



State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Office of The Governor
PUBLIC LANDS POLICY COORDINATION

LYNN STEVENS
Public Lands Policy Coordinator

June 7, 2005

Glenn Carpenter, Field Office Manager
U.S. Bureau of Land Management
Salt Lake District Office
2370 South 2300 West
Salt Lake City UT 84119

Re: Section 106 Agreement for the Proposed Private Fuel Storage Project

Dear Mr. Carpenter:

The State of Utah has received two letters from Stewart W. Brown, Senior Project Manager at the Nuclear Regulatory Commission, dated May 26 (received June 3) and June 2, 2005 relating to a Memorandum of Agreement under Section 106 of the National Historic Preservation Act. Mr. Brown enclosed a draft amended Memorandum of Agreement designed to be executed among various federal agencies and other entities and the Utah State Historic Preservation Officer, relating to the proposed Private Fuel Storage (PFS) project. Mr. Brown requested that I sign the amended Memorandum of Agreement and return it to him within 10 days of the date of the letter.

I am responding to the BLM because, as delineated in the proposed Memorandum of Agreement (*see* third *whereas* clause), BLM is "the lead Federal agency for purpose of compliance with Section 106 of the National Historic Preservation Act."

The State of Utah believes that it is premature to enter into this proposed Section 106 Memorandum of Agreement at this time. As is the usual practice, review of the Section 106 proposals should proceed concurrently with the review of the applications for any rights-of-way or other BLM authorizations by PFS and the required amendment to BLM's Pony Express Resource Management Plan. Because the proposed Section 106 Agreement is an implementation instrument, the most logical course is to evaluate the mitigation measures for cultural resources

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concurrently with mitigation measures for all other resources and social impacts that will be considered (but not yet proposed) as part of the required BLM evaluation of the PFS project.

Sincerely,



John Harja
Assistant Director
Public Lands Policy Coordination Office
Office of the Governor
State Historic Preservation Officer; PFS Project

cc: Stewart W. Brown, Senior Project Manager
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Ms. Sally Wisely, State Director
Bureau of Land Management
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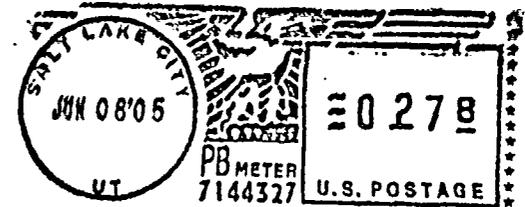
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RETURN SERVICE
REQUESTED

RESURF
FIRST CLASS



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Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
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