

## StrataRossLANPEm Resource

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**From:** Ben Schiffer [bschiffer@wwcengineering.com]  
**Sent:** Monday, August 26, 2013 9:41 AM  
**To:** Moore, Johari  
**Cc:** Saxton, John; StrataRossLA Resource; Mike Griffin  
**Subject:** Re: Request Description of Adverse Effects on Ross Project Sites Identified by Tribes as TCPs

Johari--

Thanks for your time this morning. As we discussed please see the questions that we have developed regarding this request.

1. We would propose to provide the response to the request via a letter with a tabulation of the sites and perhaps a figure or two. Please confirm that this is what the NRC is looking for in terms of the administrative record.
2. Please provide the descriptions and narratives associated with the 17 sites that we have been requested to analyze for adverse effects. In order to effectively determine effects, we need more information on the properties and in particular the setting associated with these sites. As you well know, avoidance is our highest priority, however, without sufficient information regarding a property's visual, auditory and atmospheric setting, particularly those that contribute to its significance our analysis will be severely limited and potentially compromised.
3. Similarly, we would hope that some information can be provided supporting the avoidance boundaries. Perhaps as part of the site descriptions or narratives. Fundamentally, there seems to be a change from what the Cheyenne and Arapaho of Oklahoma proposed and we hope that there isn't anything arbitrary about the seemingly significant distances. Moreover, how much flexibility is inherent regarding the avoidance boundaries? We may be capable of easily avoiding the sites as provided by the NRC but could adversely impact portions of the avoidance boundaries, would this be considered an impact? Should we be differentiating adverse impacts to sites and adverse impacts to avoidance boundaries?
4. We understand that eligibility determinations for these sites may be forwarded to WYSHPO in the near future, is this analysis integral to the eligibility determination that will go to WYSHPO? If so, what is the schedule for this determination as we'll need to allocate sufficient resources to provide the analysis in a timely manner. Fundamentally, we want to focus our efforts on protecting eligible sites. Does the NRC believe all 17 of these sites are eligible for the National Register under the specific TCP criteria listed in Bulletin 38 and elsewhere, and will NRC therefore propose eligibility for all these sites to SHPO? The request would assume that all are eligible for protection however, based on the information provided in the Cheyenne and Arapaho Report, we would vigorously disagree with this determination for at least some of the sites as described by those tribes.

Give me a call if you would like to discuss in more detail. Take care.

Ben

On 8/22/2013 3:13 PM, Moore, Johari wrote:

Ben,

Attached, please find a map and shape files depicting the locations of the seventeen sites identified as Traditional Cultural Properties (TCPs) by the tribes that participated in the field survey of the Ross Project area. The NRC staff is currently finalizing its National Register of Historic Places eligibility determinations for these sites. However, in order to move the Section 106 process forward and to support the NRC staff's development of a TCP survey report for the Wyoming State Historic Preservation Office, we would like to gather adverse effects information about these sites at this time.

Therefore, I am requesting that you provide a description of the Ross Project's potential adverse effects on each of the seventeen sites. This description should include the types and locations of activities that would occur in the vicinity of these sites. Please indicate whether any of the sites can be avoided and to what extent. As indicated by the color of the sites shown on the attached map, the tribes that submitted survey reports are recommending that the sites be avoided by a buffer area of either 150 feet or 450 feet.

Please contact me if you have any questions regarding this request and please be aware that the attached files contain sensitive information that is confidential per 10 CFR 2.390 and 36 CFR 800.11(c).

Thank you,

Johari A. Moore  
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