

February 21, 2001

MEMORANDUM TO: Susan Shankman, Deputy Director  
Licensing and Inspection Directorate  
Spent Fuel Project Office, NMSS

FROM: Scott Flanders, Senior Environmental Manager **/RA/ original signed by**  
Licensing and Inspection Directorate  
Spent Fuel Project Office, NMSS

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT CONSULTATION  
PROCESS FOR THE PROPOSED PRIVATE FUEL STORAGE  
FACILITY WITH THE UTAH HISTORIC TRAILS CONSORTIUM

On October 24, 2000, the U.S. Nuclear Regulatory Commission staff and the U.S. Department of Interior's Bureau of Land Management and Bureau of Indian Affairs met with representatives of the member organizations forming the Utah Historic Trails Consortium in Salt Lake City, Utah.

The purpose of this meeting was consultation in accordance with 36 CFR 800.4 regulations on the potential impacts to historic properties resulting from Private Fuel Storage L.L.C.'s proposal to construct and operate an independent spent fuel storage installation on the Reservation of the Skull Valley Band of Goshute Indians and the development of a 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 72-22

Attachments:

1. Meeting minutes
2. Handouts

cc: Utah Historic Trails Consortium Organizations

Contact: Melanie Wong, NMSS/DWM  
(301) 415-6262

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**Attachment 1**  
Meeting Minutes

## MEETING MINUTES ON NATIONAL HISTORIC PRESERVATION ACT CONSULTATION PROCESS FOR THE PROPOSED PRIVATE FUEL STORAGE FACILITY WITH THE UTAH HISTORIC TRAILS CONSORTIUM

**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 member organizations forming the Utah Historic Trails Consortium (Consortium).

**Date/Location:** October 24, 2000/Utah State Historical Society, Salt Lake City, Utah

Attendees List:

<b>Name:</b>	<b>Organization:</b>	<b>Phone #:</b>
Al Mulder	Utah Crossroads/OCTA	801-266-2567
Vern Gorzitze	Utah Crossroads/OCTA	801-484-9623
Roy Tea	Utah Crossroads/OCTA	801-943-5891
Jay Banta	Utah Lincoln Highway Association	435-831-5353
Jess Petersen	Lincoln Highway Association	435-882-6581
Jere Krakow	National Park Service	801-539-4095
Dave Welch	Oregon-California Trails Association	253-584-0332
George Ivory	Consortium	253-233-9142
*Leon Bear, Chairman	Skull Valley Band of Goshute Indians	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 - Salt 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

\*Observers

### I. Introduction

Mr. Naylor opened the meeting by discussing the results of the Private Fuel Storage, L.L.C. (PFS) Class III Cultural Resource Inventory (Report) with representatives of the Consortium.

PFS's 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, was discussed in the initial consultation meeting with the Consortium on July 27, 2000. Handouts were distributed describing the undertaking and maps of the Area of Potential Effect (APE). Questions were solicited from Mr. Flanders regarding the undertaking. In response to queries from Mr. Petersen, Mr. Flanders discussed the design of the ISFSI on the Reservation.

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

Mr. Naylor discussed the eligibility recommendations for each site included in the Report and potential mitigation measures for anticipated adverse impacts. 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:

- **Mitigative Activities:** The Consortium requested a copy of the draft Treatment Plan and involvement in the review process. PFS will provide a copy of the Treatment Plan to the Chairperson of the Consortium.
- **Eligibility Recommendation:** Mr. Banta suggested that the “New” and “Old” Victory Highway be considered eligible for inclusion in the Register for Historic Places under Criterion B (association with the lives of persons significant in our past) as well as the criteria for inclusion listed in the Report.
- **All Eligible Sites:** The Consortium suggested that mitigation measures include fencing of all eligible sites. In addition, the site forms should document the features present in the area. A request was made for the curation of artifacts locally. The Consortium requested that information gathered during the mitigation process be disseminated by PFS to the appropriate entities.
- **Emigrant Trail/Hastings Cutoff:** Mr. Krakow and Mr. Banta suggested additional mitigation measures, specifically, the issue of public education (brochure and funding), beyond what the cooperating agencies proposed. The cooperating agencies considered public education to be additional mitigation. The cooperating agencies will consider Mr. Krakow’s suggestion of publishing a brochure. Other forms of public education were discussed, including the possible involvement of the Skull Valley Band of Goshute Indians. Mr. Naylor discussed the construction of an overpass for preservation purposes. The Consortium expressed opposition due to the visual intrusion in the valley by the overpass.
- **Rock Alignment and Cairns:** Suggestions were made to survey this historical property using metal detectors.
- **U.S. 40:** Mr. Donnell noted that the construction of an at-grade crossing would introduce new safety concerns. Mitigation measures were discussed, including padding the surface of the existing railroad from the frontage road into the siding area.
- **“Old” Victory Highway:** Mr. Peterson will provide pictures of this historical property to Mr. Naylor.
- **Western Pacific Railroad:** Suggestions were made to designate this historic property as “Union Pacific Line.”

### **III. Conclusion**

The cooperating agencies will consider the suggestions made by the representatives. The representatives were in general agreement with the eligibility recommendations and the potential mitigation measures as presented by the cooperating agencies. The meeting concluded at approximately 5:00 pm.

# **Attachment 2**

## Handouts

**Section 106 Consultation Process  
Tuesday, October 24, 2000  
Utah Historic Trails Consortium  
Salt Lake City, UT**

**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**

<b><u>Site #</u></b>	<b><u>Site Name</u></b>	<b><u>NRHP Status</u></b>
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



cc: Utah Historic Trails Consortium Member Organizations

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