

**APPENDIX C**  
**CORRESPONDENCE**



**TENNESSEE HISTORICAL COMMISSION**  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

February 4, 2003

2941 LEBANON ROAD  
NASHVILLE, TN 37243-0442  
(615) 532-1550

Mr. David R. Allen  
USDOE/Oak Ridge Operations  
Post Office Box 2001  
Oak Ridge, Tennessee, 37831-8739

**RE: DOE, ETPP TITLE TRANSFER, OAK RIDGE, ANDERSON COUNTY**

Dear Mr. Allen:

In response to your request, received on Thursday, January 30, 2003, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at [www.state.tn.us/environment/hist/sect106.htm](http://www.state.tn.us/environment/hist/sect106.htm).

Based on available information, we concur that the project as currently proposed will NOT ADVERSELY AFFECT ANY NATIONAL REGISTER OF HISTORIC PLACES-LISTED PROPERTY SO LONG AS THE FOLLOWING CONDITION (S) ARE MET:

All conditions enumerated within the Addendum environmental document are implemented as parcels are scheduled for transfer including the attachment of preservation covenant language to the deed of transfer document.

Unless project plans change, and so long as the condition is met, this office has no objection to the implementation of this project. Should project plans change, please contact this office to determine what additional action, if any, is necessary. Questions and comments may be directed to Joe Garrison (615) 532-1550-103. Your cooperation is appreciated.

Sincerely,

Herbert L. Harper  
Executive Director and  
Deputy State Historic  
Preservation Officer

HLH/jyg

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Date Received FEB 12 2003

File Code \_\_\_\_\_



# United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street  
Cookeville, TN 38501

February 13, 2003

Mr. James L. Elmore, Ph.D.  
U.S. Department of Energy  
Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831

Re: FWS #03-0744

Dear Dr. Elmore:

Thank you for your letter and enclosure of January 21, 2003, transmitting the Biological Assessment (BA) for the proposed transfer of additional land and facilities within and adjacent to the East Tennessee Technology Park (ETTP) in Roane County, Tennessee. The BA includes an evaluation of potential effects to the Federally endangered gray bat (*Myotis grisescens*) and Indiana bat (*Myotis sodalis*), and the Federally threatened spotfin chub (*Cyprinella monacha*). U.S. Fish and Wildlife Service (Service) personnel have reviewed the BA and offer the following comments for consideration.

The BA is adequate and supports the conclusion of not likely to adversely affect, with which we concur. In view of this, we believe that the requirements of Section 7 of the Endangered Species Act (Act) have been fulfilled and that no further consultation is needed at this time. However, obligations under Section 7 of the Act must be reconsidered if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered, (2) the proposed action is subsequently modified to include activities which were not considered in this biological assessment, or (3) new species are listed or critical habitat designated that might be affected by the proposed action.

Our previous comments of November 20, 2002, regarding the Environmental Assessment (EA) addendum for this project remain valid. We would appreciate receiving a copy of the final EA addendum.

These constitute the comments of the U.S. Department of the Interior in accordance with provisions of the Endangered Species Act (87 Stat. 884, as amended: 16 U.S.C. 1531 et seq.). We appreciate the opportunity to comment. Should you have any questions or need further assistance, please contact Steve Alexander of my staff at 931/528-6481, ext. 210, or via e-mail at [steven\\_alexander@fws.gov](mailto:steven_alexander@fws.gov).

Sincerely,



*fa* Lee A. Barclay, Ph.D.  
Field Supervisor

xc: David Harbin, TDEC, Oak Ridge  
Dave McKinney, TWRA, Nashville