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UNITED STATES NUCLEAR REGULATORY COMMISSION

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NRC000214

Eagle Rock Enrichment Facility Mandatory Hearing on Environmental Matters

July 12-14, 2011

**NRC Staff Presentation Topic 6
Historic/Cultural Resources
Memorandum of Agreement (MOA)
and Associated Mitigation Measures**



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Historic/Cultural Resources MOA: Current Status

- March 30, 2011 - Draft MOA transmitted to Idaho State Historic Preservation Office (SHPO), AES, and Shoshone-Bannock Tribes.
- Comments received from Idaho SHPO and AES.
- June 6, 2011 - Cultural Resources Coordinator of Shoshone-Bannock Tribes informed NRC that she:
 - Completed review and has no comments.
 - Passed MOA on for legal review to ensure Tribes' treaty rights not diminished.
 - Must present MOA to Tribal Business Council.
 - Will then provide Tribes' comments (if any) to NRC.
- July 1, 2011 - MOA not yet finalized.

Historic/Cultural Resources MOA: Future Actions

- Obtain comments from Shoshone-Bannock Tribes.
- Determine need for teleconference to discuss and resolve comments among the parties.
- Incorporate comments and finalize MOA.
- Transmit MOA for signature by parties.
- File MOA with ACHP to complete National Historic Preservation Act Section 106 requirements.

Historic/Cultural Resources MOA: Monitoring & Discovery Plan

Monitoring & Discovery Plan (“Plan”) (NRC000215)
objectives:

- Ensure monitoring and protection of archaeological sites and historic properties.
- Establish process for addressing unanticipated discoveries of human remains and previously unidentified archaeological sites.
- Establish procedures for evaluation and treatment of unanticipated discoveries.

Monitoring & Discovery Plan: Monitoring Specialist

- Qualified professional (“Monitor”) will perform the following services required under the Plan:
 - Work closely with construction personnel to ensure impacts do not occur.
 - Identify & document previously undocumented resources.
 - Evaluate newly discovered resources for potential National Register eligibility.
 - Recommend treatment of historic properties.
- Member of Shoshone-Bannock Tribes may also be present with Monitor.

Monitoring & Discovery Plan: Cultural Resource Monitoring

The Monitor will:

- Conduct instructional briefings for all construction workers on monitoring procedures and requirements.
- Ensure known significant archaeological sites and sites not evaluated for significance are marked and avoided.
- Observe ground-disturbing activities.
- Monitor and keep a log of ground-disturbing activities in vicinity of known sites and discoveries.
- Report activities that are contrary to Plan requirements; and order work to cease, if necessary.

Monitoring & Discovery Plan: Discoveries of Human Remains

- If human remains are encountered, Monitor will:
 - Stop all activities in the vicinity of the discovery.
 - Document the discovery.
 - Contact Idaho SHPO, NRC, and AES.
 - Contact Shoshone-Bannock Tribes if discovery may be of tribal significance.
 - Not allow any additional activities at the location until appropriate reviews have been completed.
- Plan specifies that procedures for reporting discoveries of human remains are further addressed under Idaho State Code Sections 27-502, 503, and 504.

Monitoring & Discovery Plan: Discoveries of Archaeological Material

- When a discovery of archaeological material is made, Monitor will:
 - Inspect characterize, and document the discovery.
 - Determine if construction in the area can resume or if further study is necessary.
 - Determine potential National Register eligibility.
 - Coordinate with Idaho SHPO, Shoshone-Bannock Tribes, NRC, and AES throughout the process.
- Data recovery or other impact mitigation would occur in accordance with approved treatment plan.



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