



CHRISTOPHER M. FALLON
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704-519-6173 (cell)
Christopher.Fallon@duke-energy.com

March 29, 2012

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station - Docket Nos. 52-018 and 52-019
AP1000 Combined License Application for the
William States Lee III Nuclear Station Units 1 and 2
Supplemental Response to Request for Additional Information
Ltr# WLG2012.03-09

Reference: Letter from Sarah Lopas (NRC) to Bryan Dolan (Duke Energy), Request for
Additional Information Regarding the Environmental Review of the Combined
License Application for William States Lee III Nuclear Station, Units 1 and 2,
dated June 22, 2010 (ML101370398)

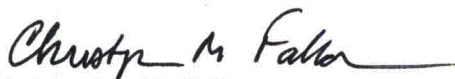
This letter provides supplemental information for Duke Energy's response to the Nuclear
Regulatory Commission's request for additional information (RAI) included in the referenced
letter.

RAI 135 Supplement, Cultural Resources

The response to the NRC information request described in the referenced letter is addressed in
a separate enclosure, which also identifies associated changes to the Combined License
Application for the Lee Nuclear Station, when appropriate.

If you have any questions or need any additional information, please contact James R.
Thornton, Nuclear Plant Development Licensing Manager (Acting), at (704) 382-2612.

Sincerely,


Christopher M. Fallon
Vice President
Nuclear Development (Acting)

Enclosure:

- 1) Lee Nuclear Station Supplemental Response to Request for Additional Information, ER RAI
135 Supplement, Cultural Resources

U.S. Nuclear Regulatory Commission
March 29, 2012
Page 2 of 3

xc (w/out enclosure):

Charles Casto, Deputy Regional Administrator, Region II

xc (w/ enclosure):

Sarah Lopas, Project Manager, DSER
Brian Hughes, Senior Project Manager, DNRL

AFFIDAVIT OF CHRISTOPHER M. FALLON

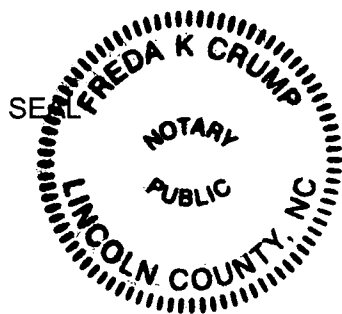
Christopher M. Fallon, being duly sworn, states that he is Vice President, Nuclear Development (Acting), Duke Energy Carolinas, LLC, that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this Combined License Application for the William States Lee III Nuclear Station, and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

Christopher M. Fallon
Christopher M. Fallon, Vice President
Nuclear Development (Acting)

Subscribed and sworn to me on March 29, 2012

Freda K. Crump
Notary Public

My commission expires: August 17, 2016



Lee Nuclear Station Supplemental Response to Request for Additional Information (RAI)

RAI Letter Dated: March 29, 2012

Reference NRC RAI Number: ER RAI 135 Supplement, Cultural Resources

NRC RAI:

Provide all correspondence submitted by Duke Energy to the South Carolina SHPO and Tribes regarding past and future survey designs, results of surveys and corresponding tribal and SHPO responses, including telephone records of verbal responses associated with the Phase 1 or Phase 2 surveys for Pond C, the utilities project survey, and the transmission line surveys.

Provide clarification on why only one tribe was provided an opportunity to comment on the scope of work for the cultural resources survey for Pond C.

Duke Energy Response:

Correspondence notifying the various tribes of the development of Make-Up Pond C was submitted to NRC as part of the ER Supplement on Make-Up Pond C (WLG2009.09-05, ML092810255). As noted in the tribal correspondence in Appendix B to the Environmental Report, only the Eastern Band Cherokee Indians expressed any desire to be involved with the review of study plans and reports. Additionally, the Seminole Tribe of Florida requested a copy of the Make-Up Pond C cultural resource report. Subsequent correspondence with the tribes was provided to NRC in response to RAI 135. Correspondence between Duke Energy and the SC SHPO was also provided to NRC in the RAI 135 response.

An additional cultural resource survey of a newly proposed water pipeline route not included within the previous Area of Potential Effect (APE) was performed on September 29-30, 2010. Results of the survey were provided as an addendum to the *Cultural Resources Survey of the Proposed London Creek Reservoir (Make-Up Pond C) and Water Pipeline* to the Tribal Historic Preservation Office (THPO) of the Eastern Band of the Cherokees and the SC State Historic Preservation Office (SHPO). The addendum and associated correspondence were provided to NRC in the Duke Energy Supplemental Response to Request for Additional Information (ER RAI 135), Ltr# WLG2011.02-03, dated February 3, 2011. The correspondence was provided as Attachments 135S-01 and 135S-02, respectively. SHPO concurrence with the cultural resource survey findings was received by Duke Energy on March 7, 2011 and provided to NRC in the Duke Energy Supplemental Response to Request for Additional Information (ER RAI 135), Ltr# WLG 2011.03.02, dated March 17, 2011. The correspondence was provided as Attachment 135S-03. Kimley-Horn, a consultant for Duke Energy submitted a Section 106 Project Review Form for activities associated with proposed offsite transportation improvements for the Lee Nuclear Station to the SHPO on February 3, 2012 and is provided as Attachment 135S-04. Concurrence with the Section 106 submittal was received from the SHPO in a letter dated February 23, 2012 (Attachment 135S-05). Additionally, the SHPO recommended coordination with all federally recognized tribes listed on their website. The attached record of Section 106 tribal coordination is provided as Attachment 135S-06.

Associated Revisions to the Lee Nuclear Station Combined License Application:

None

Attachments:

- Attachment 135S-04 Letter to South Carolina Department of Archives and History Re: Proposed Offsite Transportation Improvements – Lee Nuclear Station, Cherokee County, South Carolina.
- Attachment 135S-05 Letter from South Carolina Department of Archives & History State Historic Preservation Office Re: Proposed Offsite Transportation Improvements – Lee Nuclear Station, Cherokee County, South Carolina, SHPO No. 06RD0163.
- Attachment 135S-06 Section 106 Application Tribal Transmittal and Delivery Record, as of March 9, 2012.

Attachment 135S-04

**Letter to South Carolina Department of Archives and History
Re: Proposed Offsite Transportation Improvements – Lee Nuclear Station
Cherokee County, South Carolina**



Kimley-Horn
and Associates, Inc.

February 3, 2012

■
Suite 440
2000 South Boulevard
Charlotte, North Carolina
28203

Ms. Rebekah Dobrasko
Supervisor of Compliance, Tax Incentive, and Survey Programs
South Carolina Dept. of Archives and History
8301 Parklane Road
Columbia, South Carolina 29223

Re: Proposed Offsite Transportation Improvements for
Lee Nuclear Station
Cherokee County, South Carolina

Dear Ms. Dobrasko:

Kimley-Horn and Associates, Inc. (KHA) is writing this letter pursuant to a formal review of Section 106 of the National Historic Preservation Act. We request comments and recommendations from your agency regarding the proposed Offsite Transportation Improvement Areas associated with the Lee Nuclear Station in Cherokee County, SC.

The project areas are east of Gaffney, extending from I-85 Exit 96 to McKowns Mountain Road. The proposed project seeks to utilize the existing roadway network to process construction traffic and make intersection capacity improvements within a number of project areas. Identified project areas are shown in the attached site figures. The following information is included as part of this Section 106 Review:

- Section 106 Project Review Form
- SCIAA and SCDAAH ArchSite GIS Maps
- Site Figures
 - Aerial Maps (NAIP 2009 Aerial Photography)
 - USGS Topographic Maps (USGS Blacksburg South Quadrangle)
- Site Photographs
- Past SCSHPO Correspondence

A review of South Carolina State Historic Preservation Office (SCSHPO) records was conducted to determine known occurrences of historic resources listed on the National Register (NR) of Historic Places or State Historic Properties located within the defined project areas. The SCSHPO data was provided by SCSHPO staff (database accessed August 2009). KHA's review of the SCSHPO data reveals that there are several documented occurrences of archaeology sites adjacent to or within the project areas. Based on correspondence with South Carolina Department of Archives and History (SCDAH) staff, there have been no

formal additions to the previously plotted sites (as of February 28, 2011).

There are five total documented occurrences of archaeology sites included in the proposed improvement areas, summarized below and shown in the attached site figures:

- I-85/Shelby Highway Interchange Area (one)
- SC 329/US 29 Intersection Area (three)
- SC 329/McKowns Mountain Road Area (one)

On July 26, 2011, a review of the online ArchSite GIS database provided by the South Carolina Institute of Archaeology and Anthropology (SCIAA) and the SCDAAH indicated five total documented occurrences of National Register Points. According to the database, all of the occurrences are considered to be *Not Eligible* for inclusion into the National Register and are shown in the ArchSite GIS maps.

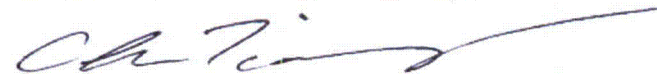
KHA staff (Chris Tinklenberg, WPIT and Jason Hartshorn) performed a limited field review of the proposed improvement areas to verify the presence or absence of SHPO documented occurrences of archaeology sites. The review was performed for only the areas accessible at the time of the investigation which included the existing Right-of-Way (ROW) and property in the northeast quadrant of the I-85/SC 18 interchange. For areas within the proposed transportation improvement areas that were outside the ROW, a visual assessment of the documented occurrences was performed.

KHA performed a limited assessment based on the available data provided by SCSHPO, the ArchSite GIS database, and the limited field review to evaluate existing conditions. Site photographs from the field review are included for your review of the proposed project.

We appreciate your help with this matter. Please feel free to contact me at (704) 409-1802 or email (chris.tinklenberg@kimley-horn.com) if you have any questions or if additional information is necessary.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Chris Tinklenberg, WPIT
Environmental Analyst

Attachments

CC: Robert Wylie, Duke Energy

Section 106 Project Review Form





South Carolina Department of Archives & History
State Historic Preservation Office
SECTION 106 PROJECT REVIEW FORM

Section 106 of the National Historic Preservation Act requires the South Carolina State Historic Preservation Office (SHPO) to review all projects that are federally funded, licensed, or assisted. The SHPO is only one consulting party under Section 106. Refer to 36 CFR 800.2 for information about other participants who are entitled to comment on the Section 106 process, including Native American tribes, interested parties, and the public. Consultation with the SHPO is NOT a substitution for consultation with appropriate Native American tribes.

HELPFUL TIPS:

- Please consult the FAQs located at the back of this document. If you cannot find the answer, then contact the Review and Compliance Coordinator at (803) 896-6169.
- If you need more space to answer the questions, please attach additional pages.
- When planning to submit a project for review, please remember that our office has 30 days to review federal projects and 45 days to review due diligence projects. Due to the volume of phone calls and e-mails we receive, we are unable answer inquiries regarding a project's status until 30 days has elapsed.
- Please **DO NOT** send project review forms by e-mail or fax; we recommend that you use certified mail, Fed-Ex, or UPS so that you can determine if your project has been delivered. Due to the volume of phone calls and e-mails we receive, we are unable to confirm if your project has been received.
- Please send this completed form along with supporting documentation (photographs, maps, plans, etc.) to: Review & Compliance Coordinator, SC Department of Archives & History, 8301 Parklane Road, Columbia, SC 29223. You must include all of the supporting documentation in your package. If we do not receive the requested documentation, we are unable to review your project until these materials are received.

STATUS OF PROJECT (check one)

- ☐ FEDERAL UNDERTAKING ANTICIPATED (You are applying for Federal assistance)
☒ FEDERAL UNDERTAKING ESTABLISHED (You have received Federal assistance)
☐ DUE DILIGENCE PROJECT (You are anticipating Federal assistance)
☐ ADDITIONAL INFORMATION FOR PREVIOUS SUBMISSION (SHPO #: _____)

GENERAL INFORMATION

1. Project Name: Proposed Offsite Transportation Improvements for Lee Nuclear Station
2. City: _____ 3. County: Cherokee
4. Federal Agency (providing funding, license, permit, or assistance): Nuclear Regulatory Commission
Agency Contact Name: Sarah Lopas
Address: Mail Stop T-6D30, USNRC, One White Flint North, 11555 Rockville Pike, Rockville, MD, 20852-2738
Phone: 301-415-1147 E-mail: Sarah.Lopas@nrc.gov
5. Federal Agency Authorized Applicant: Duke Energy
Applicant Contact Name: Robert Wylie
Address: EC09D/526 South Church Street, Charlotte, NC 28202
Phone: 704-382-4669 E-mail: robert.wylie@duke-energy.com
6. Consultant for the Applicant or Agency: Kimley-Horn and Associates, Inc.
Consultant Contact Name: Amy Massey, P.E.
Address: 2000 South Boulevard, Charlotte, NC 28203
Phone: 704-333-5131 E-mail: amy.massey@kimley-horn.com

INFORMATION REQUIRED FOR NEW PROJECTS

NOTE: If the project involves the rehabilitation of a building eligible for or listed in the National Register of Historic Places, **complete and submit the Historic Building Supplement** in addition to this form.

DETERMINING THE PROJECT AREA OF POTENTIAL EFFECT (APE)

1. Describe **in detail** all aspects of the project. Include a detailed description of any proposed ground disturbance and any proposed building rehabilitation or repairs.

Offsite Transportation Improvements for the Lee Nuclear Station include utilizing the existing roadway network to process construction traffic and make intersection capacity improvements within the following study areas: Shelby Hwy and I-85 NB and SB Ramps/SC 329 and Shelby Hwy; SC 329 and US 29; SC 329 and SC 105/McKowns Mountain Rd(MMR); MMR and Rolling Mill Rd; MMR and Patrick Rd; MMR and Sardis Rd/MMR and Owensby Rd.

2. Will this project involve phases of construction? If so, please describe the work to be conducted under each phase:

At this time, phased construction is not anticipated.

3. How many acres are in the project area? For building rehabilitation projects, list the building's square footage.

The Area of Potential Effect (APE) is approximately 100 acres.

4. Describe the current land use within and immediately adjacent to the project area (e.g. farmland, forest, developed, etc.):

Current land use within the existing project areas is maintained/disturbed right-of-way (ROW). Land uses immediately adjacent to the project areas are primarily rural and include interspersed single family residential properties, agriculture, pine silviculture, commercial business, and undeveloped forestland.

5. Describe prior land use or previous modification within and immediately adjacent to the project area (e.g. grading, plowing, mining, draining, etc.):

There have been no known modifications to land use within and immediately adjacent to the project area.

6. Will the project involve (check all that apply):

- ☒ new construction
- ☒ rehabilitation of any structures
- ☐ relocation of any structures
- ☐ demolition of any structures

7. Provide a written description of the Area of Potential Effect (APE). The APE is the geographic area or areas within which a project/undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist.

The Area of Potential Effect (APE) includes six study areas as referred to in question 1. The APE limits are generally defined by the existing ROW including areas immediately adjacent to the ROW.

IDENTIFICATION OF HISTORIC PROPERTIES

A historic property can be defined as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register.

1. **ATTACH** a copy of the pertinent ArchSite GIS map to this submission. Please see <http://archsite.cas.sc.edu/archsite> for information on registering for and using the GIS database.
2. **ATTACH** a copy of a map and clearly mark the project site. If your project involves ground disturbance, a USGS topographic map is **required**. You can obtain a topographic map at <http://www.mytopo.com> or <http://www.maptech.com>.
3. **ATTACH original** photographs of the project area. **Be sure to include any structures on site.**
4. **ATTACH** a site plan or sketch of the project area (existing and proposed).
5. List all historical societies, local governments, members of the public, Indian tribes, and any other sources consulted in addition to the SHPO to identify known and potential historic properties and note any comments received.

Currently SHPO is the only agency under consultation.

6. Are there any structures in the project area (houses, barns, old garages, sheds, commercial buildings, churches, etc.)? ☐ YES ☒ NO _____ Approximate age?

7. Does the landowner know of any archaeological resources? ☒ YES ☐ NO

If yes, please describe:

A preliminary environmental screening was conducted which included a review of the SHPO Historic Properties and Archaeology site occurrences databases.

8. Has a cultural resources assessment or a historic resources survey been conducted in the area?

☐ YES ☐ NO ☒ DO NOT KNOW

9. Based on the information contained in questions 1 – 8, please check one:

☐ Historic Properties are present in the APE
☒ Historic Properties are not present in the APE

ASSESSMENT OF PROJECT EFFECT

PLEASE CHOOSE ONE DETERMINATION:

- ☒ No historic properties affected
☐ No adverse effect on historic properties
☐ Adverse effect on historic properties
☐ Due Diligence Project (Does not apply)

Please explain the basis for your determination:

Based on the available data provided by SCSHPO, the ArchSite GIS database, and limited field investigations which occurred on June 1, 2011, there are no known documented Historic Properties within the APE. No adverse affects to Historic Properties are anticipated.

SECTION 106 FREQUENTLY ASKED QUESTIONS (FAQs)

1. What is Section 106 of the National Historic Preservation Act (NHPA)?

Section 106 of NHPA requires each Federal agency to identify and assess the effects of its actions on historic properties. The responsible Federal agency must consult with appropriate State and local officials, Indian tribes, applicants for Federal assistance, and members of the public and consider their views and concerns about historic preservation issues when making final project decisions. The regulations that implement Section 106 are 36 CFR 800, and can be found at: <http://www.achp.gov/regs-rev04.pdf>.

2. What is the Area of Potential Effect (APE)?

As defined in 36 CFR 800.16(d), the APE is the geographic area or areas within which a project/undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The APE is influenced by the scale and nature of the project/undertaking and may be different for different kinds of projects (undertakings). **Every project/undertaking has an APE, which must be defined.**

3. What are historic properties?

Historic properties are those properties that are eligible for or listed in the National Register of Historic Places. In order to be eligible, a property must be at least 50 years old and meet one of the following criteria: associated with events that have made a significant contribution to the broad patterns of history; associated with the lives of significant persons in our past; embodies distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or that have yielded, or may be likely to yield, information important in prehistory or history.

4. Where can I find information on historic properties?

Please visit ArchSite at <http://archsite.cas.sc.edu/archsite>. Thanks to a grant from the South Carolina Department of Transportation, the State Historic Preservation Office (SHPO) was able to partner with the South Carolina Institute of Archaeology and Anthropology (SCIAA) to develop ArchSite. This online service is a GIS based map that contains all of the *known* historic properties in the State of South Carolina. Please note: even if ArchSite does not list any historic properties in your APE, that does not mean that there are not any historic properties present. Be particularly sure to notify us of any existing structures on the site, regardless of age. You should consult hard copy records at SHPO, SCIAA, or your local historical society.

5. What is an Adverse Effect?

Under Section 106, a project adversely affects a historic property if it alters the characteristics that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property. "Integrity" is the ability of a property to convey its significance, based on its location, design, setting, materials, workmanship, feeling, and association. Adverse effects can be direct or indirect. They include reasonably foreseeable impacts that may occur later in time, be farther removed in distance, or be cumulative. Examples of adverse effects include:

- physical destruction or damage;
- alteration inconsistent with the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#);
- relocation of the property;
- change in the character of the property's use or setting;
- introduction of incompatible visual, atmospheric, or audible elements;
- neglect and deterioration.

6. What happens if construction is already under way when I receive federal funding or permits?

Under Section 110(k) of the National Historic Preservation Act, federal agencies are permitted to withhold grants, licenses, approvals, or other assistance to applicants who intentionally significantly and adversely affect historic properties. This provision, known as the "anticipatory demolition" section, is designed to prevent applicants from destroying historic properties prior to seeking federal assistance in an effort to avoid the Section 106 review process. If you have begun work, please stop and notify the Federal agency.

7. Should I consult with the Tribal Historic Preservation Officer (THPO)?

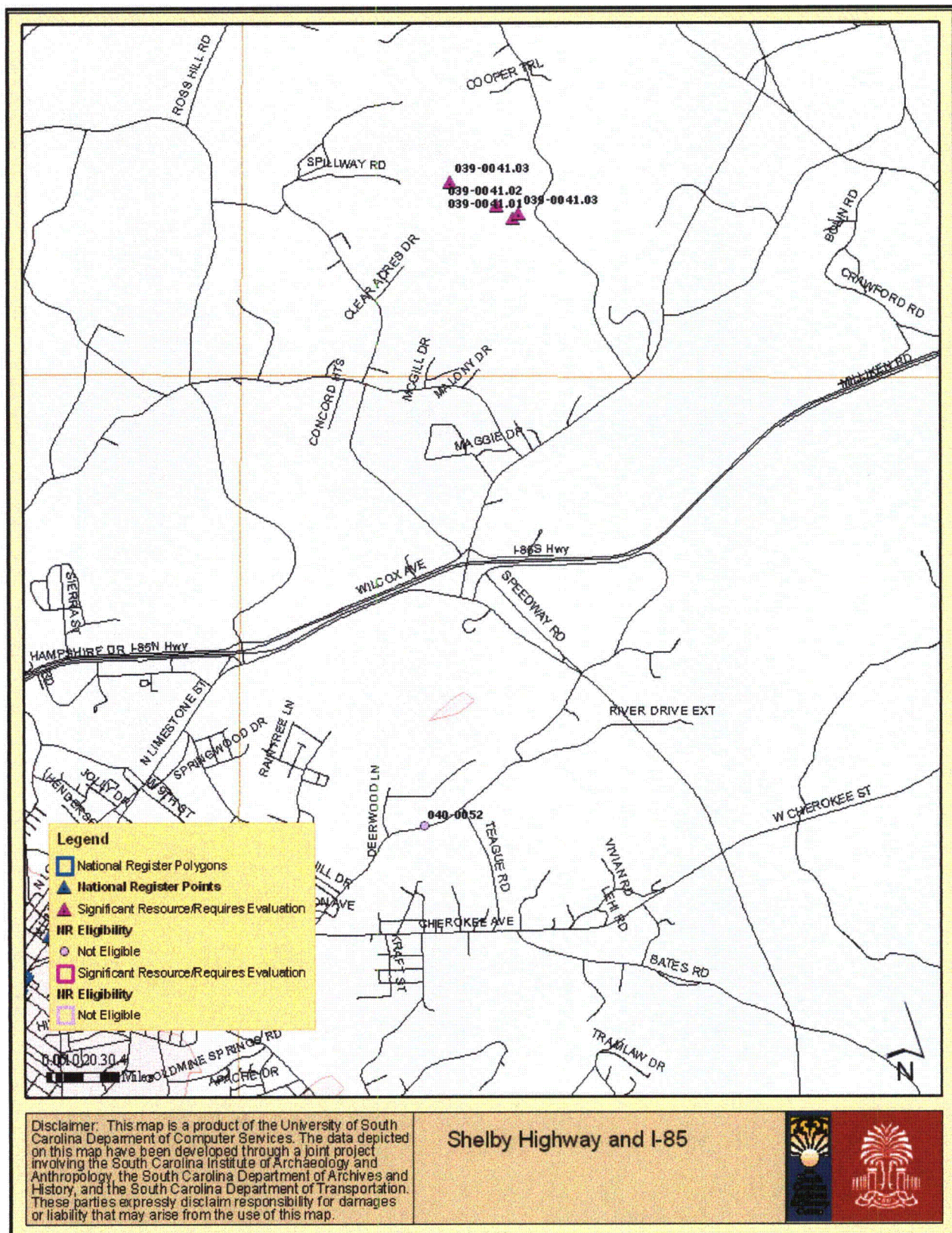
Yes. Consulting with the SHPO is not the same as consulting with the Tribes. You must consult with the Tribes as a part of the Section 106 process. For more information, please visit: <http://www.achp.gov/regs-tribes.html>.

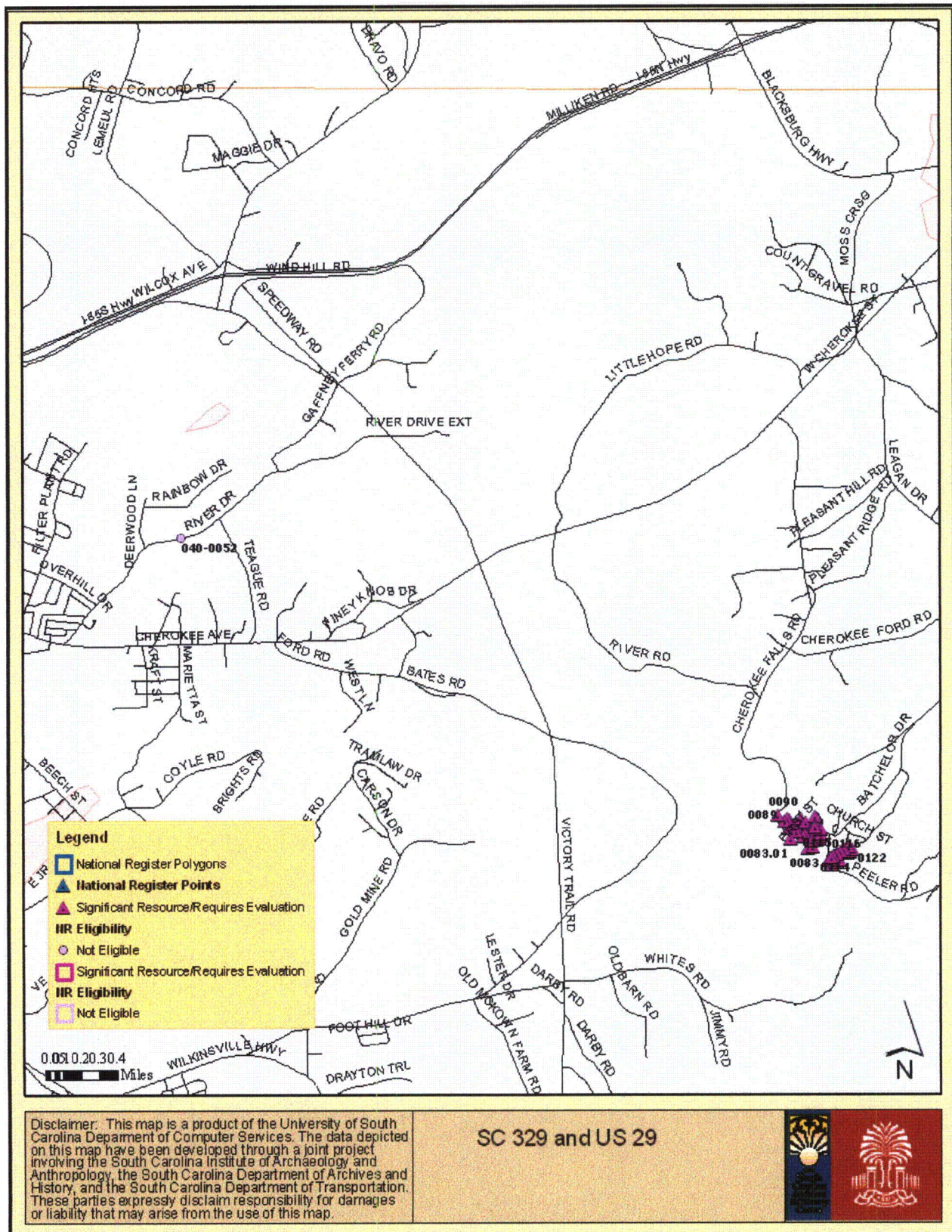
8. Where can I find more information?

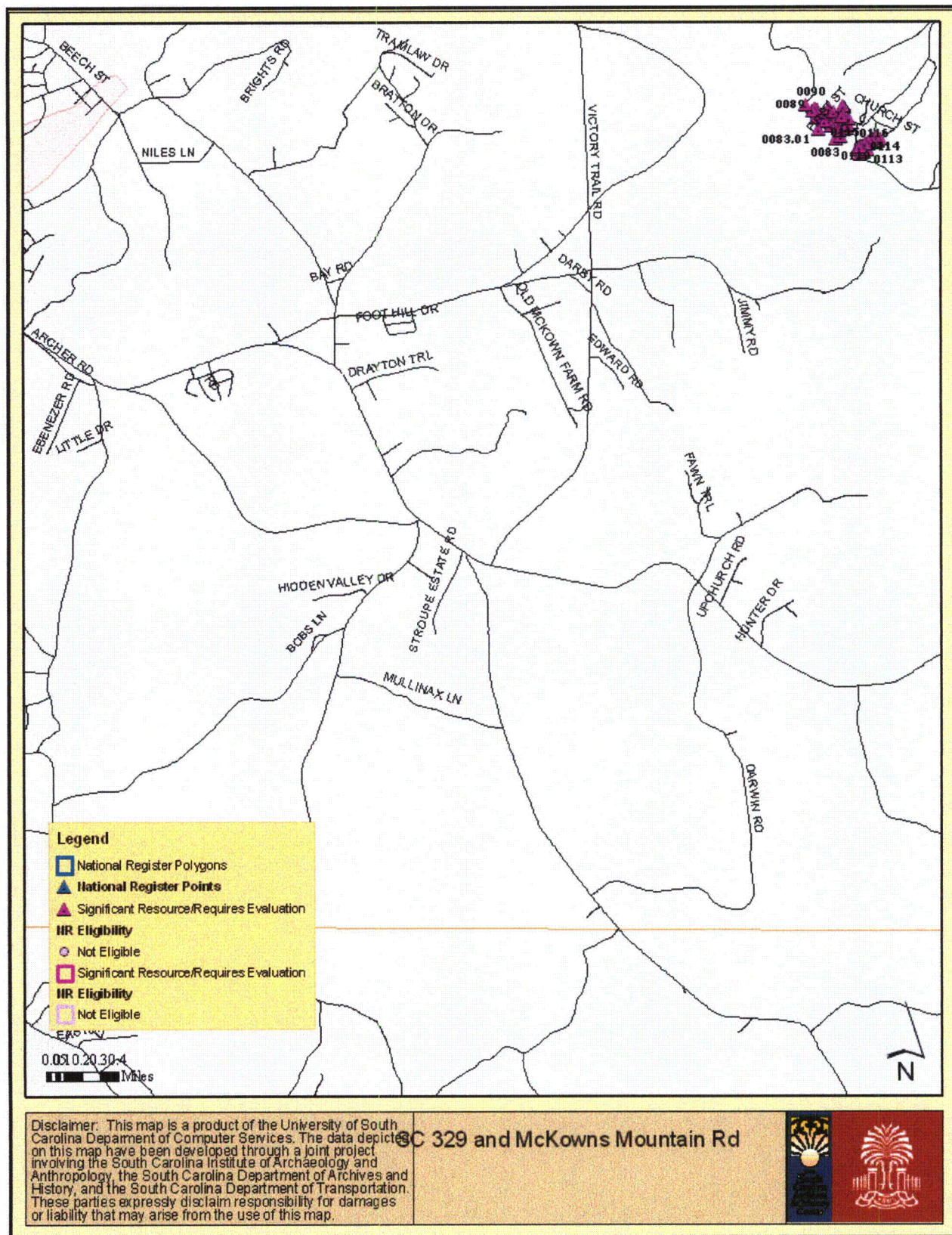
Please visit our website for more FAQs and information on the Section 106 process:
<http://shpo.sc.gov/revcomp>

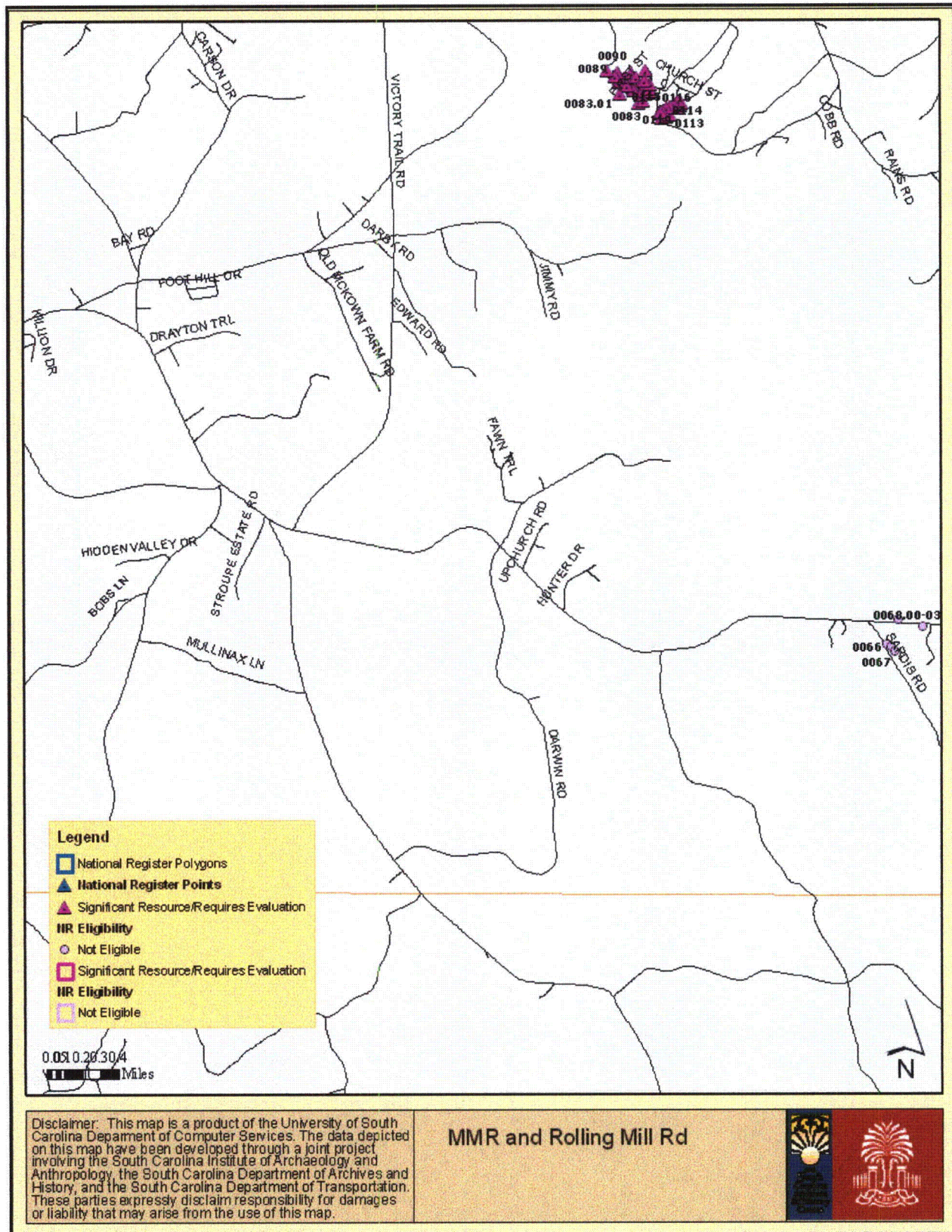
SCIAA and SCDAH ArchSite GIS Maps

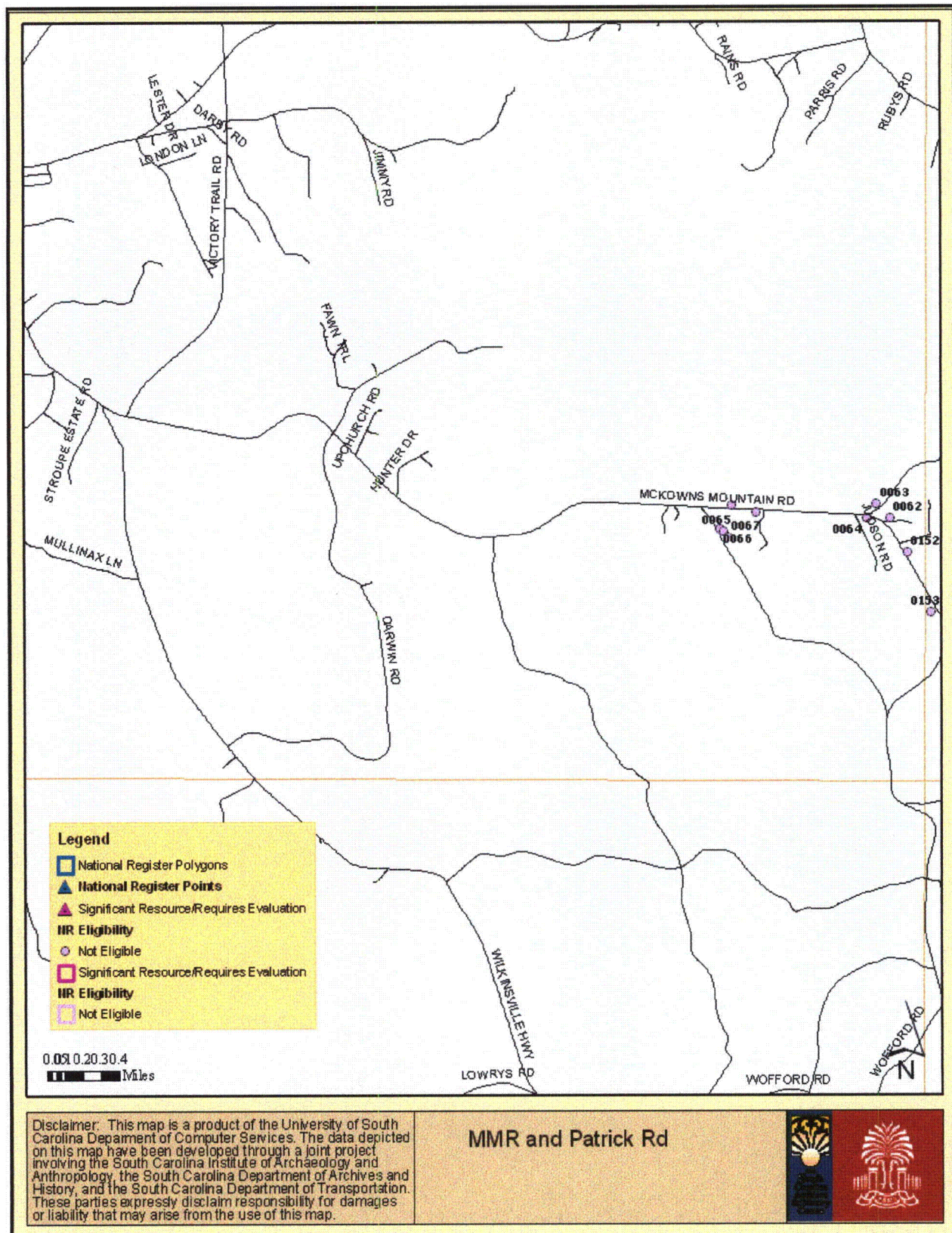


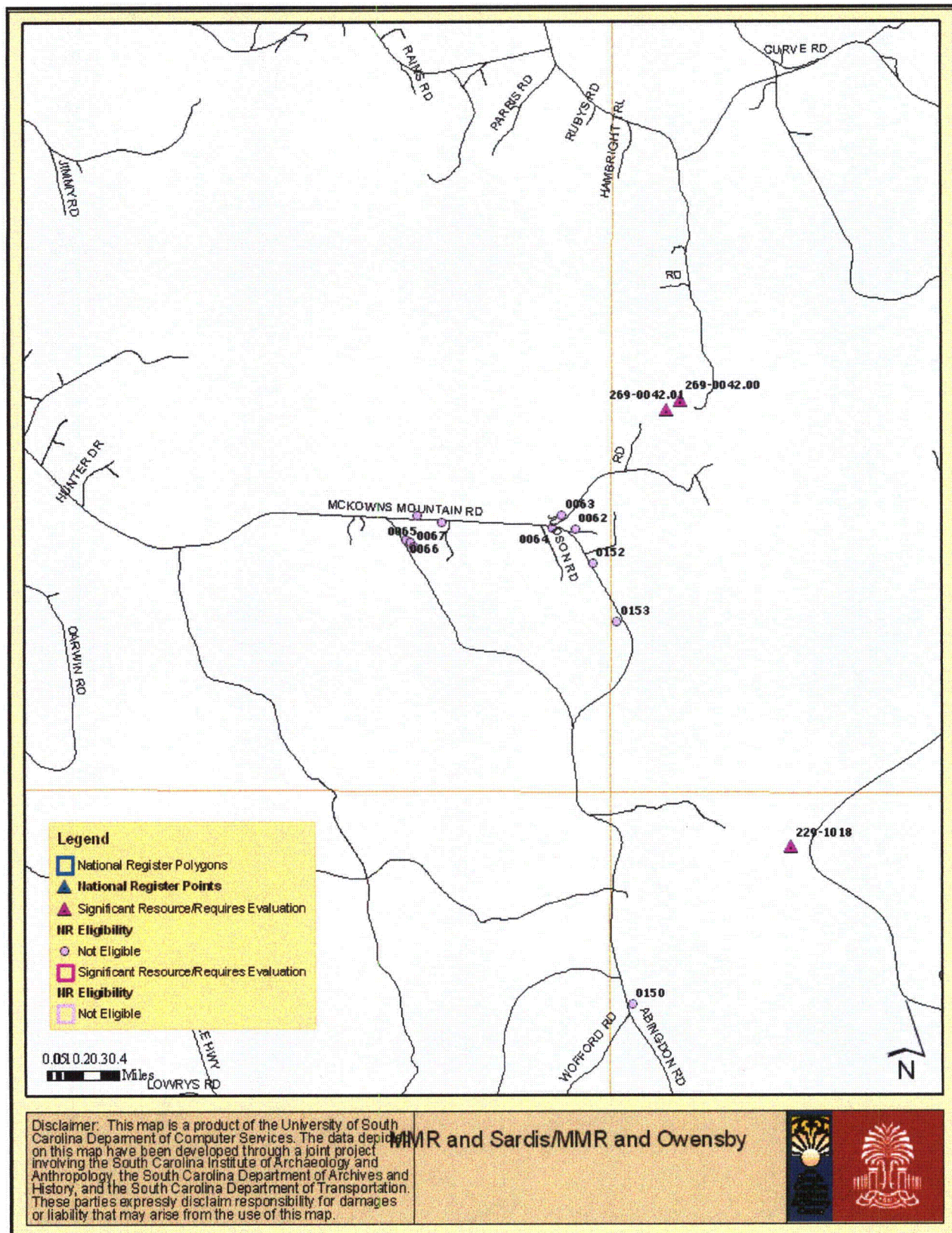










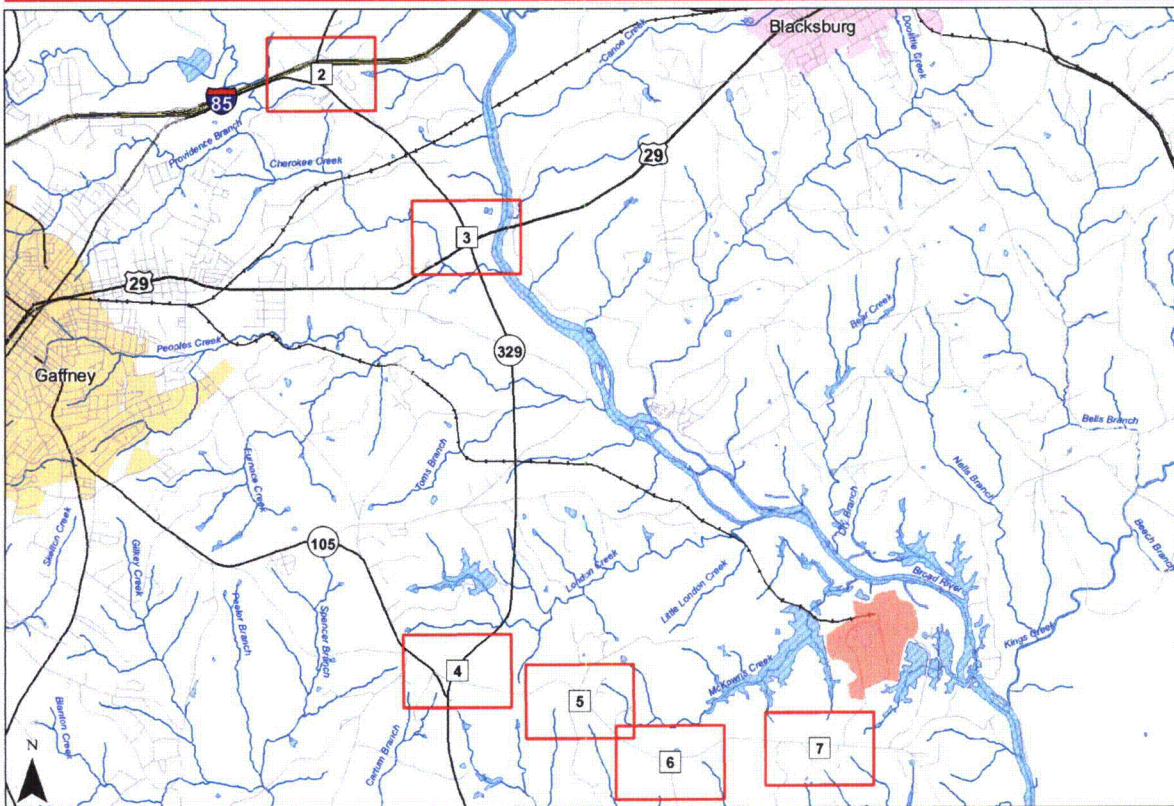


Site Figures



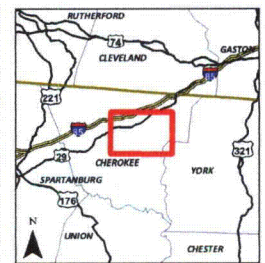
Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

Figure 1
Vicinity Map



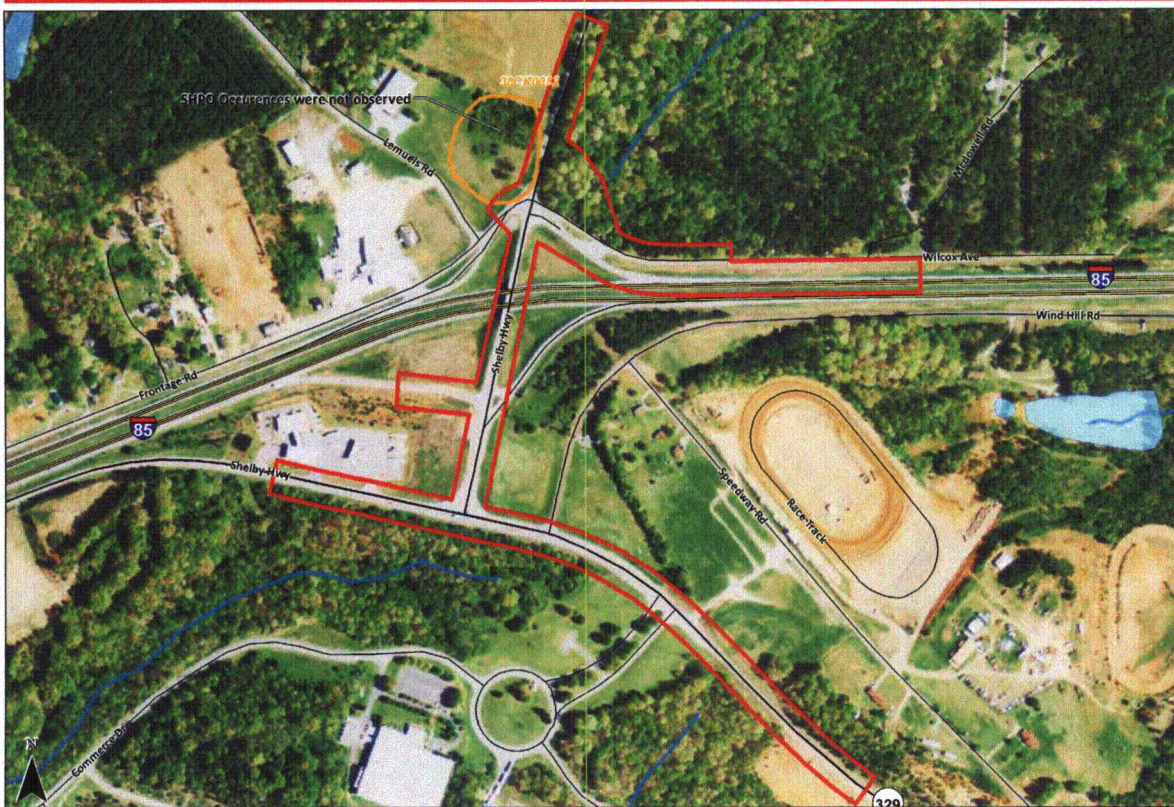
- Figure Key Sheets
- Lee Nuclear Site
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

0 0.5 1 1.5 Miles



Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

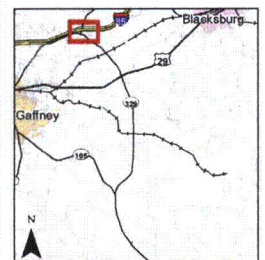
**Aerial Map
Figure 2-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

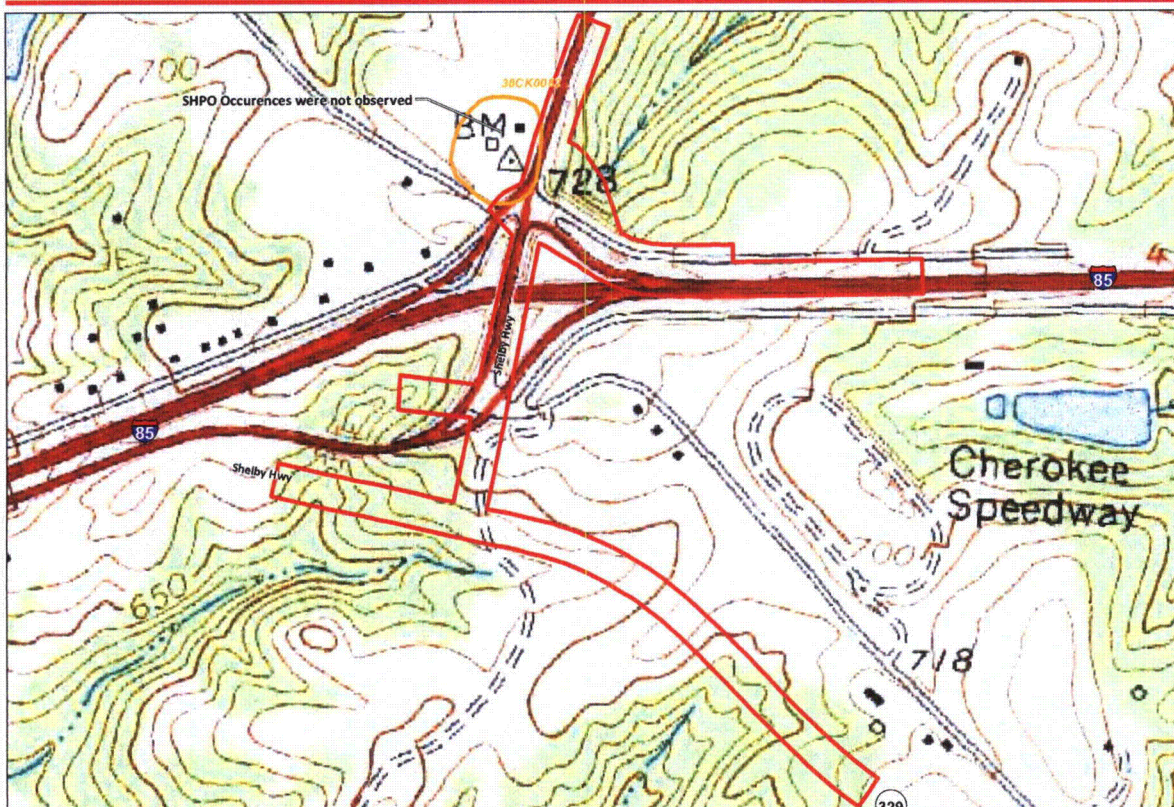
*National Agricultural Imagery Program
2009 Aerial Photography

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Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

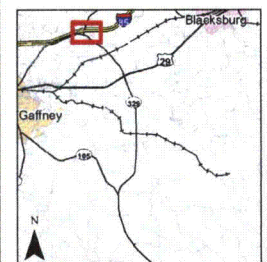
**USGS
Topographic Map
Figure 2-B**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blacksburg South quadrangle, South Carolina

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Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

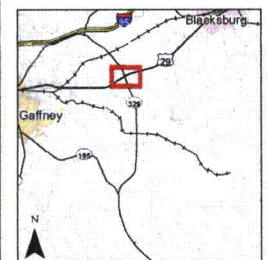
**Aerial Map
Figure 3-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

*National Agricultural Imagery Program
2009 Aerial Photography

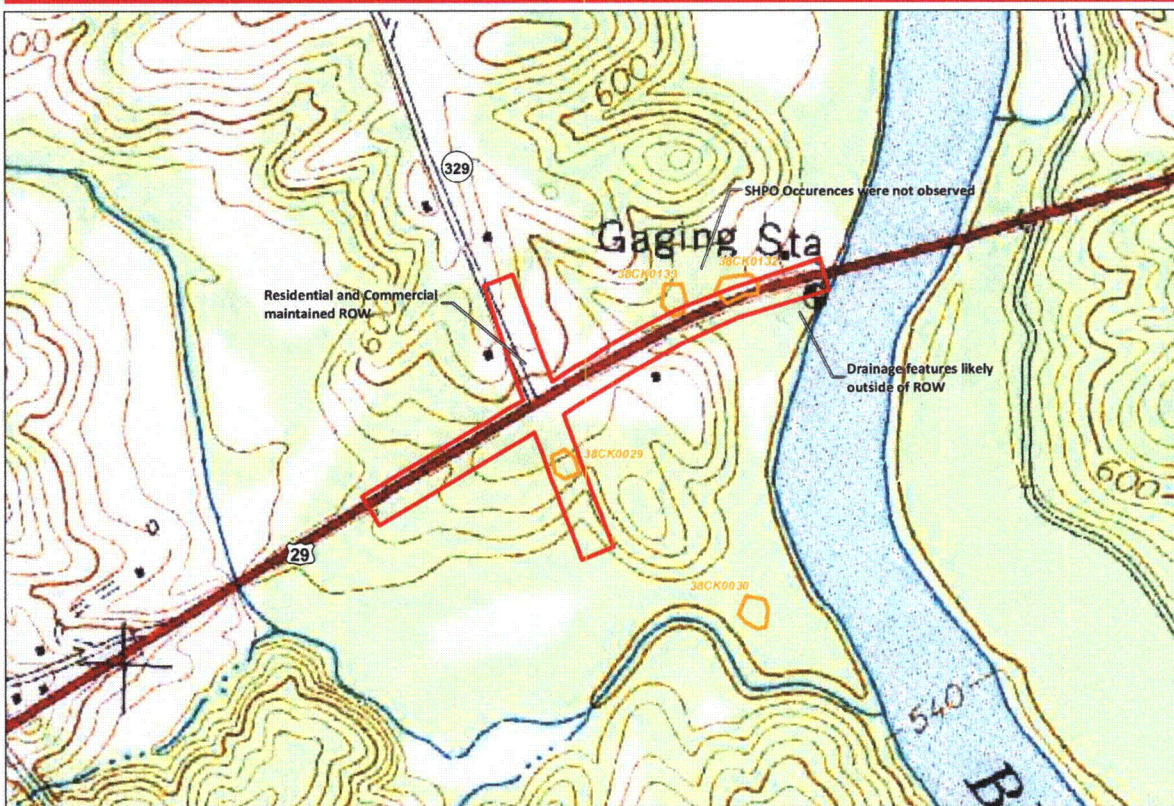
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Kimley-Horn and Associates, Inc.

Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

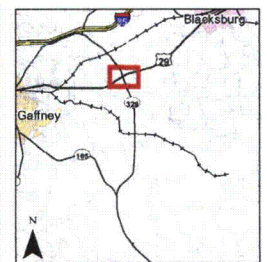
**USGS
Topographic Map
Figure 3-B**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blackburg South quadrangle, South Carolina

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Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

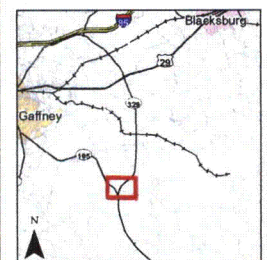
**Aerial Map
Figure 4-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

*National Agricultural Imagery Program
2009 Aerial Photography

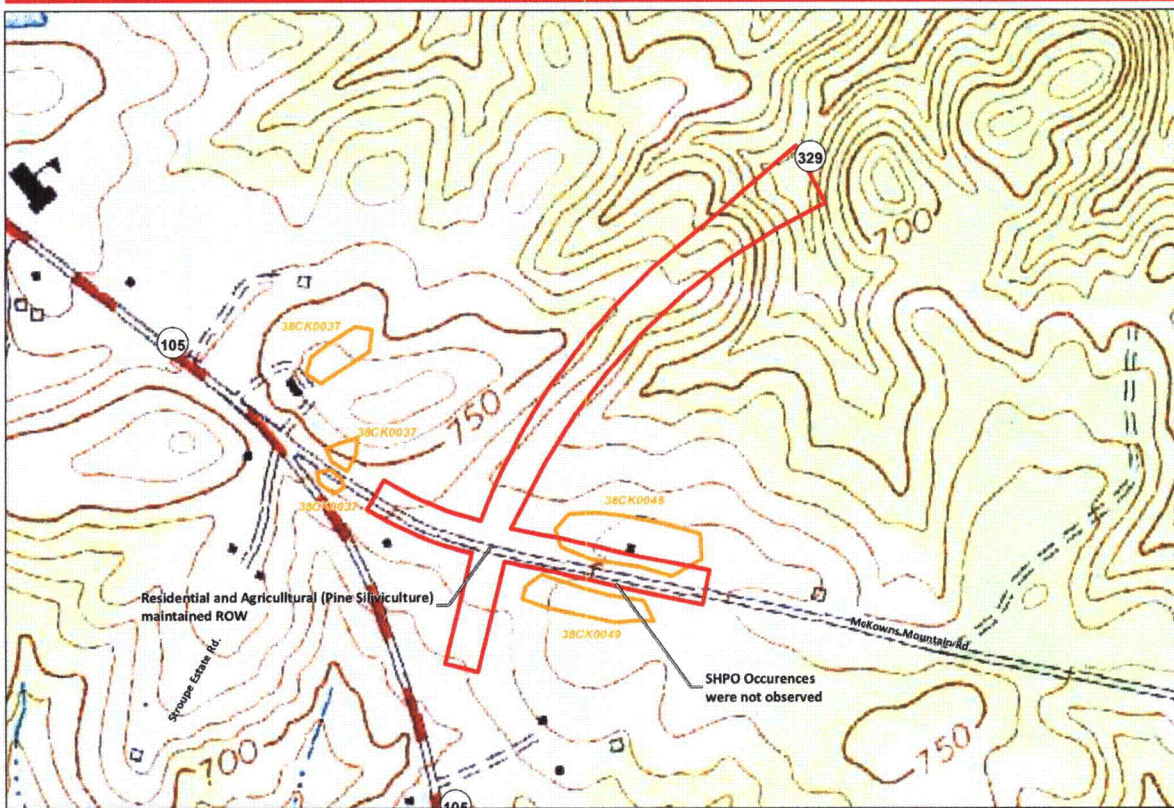
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Kimley-Horn and Associates, Inc.

Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

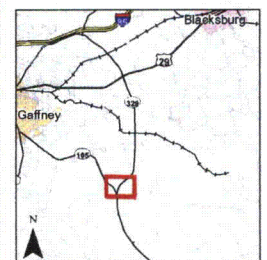
**USGS
Topographic Map
Figure 4-B**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blacksburg South quadrangle, South Carolina

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Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

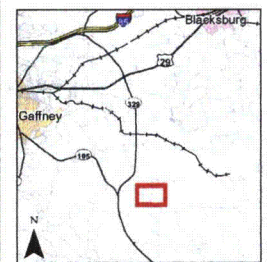
**Aerial Map
Figure 5-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

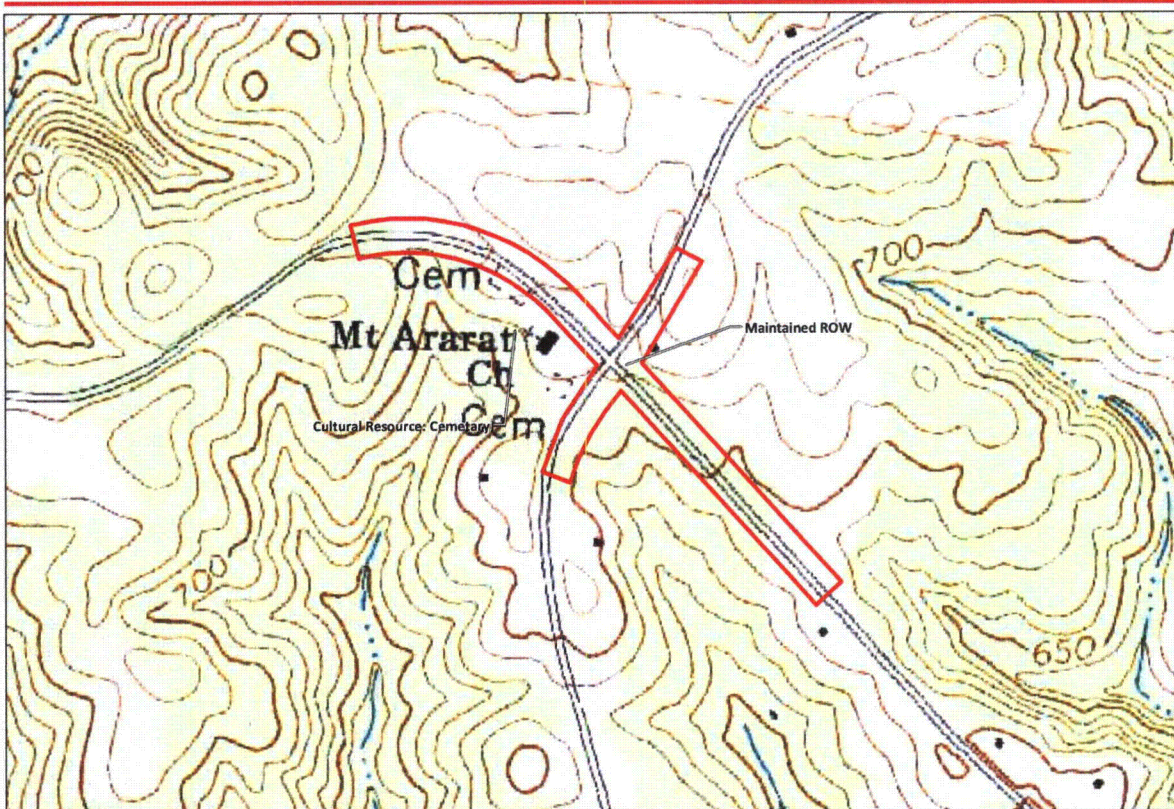
*National Agricultural Imagery Program
2009 Aerial Photography

0 200 400 600 800
Feet



Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

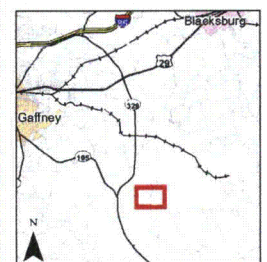
**USGS
Topographic Map
Figure 5-B**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blackburg South quadrangle, South Carolina

0 200 400 600 800
Feet



Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

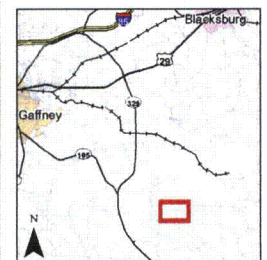
**Aerial Map
Figure 6-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

*National Agricultural Imagery Program
2008 Aerial Photography

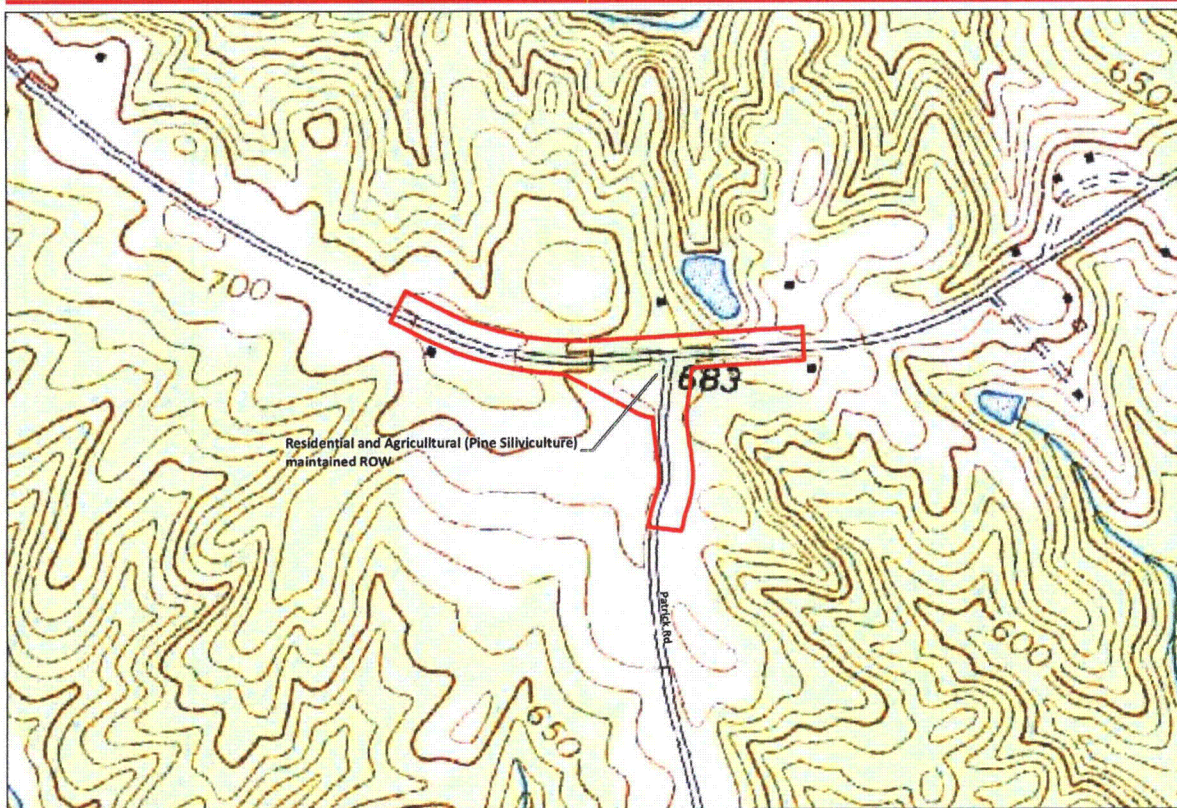
0 200 400 600 800 Feet



Kimley-Horn and Associates, Inc.

Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

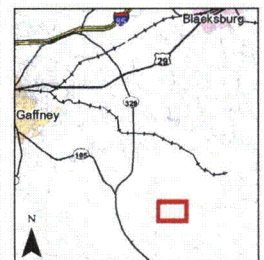
**USGS
Topographic Map
Figure 6-B**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blacksburg South quadrangle, South Carolina

0 200 400 600 800
Feet



Lee Nuclear Station
Proposed Offsite Transportation Improvements
SCSHPO Section 106 Project Review

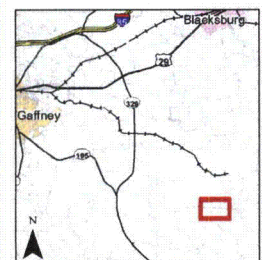
**Aerial Map
Figure 7-A**



- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites
- NWI Open Waters
- NWI Wetlands
- NHD Streams/Creeks

*National Agricultural Imagery Program
2008 Aerial Photography

0 200 400 600 800
Feet



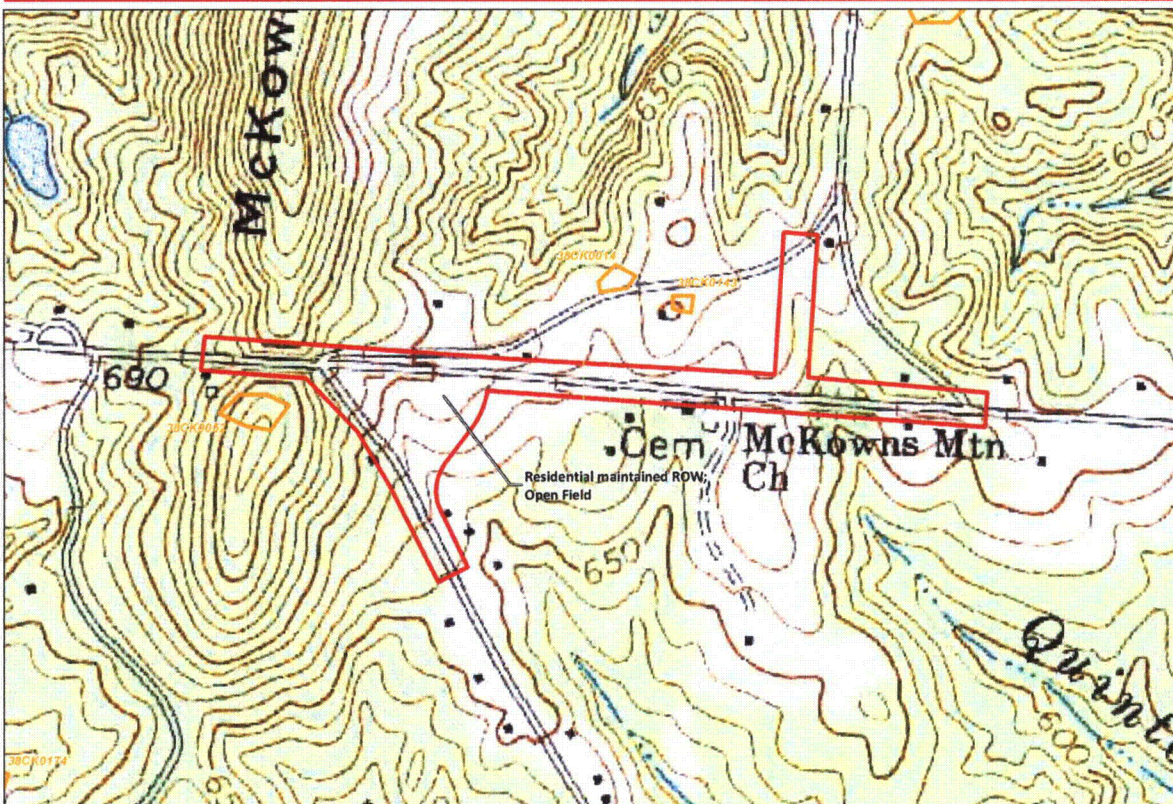
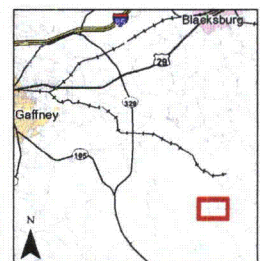
Kirley-Horn and Associates, Inc.

USGS
Topographic Map
Figure 7-B

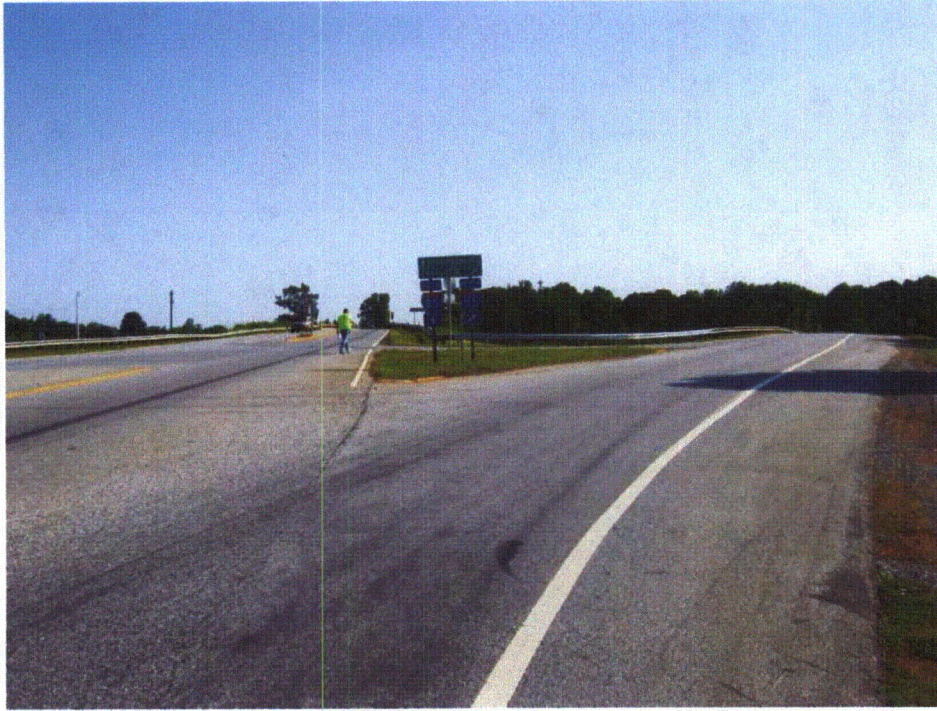
- Area of Potential Effect (APE)
- Approx. SCSHPO Archaeology Sites

*US Geological Survey
Blacksburg South quadrangle, South Carolina

0 200 400 600 800 Feet




Site Photographs



Shelby Hwy and I-85 Northbound Ramp



Shelby Hwy and I-85 Northbound Ramp

Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 1 of 9



Shelby Hwy and I-85 Southbound Ramp



Shelby Hwy and I-85 Southbound Ramp

Title	Site Photographs
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Prepared by:


 Kimley-Horn and Associates, Inc.

Project

Proposed Offsite Transportation Improvements for Lee Nuclear Station
Cherokee County, South Carolina

Date
2/1/12

KHA Project Number
018366003


Site Photo Page
2 of 9



SC 329 and Shelby Hwy



SC 329 and Shelby Hwy


Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 3 of 9



SC 329 and US 29



SC 329 and US 29


Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 4 of 9



SC 329 and McKowns Mountain Road



SC 329 and McKowns Mountain Road


Title		Site Photographs		
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 5 of 9



McKowns Mountain Road and Rolling Mill Road



McKowns Mountain Road and Rolling Mill Road


Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 6 of 9



McKowns Mountain Road and Patrick Road



McKowns Mountain Road and Patrick Road


Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 7 of 9



McKowns Mountain Road and Sardis Road/McKowns Mountain Road and Owensby Road



McKowns Mountain Road and Sardis Road/McKowns Mountain Road and Owensby Road


Title	Site Photographs			
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 8 of 9



McKowns Mountain Road and Sardis Road/McKowns Mountain Road and Owensby Road



McKowns Mountain Road and Sardis Road/McKowns Mountain Road and Owensby Road

Title		Site Photographs		
Prepared by:  Kimley-Horn and Associates, Inc.	Project	Proposed Offsite Transportation Improvements for Lee Nuclear Station Cherokee County, South Carolina		
		Date 2/1/12	KHA Project Number 018366003	Site Photo Page 9 of 9

Past SCSHPO Correspondence



Tinklenberg, Chris

From: Wilson, Caroline D [cwilson@SCDAH.STATE.SC.US]
Sent: Monday, February 28, 2011 3:54 PM
To: Massey, Amy
Subject: RE: Transportation Improvements- Cherokee County, South Carolina

Amy,

I took a look at our online database, and I saw no additions to the sites that were plotted on your maps. I believe that this data is accurate through the spring of 2010. That is about the time that the SC Institute of Anthropology and Archaeology lost their GIS coordinator and they have not been able to fill the position, so the database is not entirely up to date. If you are concerned about any additional information that may have been uncovered since last spring, your best bet would be to contact the Institute.

Let me know if I can be of any more assistance.

Regards,

Caroline Dover Wilson

Review and Compliance Coordinator
South Carolina Dept. of Archives and History
8301 Parklane Road
Columbia, SC 29223
(803) 896-6169
Fax: (803) 896-6167

****STATUS UPDATE for the week of February 21st:** We have reviewed and sent letters for projects received through February 1st.**

PLEASE NOTE: We **CANNOT** accept Section 106 forms via e-mail, unless requested. Please send us hard copies using certified mail or UPS/Fed-Ex to ensure your project package has arrived. Thank you for your understanding.**

From: Amy.Massey@kimley-horn.com [mailto:Amy.Massey@kimley-horn.com]
Sent: Thursday, February 24, 2011 11:45 AM
To: Wilson, Caroline D.
Cc: Chad.Evenhouse@kimley-horn.com
Subject: Re: Transportation Improvements- Cherokee County, South Carolina

Thanks Caroline!

Thanks, Amy

From: Wilson, Caroline D. [mailto:cwilson@SCDAH.STATE.SC.US]
Sent: Thursday, February 24, 2011 10:40 AM
To: Massey, Amy
Subject: RE: Transportation Improvements- Cherokee County, South Carolina

Amy,

Ok, I understand now. I will be happy to take a look, however, our online system is down today, and I will be out of the office tomorrow, as will our archaeologist Jodi Barnes. I can look on Monday, however, and will get back to you then.

Thanks for your patience,

Caroline Dover Wilson

Review and Compliance Coordinator
South Carolina Dept. of Archives and History
8301 Parklane Road
Columbia, SC 29223
(803) 896-6169
Fax: (803) 896-6167

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From: Amy.Massey@kimley-horn.com [mailto:Amy.Massey@kimley-horn.com]
Sent: Thursday, February 24, 2011 11:30 AM
To: Wilson, Caroline D.
Cc: Barnes, Jodi; Chad.Evenhouse@kimley-horn.com
Subject: RE: Transportation Improvements- Cherokee County, South Carolina

Hi Caroline, thanks for your message. Per my voicemail yesterday, I'm sorry for the confusion.

Back in 2009, we had performed a desktop environmental screening of areas that could possibly be impacted by potential transportation improvements being considered. We had obtained mapping files from your agency back then for inclusion in our documentation (and later disposed of the files as required). Since we have updated areas of potential impact, we are updating the screening from 2009- so what we are asking for is simply for your agency to verify whether there have been mapping changes incorporated into your records beyond what is shown in the maps I emailed Monday.

Therefore, no official review is requested at this time- just informal verification that the data shown in our maps is still representative of SHPO/DAH records, or that there have been updates to your records that need to be incorporated.

We understand that we need to submit Section 106 once we are prepared to enter the formal review process.

Thanks for your help!
Amy

Kimley-Horn and Associates, Inc.
704-954-7470

From: Wilson, Caroline D. [mailto:cwilson@SCDAH.STATE.SC.US]
Sent: Tuesday, February 22, 2011 9:46 AM
To: Massey, Amy
Cc: Barnes, Jodi
Subject: RE: Transportation Improvements- Cherokee County, South Carolina

Ms Massey:

I received your e-mail from a colleague.

If I understand correctly, you are trying to conduct Section 106 review for a project that was originally reviewed by our office in 2009, but has changed in its scope since the original review? If so, you will need to submit the attached Section 106 form, photos, and maps in order for us to review. Please submit any materials to us by mail, certified is best, as we cannot confirm the receipt of materials.

Please let me know if you have any questions.

Thank you,

Caroline Dover Wilson

Review and Compliance Coordinator
South Carolina Dept. of Archives and History
8301 Parklane Road
Columbia, SC 29223
(803) 896-6169
Fax: (803) 896-6167

****STATUS UPDATE for the week of February 21st:** We have reviewed and sent letters for projects received through February 1st.**

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From: Amy.Massey@kimley-horn.com [mailto:Amy.Massey@kimley-horn.com]

Sent: Monday, February 21, 2011 9:33 AM

To: Barnes, Jodi

Subject: Transportation Improvements- Cherokee County, South Carolina

To whom it may concern:

Kimley-Horn and Associates, Inc. is requesting input regarding data obtained from your agency in 2009. We are performing an environmental screening for study areas that vary somewhat from those reviewed in 2009, and therefore would like to confirm that there are no additional data or updates to the previous archaeology/National Registry data available.

The additional study areas are referenced on the two attached maps in the context of the previously identified study areas and available 2009 data. Please review the maps and let us know if there are any updates to the data shown. We appreciate your help with this matter. Please email your reply to my attention. If you have any questions regarding this request, please call me at (704) 954-7470.

Amy Massey, P.E.

Kimley-Horn and Associates, Inc.

4651 Charlotte Park Drive, Suite 300

Charlotte, North Carolina 28217

Phone: 704-954-7470

Fax: 704-333-0845

Email: amy.massey@kimley-horn.com

www.kimley-horn.com

Attachment 135S-05

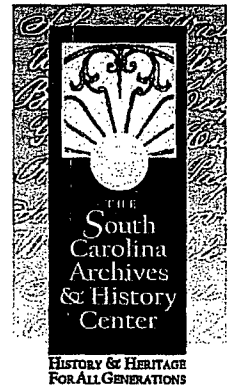
Letter from South Carolina Department of Archives & History State Historic Preservation Office

Re: Proposed Offsite Transportation Improvements – Lee Nuclear Station

Cherokee County, South Carolina

SHPO No. 06RD0163

February 23, 2012



Mr. Chris Tinklenberg
Kimley-Horn and Associates
200 South Boulevard, Suite 440
Charlotte, NC 28203

Re: Proposed Offsite Transportation Improvements - Lee Nuclear Station
Cherokee County, South Carolina
SHPO No. 06RD0163

Dear Mr. Tinklenberg:

Thank you for your letter of February 3, which we received on February 6, regarding the above-named project. We also received the project review form and maps as supporting documentation for this undertaking. The State Historic Preservation Office is providing comments to Nuclear Regulatory Commission pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

There are three archaeological sites, 38CK29, 38CK48, 38CK49, 38CK132, and 38CK133 within the proposed transportation improvement areas. Our office believes that none of these sites meet the criteria for listing in the National Register of Historic Places (NRHP). Therefore, based on the description of the Area of Potential Effect (APE) and the identification of historic properties within the APE, our office concurs with the assessment that no properties listed in or eligible for listing in the NRHP will be affected by this project.

If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by humans. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials. The federal agency or the applicant receiving federal assistance should contact our office immediately.

If you have any questions, please contact me at (803) 896-6181 or jbarnes@scdah.state.sc.us.

Sincerely,

Jodi Barnes, PhD
Staff Archaeologist/GIS Coordinator
State Historic Preservation Office

Enclosure 1

Duke Letter Dated: March 29, 2012

Page 48 of 49

Attachment 135S-06

**Section 106 Application Tribal Transmittal and Delivery Record
as of March 9, 2012**

Enclosure 1

Duke Letter Dated: March 17, 2011

Page 49 of 49

Section 106 Application
Tribal Transmittal and Delivery Record
3-9-12

SC SHPO Tribe	Email address (final version)	Transmittal email sent	Delivery- or read-confirmed
Absentee-Shawnee Tribe of Indians of Oklahoma	hellis@astribe.com	3-9-12	✓
Catawba Indian Nation	caitlinh@ccppcrafts.com	2-20-12	✓
Cherokee Nation	wayne-isaacs@cherokee.org; tom-elkins@cherokee.org	3-9-12	✓
Chickasaw Nation	gingy.nail@chickasaw.net	3-8-12	✓
Choctaw Nation of Oklahoma	tcole@choctawnation.com	3-8-12	✓
Eastern Band of Cherokee Indians of North Carolina	tylehowe@nc-cherokee.com	3-8-12/3-9-12	✓
Eastern Shawnee Tribe of Oklahoma	rdushane@estoo.net	3-9-12	✓
Jena Band of Choctaw Indians	'info@jenachoctaw.org'	3-8-12	✓
Miccosukee Tribe of Indians of Florida			
Muscogee (Creek) Nation	preservation@muscogeenation-nsn.gov	3-8-12	✓
Seminole Nation of Oklahoma	'reservation49@hotmail.com'	3-8-12	✓
Seminole Tribe of Florida	'wsteele@semtribe.com'	3-8-12	✓
Shawnee Tribe	'shawneetrib@neok.com'	3-8-12	✓
Thlopthlocco Tribal Town	'ccoleman@tttown.org'	3-8-12	✓
Tuscarora Nation of New York	'neil.patterson@starband.net'	3-8-12	✓
United Keetoowah Band of Cherokee Indians in Oklahoma	lstopp@unitedkeetoowahband.org	3-9-12	✓