

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 ADVISORY COUNCIL ON HISTORIC
PRESERVATION

On October 26, 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 met with the Advisory Council on Historic Preservation in Denver, Colorado.

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 Effect. 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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OFC:	DWM	SFPO						
NAME:	MWong	SFlanders						
DATE:	01/04/01	02/11/01						

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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 ADVISORY COUNCIL ON HISTORIC PRESERVATION

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 the Advisory Council on Historic Preservation (Council)

Date/Location: October 26, 2000/Advisory Council of Historic Places Office, Lakewood, Colorado

Attendees List:

Name:	Organization:	Phone #:
Alan Stanfill	Council	303-969-5110
Scott Flanders	NRC	301-415-1172
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
Paul Nickens	Pacific Northwest National Laboratory	509-577-6024
John Donnell	Private Fuel Storage, L.L.C.	303-741-7009
Garry J. Cantley	BIA - Western Regional Office	602-379-6750
Scott Steinwert	STB (via Conference Call)	415-989-1446 (X 17)

I. Introduction

Ms. Wong opened the meeting by discussing the results of the Private Fuel Storage, L.L.C. (PFS) Class III Cultural Resource Inventory (Report).

Mr. Flanders gave a brief overview of the PFS undertaking for the construction and operation of an independent spent fuel storage installation (ISFSI) on the Reservation of the Skull Valley Band and the related transportation facility in Tooele County, Utah. Handouts were distributed describing the undertaking and maps of the APE.

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

Mr. Naylor gave an overview of eligibility recommendations included in the Report and potential mitigation measures for anticipated adverse impacts. A copy of the report was given to Mr. Stanfill. Handouts were distributed listing the 12 historic sites identified in the Report.

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

- Questions were raised regarding the role and responsibilities of the Council and the State Historic Preservation Officer in the consultation process. In addition, the Council advised on the role of the signatory parties and concurring parties in the preparation of the Memorandum of Agreement (Agreement).

- Mr. Flanders discussed the current status of the Section 106 of the National Historic Preservation Act consultation process. Mr. Stanfill suggested that the next step in the process include the formal determination of adverse effects and preparation of a Draft Agreement.
- Mr. Stanfill also strongly recommended the evaluation of the Rock Alignment and Cairns to determine its potential eligibility for the National Register of Historic Places. The cooperating agencies also agreed on a recommended list of activities that PFS should take when evaluating the site.

III. Conclusion

The meeting concluded at approximately 6 pm.

Attachment 2

Handouts

**Section 106 Consultation Process
Thursday, October 26, 2000
Advisory Council on Historic Preservation
Denver, CO**

AGENDA

3:00 pm	Opening Remarks/Introductions	All
3:15 pm	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
3:45 pm	Break	
4:00 pm	Continue discussion	All
4:30 pm	Closing remarks	All
5:00 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