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September 10, 2007

Ron C. Linton, Project Manager
Decommissioning and Uranium Recovery Licensing Directorate
Division of Waste Management and Environmental Protection
Office of Federal And State Materials and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: Homestake Mining Company of California Proposed Evaporation Pond #3
Docket No.: 040-08903, License No.: SUA-1471

Dear Mr. Linton,

This letter follows up on our May 18, 2007 letter regarding Homestake Mining Company of California proposed Evaporation Pond #3 on a 33-acre site in Cibola, County, New Mexico. Because the Hopi Tribe claims ancestral and cultural affiliation to prehistoric cultural groups in New Mexico, the Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, we appreciate your continuing solicitation of our input and your efforts to address our concerns.

In our May 18th letter, the Hopi Cultural Preservation Office stated that if archaeological monitoring is implemented this project should result in no effect to *prehistoric* National Register eligible properties.

We have received a copy of the Pueblo of Acoma's June 4, 2007, letter to you including their water and cultural resource concerns. Therefore, this letter is to advise you that our previous concurrence with a determination of effect on *prehistoric* cultural resources significant to the Hopi Tribe does not extend to living traditional cultural properties and water concerns of the Pueblo of Acoma.

And therefore, this letter is in unqualified support of the Pueblo of Acoma's June 4th letter and their concerns regarding Homestake Mining Company of California proposed Evaporation Pond #3. We also support the enclosed All Indian Pueblo Council Resolution *Support for the Protection of Mt. Taylor and all Sacred Sites and Cultural Properties Related to the Pueblos of Acoma, and Laguna, and Nineteen Pueblos of New Mexico*.

If you have any questions or need additional information, please contact Morgart at tmorgart@hopi.nsn.us. Thank you again for your consideration.

Respectfully,



Leigh J. Kuwanwisiwma, Director
Hopi Cultural Preservation Office

xc: New Mexico State Historic Preservation Office
Laura Watchempino, Haaku Water Office, P.O. Box 309, Acoma, NM 87034