



Eastern Band of Cherokee Indians
Tribal Historic Preservation Office
P.O. Box 455
Cherokee, NC 28719
Ph: 828-554-6852 Fax 828-488-2462

DATE: 13 - September - 11

TO: U.S. Nuclear Regulatory Commission
Sarah Lopas
11555 Rockville Pike
Mail Stop – T7E18
Rockville, MD 20852

PROJECT(s): Comments regarding proposed Duke Energy *William States Lee III* Nuclear Station, Cherokee and Union Counties, South Carolina.

The Tribal Historic Preservation Office of the Eastern Band of Cherokee Indians (EBCI THPO) would like to thank you for the opportunity to comment on this proposed section 106 activity under §36 CFR 800.

This office concurs with South Carolina State Historic Preservation Office's (SC SHPO) recommendations that no sites eligible for inclusion on the National Register of Historic Places were encountered within the Area of Potential Effect (APE) for the proposed project. The EBCI THPO would like to offer the following specific archaeological site comments:

The EBCI THPO concurs the following archeological sites in **Cherokee County, SC**, are determined ineligible for inclusion on the National Register of Historic Places:

38CK8, 38CK9, 38CK10, 38CK11, 38CK13, 38CK14 (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK15** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK31, 38CK32, 38CK38, 38CK52, 38CK58, 38CK138** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK145, 38CK146** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK147, 38CK149, 38CK150, 38CK151, 38CK155, 38CK156, 38CK157, 38CK159, 38CK160, 38CK161** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK162** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK163** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK164, 38CK165** (only those

portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK166** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK167, 38CK168, 38CK169** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK170** (only those portions which include a Native American component, we defer all none Native American portions of the site to the SC SHPO), **38CK171, 38CK173, 38CK175, 38CK176, 38CK178, 38CK179, 38CK180.**

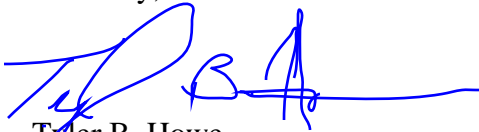
The EBCI THPO concurs the following archeological sites in **Union County, SC**, are determined ineligible for inclusion on the National Register of Historic Places:

38UN1441, 38UN1442, 38UN1443, 38UN1445, 38UN1446.

As such, it is the opinion of the EBCI THPO that no cultural resources important to the Cherokee people should be affected by the proposed federal undertaking. Therefore, the EBCI THPO believes the proposed federal undertaking may proceed as planned. Should construction plans change, or cultural resources or human remains be encountered during the construction phase, all work should cease, and this office notified to continue the consultation process as stipulated under §36CFR800. In addition, the EBCI THPO stands ready to assist in the construction and review of a proposed Memorandum of Agreement.

If we can be of further service, or if you have any comments or questions, please feel free to contact me at (828) 554-6852.

Sincerely,



Tyler B. Howe
Tribal Historical Preservation Specialist
Eastern Band of Cherokee Indians

C: Dr. Richard Darden
Brenda Pace