

REGULATORY DOCKET FILE COPY

July 21, 1980

50-275

Mr. Kote Lotah  
375 Sherwood Drive  
Santa Barbara, California 93110

Dear Mr. Lotah:

As you probably know, the Atomic Safety and Licensing Board assigned to the Diablo Canyon proceeding before the Nuclear Regulatory Commission was concerned about the issue of access by the Chumash Indians to certain sacred burial areas which are reputed to exist at the site of the Diablo Canyon Nuclear Power Plant. Accordingly, they referred the matter of visitation to the NRC Staff to see if we could work out a feasible plan with Pacific Gas and Electric Company (PG&E) which would allow Chumash access to the site, commensurate with safe operation of the plant. As the case attorney assigned to Diablo, I am pursuing that objective for the Licensing Board.

It is my understanding that you have served as a spokesman for the Chumash Indians and could either conduct discussions with the NRC, PG&E and yourself or could refer us to someone who could. In regard to any discussions it seems to me that we need at least the following:

1. Authorization by letter or otherwise from appropriate tribal representatives designating spokesmen to conduct discussions for the Chumash.
2. A list of site areas considered sacred to which the Chumash desire access.
3. A proposed schedule for visitation of these areas, including an estimate of the number of persons and times during which visitation would be needed.

I would appreciate your phoning me at (301) 492-7501 so that we may proceed with these consultations. If you feel that you are not the person who should conduct these discussions, I would appreciate your informing me of what body you think would have the authority to speak for the Chumash (perhaps the

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Mr. Kote Lotah

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United Chumash Council) and your passing this letter on to them so that they can contact me.

Sincerely,

L. Dow Davis, IV  
Counsel for NRC Staff

cc: Roger Peters, Esq., PG&E  
Joe Byrd, Director, Santa  
Barbara Indian Center  
Ms. Madeline Hall  
Sefpe Guterrez  
Vincent Lopez

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It is my understanding that you have served as a spokesman for the Chumash Indians and could either conduct discussions with the NRC, PG&E and yourself or could refer us to someone who could. In regard to any discussions it seems to me that we need at least the following:

1. A letter or certificate authorizing you or some other person to conduct preliminary discussions for the Chumash.
2. A list of areas considered sacred which the Chumash desire to visit.
3. A schedule for visitation of these areas, including an estimate of the number of persons and times during which visitation would be needed.

I would appreciate your phoning me at (301) 492-7501 so that we may begin these consultations. If you feel that you are not the person who should conduct these discussions, I would appreciate your informing me of what body you think would have the authority to speak for the Chumash (perhaps the United Chumash Council) and your passing this letter on to them so that they can contact me.

Sincerely,

L. Dow Davis, IV  
Counsel for NRC Staff

cc: Roger Peters, Esq., PG&E

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