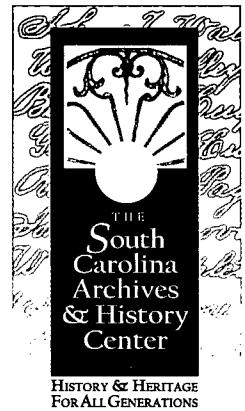


January 20, 2012

12/21/2011  
77 FR 79228

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Ms. Cindy Blady  
Chief, Rules, Announcements, and Directives  
Office of Administration  
Mail Stop: TWB-05-B01M  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: William States Lee III Nuclear Station Units 1 and 2  
Draft Environmental Impact Statement  
Cherokee County, South Carolina  
SHPO Project No. 06-RD0163

Dear Ms. Blady:

Thank you for your letter of December 12, which we received on December 15, regarding the above-referenced project. We also received a copy of the draft Environmental Impact Statement (EIS) as supporting documentation for this undertaking. The State Historic Preservation Office is providing comments to the Nuclear Regulatory Commission and the Army Corps of Engineers 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.

Our office has been in consultation with the Nuclear Regulatory Commission (NRC), the Army Corps of Engineers (COE), and Duke Energy over the past several years on this project. The licensing and operation of the Lee Nuclear Station includes the following Area of Potential Effects (APE):

- o Lee Nuclear Station site
- o Make-Up Pond C
- o Transmission line corridors
- o Railroad spur corridor

Our office worked with Duke Energy to develop both direct and indirect APEs for these four areas of the project. Over the course of several years, Duke Energy conducted cultural resources surveys, evaluations, and viewshed assessments of the APEs for Lee Nuclear Station. The following historic properties have been identified in the APEs:

- o Smiths Ford Farm—eligible for the National Register of Historic Places under Criterion A; transmission line corridor
- o Reid-Walker-Johnson Farm—eligible for the National Register of Historic Places under Criterion A; transmission line

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- Ellen Furnace Works (38CK0068)—listed in National Register of historic places; Railroad Spur
- Ninety-Nine Islands Dam—eligible for the National Register of Historic Places under Criteria A and C; Lee Nuclear Station Site (visual APE); transmission line corridor
- Ninety-Nine Islands Hydroelectric Project—eligible for the National Register of Historic Places under Criterion A; Lee Nuclear Station Site (visual APE); transmission line corridor

Cemeteries/burial grounds identified during surveys:

- 38CK0019 (Stroup Cemetery)—Lee Nuclear Station site
- 38CK0141 (Moss Cemetery)—Lee Nuclear Station site
- McKown Family Cemetery—Lee Nuclear Station site
- Unnamed cemetery—Lee Nuclear Station Site
- 38CK0142 (Service Family Cemetery)—Make Up Pond C
- 38CK0172 (possible NA burial site)—transmission line

Our office believes that the proposed Lee Nuclear Station, Make-Up Pond C, railroad spur, and transmission line corridors will cause **no adverse effect** on the identified historic properties provided that the following conditions are met:

- Public access to cemeteries upon request is not limited
- Fencing around cemeteries is maintained
- Cemeteries are periodically monitored for vandalism or disturbance
- Service Family Cemetery is relocated in consultation with our office and interested parties
- Any construction, ground disturbance, or future improvements along the railroad corridor within the boundaries of 38CK0068 (Ellen Furnace Works) are limited to the existing railroad right of way or are coordinated with our office

We expect that these conditions will be met by the execution of a Cultural Resource Management Plan and Agreement between our office, Duke Energy, the Corps of Engineers, and the interested Native American tribes. Our office has met with Duke and the Corps to develop a draft of this management plan and agreement. We look forward to continuing to work with Duke, the Corps of Engineers, and other interested parties on finalizing this agreement.

If you have any questions, please contact me at (803) 896-6183 or [dobrasko@scdah.state.sc.us](mailto:dobrasko@scdah.state.sc.us).

Sincerely,

*Rebekah Dobrasko*

Rebekah Dobrasko  
Supervisor of Compliance, Tax Incentives, and Survey  
State Historic Preservation Office