

February 11, 2001

MEMORANDUM TO: File

FROM: Melanie Wong, Project Manager **/RA/**
Environmental & Performance Assessment Branch
Division of Waste Management, NMSS

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT CONSULTATION
PROCESS FOR THE PROPOSED PRIVATE FUEL STORAGE
FACILITY WITH THE SKULL VALLEY BAND OF GOSHUTE INDIANS
AND PRIVATE FUEL STORAGE, L.L.C.

On October 25, 2000, U.S. Nuclear Regulatory Commission, U.S. Department of Interior's Bureau of Land Management and Bureau of Indian Affairs, and U.S. Surface Transportation Board staff met with representatives of the Skull Valley Band of Goshute Indians and Private Fuel Storage, L.L.C. in Salt Lake City, Utah. The meeting was noticed on October 6, 2000.

The purpose of this meeting was consultation in accordance with 36 CFR Part 800.4 regulations on the potential impacts to historic properties as a result of the Private Fuel Storage proposal for the construction and operation of an Independent Spent Fuel Storage Installation on the Reservation of the Skull Valley Band of Goshute Indians and the related transportation facility in Tooele County, Utah. The discussion focused on the eligibility recommendations included in the Class III Cultural Resource Inventory of the Private Fuel Storage Project Area in Skull Valley, Tooele County, Utah, (Cultural Resources Report 5125-02-9909) and potential mitigation measures for anticipated adverse impacts to the cultural resources within the Area of Potential Effects. Attached is a summary of the meeting discussion.

Docket No. 72-22
TAC No.: L22462

Attachments:
1. Meeting Minutes
2. Handouts

CONTACT: Melanie Wong
301-415-6262

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(Initials) (Date)

Attachment 1

Meeting Minutes

MEETING MINUTES ON NATIONAL HISTORIC PRESERVATION ACT CONSULTATION PROCESS FOR THE PROPOSED PRIVATE FUEL STORAGE FACILITY WITH THE SKULL VALLEY BAND OF GOSHUTE INDIANS AND PRIVATE FUEL STORAGE, L.L.C.

Consultation Meeting Attendees: U.S. Nuclear Regulatory Commission (NRC), U.S. Department of Interior's Bureau of Land Management (BLM) and Bureau of Indian Affairs (BIA), U.S. Surface Transportation Board (STB), and representatives of the Skull Valley Band of Goshute Indians (Skull Valley Band) and Private Fuel Storage, L.L.C. (PFS).

Date/Location: October 25, 2000/ BLM-Salt Lake Field Office, Salt Lake City, Utah

Attendees List:

<u>Name:</u>	<u>Organization:</u>	<u>Phone #:</u>
Beverley B. Slack	Skull Valley Band	801-474-0535
Scott Flanders	NRC	301-415-1172
Mark Delligatti	NRC	301-415-8518
Melanie Wong	NRC	301-415-6262
Dale S. Hanberg	BIA - Uintah Agency	435-722-4331
Laird Naylor	BLM - Sale Lake Field Office	801-977-4357
Alice Stephenson	BLM - Sale Lake Field Office	801-977-4317
Paul Nickens	Pacific Northwest National Laboratory	509-577-6024
John Donnell	Private Fuel Storage, L.L.C.	303-741-7009
Betsy Tipps	P-III Associates	801-467-5446
Alan Schroedl	P-III Associates	801-467-5446
Scott Steinwert	STB (via Conference Call)	415-989-1446 (X 17)

I. Introduction

Ms. Wong opened the meeting to discuss the results of the PFS Class III Cultural Resource Inventory (Report).

II. Discussion of the Cultural Resource Inventory Eligibility Recommendation and Potential Mitigation Measures

Mr. Naylor gave a site-by-site discussion on the eligibility recommendations included in the Report and potential mitigation measures for anticipated adverse impacts. Handouts were distributed listing the twelve historic sites identified in the Report (Attachment B). Mr. Naylor also provided a summary of potential mitigation measures suggested by the representatives of the tribes and member organizations forming the Utah Historic Trails.

The following is a list of issues/concerns that were raised during the discussion:

- Emigrant Trail/Hastings Cutoff: Additional mitigation measures, i.e., public education, for this historic property were discussed. Mr. Donnell stated that initially the construction of an overpass at this site was considered; however, after review, the overpass was the lowest option on the list of potential mitigation measures.

- Rock Alignment and Cairns: Mr. Donnell disclosed that Chairman Leon Bear of the Skull Valley Band and the representatives from P-III Associates visited the Rock Alignment and Cairns historic property to determine if the Skull Valley Band had any cultural and traditional significance attached to this property. Chairman Bear informed Mr. Donnell that this site was not Native American in origin.
- U.S. 40: Mr. Donnell discussed the effects of construction access of the rail corridor on this historic property. Questions were raised regarding the impacts of the turning radius onto the existing access road. Additionally, the alternative of construction access from Delle would be investigated. PFS would provide additional information in order for the cooperating agencies to assess the impact of the construction activities.
- The process for the cooperating agencies to prepare a Memorandum of Agreement and Treatment Plan was discussed. The cooperating agencies would hold a conference call the following week to discuss the proposed mitigation measures, and then submit the final proposed mitigation measures subsequently to PFS for preparation of the Treatment Plan.

III. Conclusion

The meeting was concluded at approximately 1 pm.

Attachment 2

Handouts

**Section 106 Consultation Process
Wednesday, October 25, 2000
Private Fuel Storage, L.L.C. and Skull Valley Band of Goshute Indians
Salt Lake City, UT**

AGENDA

10:00 am	Opening Remarks/Intorductions	All
10:20 am	Discussion of the eligibility recommendations included in the Class III cultural resource inventory report and potential mitigation measures for anticipated adverse impacts to the cultural resources within the Area of Potential Effect.	All
12:00	Break	
12:45 pm	Continue Discussion	All
1:45 pm	Closing Remarks	All
2:00 pm	Adjourn	

Section 106 Consultation Process

<u>Site #</u>	<u>Site Name</u>	<u>NRHP Status</u>
42TO709	Emigrant Trail/Hastings Cutoff	Eligible
42TO1187	Rock alignment and cairns	Unevaluated
42TO1343	Buried AT&T telephone line	Not Eligible
42TO1409	U.S. Route 40	Eligible
42TO1410	“New” Victory Highway	Eligible
42TO1411	“Old” Victory Highway	Eligible
42TO1412	Western Union telegraph line	Eligible
42TO1413	Western Pacific Railroad	Eligible
42TO1414	Historic habitation/gas station	Not Eligible
42TO1415	Gas Station	Not Eligible
42TO1416	Road to Deep Creek	Eligible
42TO1417	Road to Sulphur Spring or Eight-Mile Spring	Eligible

Proposed Mitigations

All eligible sites

- Acquire a sequence of aerial photos through time beginning with the earliest available from the National Archives as well as other archives if available
- Interpret changes through time as shown on the photos
- Acquire infrared photos, if available
- Update site form based on photo interpretation (chronology, integrity of location, etc.) as well as other data collected during site specific activities below
- Make copies of each photo for each site; file these with the site form
- Map portions of site in and near the APE using GPS
- Avoid as much of the site as possible during construction

42TO709: Emigrant Trail/Hastings Cutoff

- Archeological survey along length of trail on all public lands from Hope Wells to Redlum Spring; map trail, artifacts, features, other sites, and photo points using GPS, conduct black and white photo documentation of entire segment
- Conduct a metal detector survey of APE; collect and curate artifacts

42TO1187: Rock alignment and cairns

- Avoided
- Have PFS provide map detailing avoidance
- Barricade site to ensure avoidance
- Possibly test and evaluate for significance
- Conduct oral history with tribal groups

42TO1343: Buried AT&T telephone line Not Eligible

42TO1409: U.S. Route 40

- Measures indicated above for all eligible sites should constitute adequate mitigation
- Certain portions of the site should be avoided by heavy vehicles and can be avoided if an alternate access route is used
- Construct at-grade crossing of existing railroad from frontage road into siding area to facilitate avoidance

42TO1410: “New” Victory Highway

- Measures indicated above for all eligible sites should constitute adequate mitigation
- Portion of site that cannot be avoided is in very poor condition; avoid segments that can be avoided and that have better integrity

42TO1411: “Old” Victory Highway

- Measures indicated above for all eligible sites should constitute adequate mitigation
- Airphoto work is very important at this site; as it can be used to ascertain that we have found the correct location for this early highway

42TO1412: Western Union telegraph line

- Measures indicated above for all eligible sites should constitute adequate mitigation

42TO1413: Western Pacific Railroad

- Measures indicated above for all eligible sites should constitute adequate mitigation

42TO1414: Historic habitation/gas station Not Eligible

42TO1415: Gas Station Not Eligible

42TO1416: Road to Deep Creek

- Measures indicated above for all eligible sites should constitute adequate mitigation
- Airphoto work is very important at this site; as it can be used to ascertain that we have found the correct location for this badly damaged wagon trail
- Conduct a metal detector survey of APE; collect and curate artifacts

42TO1417: Road to Sulphur Spring or Eight-Mile Spring

- Archeological survey along length of trail on all public lands from Hope Wells to Sulphur/Eight-Mile Spring; map trail, artifacts, features, other sites, and photo points using GPS, conduct black and white photo documentation of entire segment
- Conduct a metal detector survey of APE; collect and curate artifacts