline Hambrick went through a recent chronology of correspondence in regard to topic under discussion:

a) Letter to STOF THPO from Corps dated May 24, 2011 with PEF's proposed Cultural Resource Survey Plan attached for THPO's review. Proposed work plan addresses survey work for transmission line ROWs, the revised blowdown pipeline ROW, and three additional parcels for road access and training center.

b) Letter from SHPO to PEF dated June 7, 2011: Proposed strategy, as presented in the work plan, is sufficient to identify and evaluate any cultural resources within the proposed transmission ROWs, access road, blowdown pipeline, and three additional parcels acquired for training site and access road. Expectation by SHPO of receipt of cultural resource assessment report(s) with the findings of the proposed field investigations. Mr. Hambrick said that there were no timeframes in letter, and would ask later in discussion from PEF what are timeframes in proposed work plan.

c) Letter from STOF THPO to Corps dated June 20, 2011 and follow-up email from Elliott York dated July 18, 2011: STOF requests to review the survey results for finalized

transmission line corridors before making any further comment, rather than review the work plan leading up to the survey. Hambrick asked that STOF confirm that STOF not interested in further review of the work plan, but in review of the cultural resource surveys described in the plan. Anne Mullins confirmed that STOF interest is the review of the surveys, particularly the surveys for the transmission line corridors, and not really interested in further review of work plan.

3. Paul Snead said that the cultural survey work plan states that no construction will occur in any component of the project until after survey work is done (and subsequent to receipt of the COL and permits). PEF expects that surveys will be completed for the blowdown pipeline and the three new parcels by the end of the year. Surveys for transmission line corridors will be scheduled in future as project proceeds. At this time the first of the two generating units at LNP is scheduled to go online in 2021 with transmission line construction work having begun 3 to 5 years prior.

4. Mr. Hambrick asked STOF about proposed special conditioning of a Department of the Army permit, if issued, to require before construction activity could commence on any particular transmission line project, the completion of cultural resource surveys, receipt and coordination by the Corps and STOF of the surveys for review, subsequent coordination to resolve any problems before Corps signs-off to PEF to allow the construction activity. Ms. Mullins and Mr. York responded that the STOF wants all of the surveys done, reviewed and issues settled before a DA permit was issued. John Palmer and Mr. Hambrick explained the very complex nature of the LNP project and long timelines needed for sequencing of the construction of the many components of the project make special conditioning of a permit, if issued, the reasonable approach to both permitting and meeting the Corps's responsibilities in regard to cultural resources. Mr. Snead said that PEF knows it faces the risk of having to deal with any cultural resources that might be found, including the re-routing of ROWs before construction could start on a specific transmission corridor.

5. After additional discussion STOF, PEF and the Corps agreed that, the Corps will work with PEF to develop draft special conditions to address the timing of cultural resource surveys, coordination of the results of the survey with the STOF, and mechanisms to deal with concerns the STOF may have after review of the surveys. After the Corps has written suitable draft special conditions, the Corps will then coordinate the draft special conditions with the STOF, and seek acceptance of the proposed special conditions from the STOF.

6. Notes finalized by Don Hambrick, Corps – August 19, 2011.