

PMVictoriaESPPEm Resource

From: Terry, Tomeka
Sent: Tuesday, February 07, 2012 3:56 PM
To: 'O'Rourke, Daniel J.'; Cushing, Jack; Wescott, Konstance L.
Cc: VictoriaESP Resource
Subject: FW: Texas Historical Commission and Standing VCS ESP Environmental Call
Attachments: THC - 11.19.10 Letter - Continuation of VCS Consultation.pdf

From: Williamson, Alicia
Sent: Tuesday, February 07, 2012 11:51 AM
To: Terry, Tomeka
Subject: FW: Texas Historical Commission and Standing VCS ESP Environmental Call

From: Joshua.Trembley@exeloncorp.com [<mailto:Joshua.Trembley@exeloncorp.com>]
Sent: Monday, December 06, 2010 4:30 PM
To: Terry, Tomeka; Williamson, Alicia
Cc: david.distel@exeloncorp.com; kim.barker@thc.state.tx.us
Subject: Texas Historical Commission and Standing VCS ESP Environmental Call

Tomeka / Alicia,

It was good to see you down in Victoria last week.

Please find attached a letter from the Texas Historical Commission (THC) requesting continuation of consultation on the VCS project. As noted in the letter, the THC concurred with Exelon's adverse effect determinations in letters dated April 30, 2009, and April 6, 2010. Exelon forwarded the THC concurrence letters to the NRC under cover dated June 15, 2010 (NP-10-0013).

Since receipt of the THC's April 6, 2010, letter, Exelon has not formally communicated with the THC, anticipating that the NRC will initiate formal consultation under Section 106 of the NHPA. As noted in our previous discussions on this topic, it is Exelon's position that coordinating with the THC to develop mitigation alternatives and subsequently signing a Memorandum of Agreement (MOA) would most appropriately be undertaken at the COL stage of the project, if applicable.

I would like to discuss the THC consultation as part of our weekly environmental call. Recognizing that both of you have a standing conflict at 10:00 on Wednesdays, would it be possible to schedule the environmental call for each Wednesday at 9:30 AM (starting this Wednesday 12/8)? Please let me know if that works for both of you, and I will send out a recurring calendar notice with call-in information. If that's not a good time, please propose another time on Wednesday that works for both of you.

For reference, here's a list of environmental items that I would like to discuss at the next environmental meeting and periodically thereafter:

1. THC consultation (as discussed above)
2. Environmental audit logistics (the audit is tentatively planned for the week of April 4-8 at the Victoria College campus, pending confirmation from the NRC env. team)
3. Timing for development of the NRC's Biological Assessment and initiation of formal consultation with US Fish and Wildlife Service (USFWS) / NOAA Fisheries, if applicable
4. Coastal Zone Management Act (CZMA) consistency certification

Note that I have copied Kim Barker of the THC on this communication, per her request. As mentioned in the attached letter, Kim's phone number is 512-463-8952. It is my understanding that Kim will serve as the primary point of contact with the THC for the VCS project.

Thank you very much and have a great afternoon,
JT

610-765-5345

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Hearing Identifier: Victoria_ESP_Public
Email Number: 514

Mail Envelope Properties (0A64B42AAA8FD4418CE1EB5240A6FED160DF182C69)

Subject: FW: Texas Historical Commission and Standing VCS ESP Environmental Call
Sent Date: 2/7/2012 3:55:40 PM
Received Date: 2/7/2012 3:55:46 PM
From: Terry, Tomeka

Created By: Tomeka.Terry@nrc.gov

Recipients:

"VictoriaESP Resource" <VictoriaESP.Resource@nrc.gov>
Tracking Status: None
"O'Rourke, Daniel J." <danorourke@anl.gov>
Tracking Status: None
"Cushing, Jack" <Jack.Cushing@nrc.gov>
Tracking Status: None
"Wescott, Konstance L." <wescott@anl.gov>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	Size	Date & Time
MESSAGE	3758	2/7/2012 3:55:46 PM
THC - 11.19.10 Letter - Continuation of VCS Consultation.pdf	54088	

Options

Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

TEXAS HISTORICAL COMMISSION

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November 19, 2010

Joshua Trembley
Exelon Generation Company
200 Exelon Way, KSA1-E
Kennett Square PA 19348

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966*
Phase IB Investigations of the Proposed Site for Victoria County Station, Units 1 and 2, Victoria,
Refugio and Calhoun Counties, Texas
NRC/106 (see also THC Track #201008503, #200906587)

Dear Mr. Trembley:

We are writing to follow-up on the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

In our letters of April 30, 2009 and April 6, 2010, we concurred that the proposed construction of the Victoria County Station generating plant and associated cooling water basin and reservoir would have adverse direct and indirect effects on the McFaddin Ranch, and adverse visual effects on the proposed Town of McFaddin Historic District and each of its individual contributing resources as well as 1607 Old Refugio Road, Victoria, Victoria County and 8780 US 77, Victoria, Victoria County.

Section 106 regulations require that when any adverse effect determinations are made, the applicant must seek methods to avoid, minimize, or mitigate the adverse effect. Federal regulations also require that the applicant notify the Advisory Council on Historic Preservation (ACHP) of the adverse effect and invite their consultation. The views of any other interested parties such as neighbors and local historic preservation organizations must also be considered.

We would like to resolve the above referenced project and ask that you contact our office at your convenience.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Kim Barker at 512/463-8952.**

Sincerely,



Kim Barker, Project Reviewer
for: Mark Wolfe, State Historic Preservation Officer

cc: Dennis Riedesel, Chair, Victoria County Historical Commission
C. Herndon Williams, Ph.D., Chair, Refugio County Historical Commission
Larry Nichols, Chair, Calhoun County Historical Commission

MW/KB

RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR

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