

Advisory Council On Historic Preservation

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The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Reply to: 12136 West Bayaud Avenue, #330
Lakewood, Colorado 80226

April 20, 2001

Mark S. Delligatti
Senior Project Manager
Spent Fuel Licensing Section
Office of Nuclear Material Safety and Safeguards
Nuclear Regulatory Commission
Washington D.C. 20555-0001

RE: *Draft Treatment Plan for Mitigation Measures and Discovery Plan for the Private Fuel Storage, Limited Liability Company (PFS) Proposed Spent Fuel Storage Installation (ISFSI) on the Reservation of the Skull Valley Band of Goshute Indians.*

Dear Mr. Delligatti:

On March 21, 2001, we received from your office a copy of PFS's proposed treatment plan for the mitigation of effects of the proposed Spent Fuel Storage Installation (ISFSI) on historic properties. Eight National Register-eligible properties will be affected by the undertaking, all on lands administered by the Bureau of Land Management. We have reviewed this draft, and offer the following comments for your consideration.

1. Page 8 - The section on *Interim Protection During Construction* requires PFS to pad the portion of U.S. Route 40 under the railroad bridge during construction of the rail line. The treatment plan should provide additional information on how this padding will be accomplished (e.g., what material, how thick, whether engineering tests are needed to predict compaction) to ensure protection of the integrity of U.S. 40. It should allow BLM to review and approve a more specific plan for padding the site when it is completed at a later date.
2. Page 8 - The last paragraph on this page requires PFS to erect temporary fences to keep construction activities off historic properties outside of the construction corridor. The fencing should be more clearly described in this document (e.g, how high, what materials?) As suggested above, the BLM should be provided an opportunity to review and approve the fence construction plans.
3. Page 9 - Development of Educational materials for the Goshute Indians. BLM staff archaeologist, Laird Naylor, has expressed concern that this mitigation measure may not be appropriate given that no properties of traditional cultural value to the Skull Valley Band, nor any historic properties on the Skull Valley Reservation, will be affected by the undertaking. The

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Council believes that the BLM has raised a good point. The stipulation is not at all clear about what is intended for the educational exhibit, and the mitigation is not directly related to the projects effects on historic properties. However, we do not necessarily oppose including this as a mitigation measure if other parties to consultation feel there is good reason for requiring it.

4. Page 10 - Interpretive Kiosk or Wayside Exhibit for the Emigrant Trail/Hastings Cutoff: This section is unclear about who will develop the brochures and wayside exhibit. This should be specified in the Treatment Plan, and it should be a person or persons meeting professional qualifications standards.

Thank you for providing us an opportunity to review this draft Treatment Plan. If you have any questions or concerns regarding these recommendations, please contact Carol Gleichman of our staff at (303) 969-5110.

Sincerely,

A handwritten signature in black ink, appearing to read "DKlima", written over the word "Sincerely,".

Don E. Klima
Director
Office of Planning and Review