



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Utah State Office
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Salt Lake City, UT 84145-0155

IN REPLY REFER TO
1793
(UT-934)

JUN 30 1998

Dr. Edward Y. Shum, Environmental Project Manager
Spent Fuel Licensing Section
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Dr. Shum:

The Bureau of Land Management (BLM), Utah State Office submits the following for your consideration in the scoping process for the Environmental Impact Statement (EIS) for the Private Fuel Storage Independent Spent Fuel Storage Installation on the Skull Valley Indian Reservation in Tooele County, Utah.

The scope of the EIS should include the entire project, including construction, and operation and all of the transportation and access needs for railroads, service roads, utility lines, fences, security needs etc. Because the proposed or alternative means of accessing the storage site or other project related facilities or activities such as obtaining borrow materials may require permitting by the BLM, we request cooperating agency status for preparation of the EIS in order to meet the objectives and mandates of 40 CFR 1500.5 and 1501.6. Because BLM was not identified as a cooperating agency prior to initiation of the Nuclear Regulatory Commission's scoping process, additional Federal Register Notices and scoping efforts may be required.

BLM is especially concerned over the potential impacts of building a railroad or expanding the existing roads on public lands and resources. The staff of the Salt Lake Field Office has developed the following initial list of issues that should be considered in the preparation of the EIS. These issues are identified generally, or are specifically identified for the west side of Skull Valley or for the east side on or near the existing Skull Valley Road:

Cultural Resources

- ◆ Native American Coordination - Opposition to the proposed project has been expressed by several on and off reservation groups. BLM as a Federal Agency is mandated to take into account the views of groups both for and against the project. How does NRC and its' contractor propose to coordinate Native American Consultation with the various groups and the BLM for the portion of the project on BLM managed lands?
- ◆ Because of potential impacts on the Native American population the EIS must address Environmental Justice.
- ◆ Historic Trails - A portion of the California Trail passes through the study area. The Skull Valley segment has been evaluated as a high potential segment of the National Historic Trails System. BLM through a service wide memorandum of understanding (SMOU) manages these trails in cooperation with the National Park

Service. It is also a partner in preparing a Comprehensive Management Plan (CMP) for Historic Trails. The proposed railroad may have some impact on BLM's ability to effectively manage these resources in a manner consistent with the CMP.

This issue has several parts:

1. How will the railroad directly affect the Historic Trail(s) where it crosses them?
 2. How would a railroad affect the cultural landscape which contributes to the high potential designation for the Skull Valley segment?
 3. How would a railroad figure into the limits of acceptable change for the trails? Would this be consistent with the preferred alternative in the CMP?
- ◆ **Cultural Resource Inventory, Mitigation, and Preservation-** Section 106 of the National Historic Preservation Act requirements need to be spelled out. P-III has prepared a Class I Overview (Literature Search) for the project. It noted that there were no previous recorded sites in the corridor, but recommended that a Class III inventory be conducted once the center line is staked. While we generally agree with the approach, we do have some questions about how this will be accomplished.
1. What is the size of the corridor to be inventoried at the Class III level? Will it be adequate to insure that both direct and indirect impacts on historic properties are considered?
 2. Who is to do the inventory and how are the results going to be distributed? Is there any plan for public involvement?
 3. Since at least one historic property (see "Historic Trails") may be impacted by the project and there is potential to impact other as of yet unknown (recorded) historic properties, what type of historic properties identification and treatment plan is proposed and how will it be implemented?
- ◆ **National Register of Historic Places** eligible sites (Iosepa, ranches) would be affected by the Skull Valley Road Alternative..

T&E Plant Species

- ◆ Pohl's milkvetch is known to exist south of the reservation. Potential habitat may be present on the north side as well. Inventory for plants of this species should be conducted and impacts on the plants should be analyzed..

Grazing

- ◆ Locating a railroad on the west side of the valley would split a grazing allotment. The construction and operation of the railroad also would affect east-west fences, pipelines, movement of livestock, livestock mortality, and would result in the loss of forage.

◆ Wild Horses

Wild horse bands from the Cedar Mountains utilize parts of the valley during winter months. Impacts of the project on wild horses should be analyzed in the EIS.

Wetlands

- ◆ The proposed corridor could affect wetlands. Alternative routes that would avoid all wetlands by staying higher up should be analyzed or mitigation measures should be identified and required.

Wildlife

- ◆ Pronghorn and mule deer crucial deer winter range could be affected depending on the location of the access routes. Impacts on populations and habitat should be analyzed and mitigation such as seasonal restrictions on construction should be considered.
- ◆ BLM sensitive species that are or may be present include the ferruginous hawk (impacts from high route), Swainson's hawk, loggerhead shrike, pocket gopher, kit fox, burrowing owl. Skull Valley is an important raptor wintering area. Impacts on these species should be analyzed.

Fire

- ◆ The potential for increased railroad caused fires in a highly flammable fuel type and subsequent costs and effects on other resources should be addressed.
- ◆ The railroad grade could limit access from the west side to the east side of the valley or vice versa and would interfere with initial attack for fighting fast moving cheatgrass fires.
- ◆ There would be increased hazards for fire fighters in the vicinity of the railroad and the trains themselves because there would be access problems, potential for getting engines caught on track, potential for collisions with trains, and the need to handle fire around the hazardous cargo being transported to the site.

Wilderness and Wilderness Study Areas

- ◆ The project site and access corridor can be viewed from the U.S. Forest Service administered Deseret Peak Wilderness and the BLM administered Cedar Mountains and North Stansbury Mountains Wilderness Study Areas (WSAs). The impacts of the outside sites and sounds of the project on wilderness values, such as opportunities for solitude, in these areas should be addressed.

Public Safety

- ◆ East-west roads and trails would be crossed. Access would be cut off and public safety would be threatened. These impacts should be analyzed and mitigation such as installation of crossings and placement of lights at major crossings such as Rydalch should be considered.

Recreation

- ◆ A route on the east side (near existing road) would result in a loss of recreation opportunities or facilities at Horseshoe Springs and Horseshoe Knolls. These potential impacts should be addressed.

Minerals

- ◆ The impacts of the project on the exploration and use of existing and potential oil & gas leases in area should be addressed.
- ◆ Impacts on the exploration and use of existing mining claims should be analyzed.
- ◆ Impacts from use of mineral materials needed for ballast should be addressed. The need for borrow materials should be included in the description of the project.

Miscellaneous Issues

- ◆ The security needs for the project and handling of weapons grade waste should be addressed.
- ◆ The impacts on existing utilities such as the Skull Valley Road should be addressed.
- ◆ Impacts on private land and changes in land values from the Skull Valley Road should be addressed.
- ◆ Interrelationships with other projects and activities such as the possibility of expanding the project to transport people to Dugway should be explored.
- ◆ The discussion on the need for the project should indicate how the project is related to efforts to establish a permanent repository at Yucca Mountain or other locations. It should explain what would happen to the Skull Valley repository if a permanent facility is opened during the life of the project,

Thank you for this opportunity to provide scoping input. We suggest that you contact Dr. Gregory F. Thayne at the Utah State Office, 324 South State Street, Suite 301, Salt Lake City, Utah 84111-2303, (801) 539-4071, as soon as possible to coordinate our efforts on this project.

Sincerely,

A handwritten signature in cursive script that reads "G. William Lamb". The signature is written in black ink and is positioned above the printed name and title.

G. William Lamb
State Director