

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

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September 30, 2004

In Reply Refer To  
NRC040816A

Scott C. Flanders, Deputy Director  
Division of Waste Management and  
Environmental Protection - Office of Nuclear Material Safety  
United State Nuclear Regulatory Commission  
Washington, D.C., 20555-0001

RE: SECTION 106 CONSULTATION FOR DETERMINATION OF EFFECTS ON HISTORIC PROPERTIES FOR THE PROPOSED  
HUMBOLDT BAY INDEPENDENT SPENT FUEL STORAGE INSTALLATION, HUMBOLDT COUNTY, CALIFORNIA

Dear Mr. Flanders,

This letter is being provided in response to your request that we concur with your determination on a finding of no adverse effect for the proposed undertaking in Humboldt County, California. Your request and our comments here are made pursuant to 36 CFR Part 800, the regulations that implement Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended.

Your request in your letter dated July 14, 2004 indicates that,

1. the federal undertaking is for federal license submitted by Pacific Gas and Electric Company (PG&E) to construct and operate an Independent Spent Fuel Storage Installation (ISFSI) on the site of the Humboldt Bay Power Plant (HBPP), which we understand will be located within the 143-acre site boundary of the existing HBPP facility on a small peninsula known as Buhne Point;
2. Nuclear Regulatory Commission (NRC) has determined that there are no historic properties within the "area of potential effect" based on information provided by the PG&E environmental report;
3. the NRC is requesting concurrence on their finding that the undertaking, as presently proposed, will not adversely affect any historic properties.

At the present time we are unable to comment on the undertaking's potential for affecting historic properties due to a general lack of information regarding the nature of the undertaking and whether historic properties or potential historic properties may be located within the undertaking's APE as defined at 36 CFR § 800.4 (b) (1). These information needs are addressed below by topic:

**1. Area of Potential Effects** - 36 CFR Part 800.4(a)(1) requires that the Agency Official consult with SHPO (State Historic Preservation Officer) to "determine and document the area of potential effects, as defined in Section 800.16(d)." We have found no indication of the APE for this undertaking in the materials that we have received beyond the brief description provided in the transmittal letter. We recommend submitting an APE map indicating exactly where on the 143-acre parcel, specifically with regards to "Unit 3" - a potentially eligible National Register

eligible property, the ISFSI will be constructed. This should be accompanied by a written description of how the APE for the undertaking was defined.

**2. Native American Consultation** – It is apparent that information letters were sent to the Native American tribes and individuals recommended by the Native American Commission in 1999. However, the information submitted is over five years old and updated consultation with these individuals should be undertaken and documentation of these results be supplied as part of the consultation effort with us.

Since I am at this point in our consultation deferring comment on identification pending receipt of additional information, I would like to suspend consideration of the undertaking's effects until we have reached a consensus on the adequacy of the identification effort. I look forward to continuing our consultation upon receiving your response to the recommendations and requests we have shared with you. If you have any questions or comments regarding the contents of this letter, please contact Blossom Hamusek, Staff Archaeologist, at (916) 653-4614 or at [bhamu@ohp.parks.ca.gov](mailto:bhamu@ohp.parks.ca.gov).

Sincerely,



Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer



State of California • The Resources Agency  
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