

**Summary of U.S. Nuclear Regulatory Commission Webinar and
Teleconference Call Sessions to Discuss Survey Methodology for the
Dewey-Burdock In Situ Uranium Recovery (ISR) Project**

Date	June 1, 2018	June 4, 2018	June 5, 2018
Time	12:00 – 3:00 PM EDT	12:00 – 3:00 PM EDT	4:00 – 6:00 PM EDT
Meeting Participants			Cinthy Roman, NRC
			Kellee Jamerson, NRC
	Cinthy Roman, NRC	Cinthy Roman, NRC	Diana Diaz-Toro, NRC
	Kellee Jamerson, NRC	Kellee Jamerson, NRC	Emily Monteith, NRC Office of General Counsel
	Diana Diaz-Toro, NRC	Diana Diaz-Toro, NRC	Lorraine Baer, NRC Office of General Counsel
	Dr. Paul Nickens, SC&A (NRC Contractor)	Dr. Paul Nickens, SC&A (NRC Contractor)	Dr. Paul Nickens, SC&A (NRC Contractor)
	Dr. Richard Stoffle, SC&A (NRC Contractor)	Dr. Richard Stoffle, SC&A (NRC Contractor)	Dr. Richard Stoffle, SC&A (NRC Contractor)
	Jeff Parsons, Counsel for the Oglala Sioux Tribe	Abe Zeitoun, SC&A (NRC Contractor)	Abe Zeitoun, SC&A (NRC Contractor)
	Travis Stills, Counsel for the Oglala Sioux Tribe	Kyle White, Interim Director, Oglala Sioux Tribe Natural Resources Regulatory Agency, Acting Tribal Historic Preservation Officer (THPO)	Ben Rhodd, Tribal Historic Preservation Officer, Rosebud Sioux Tribe
		Lance Rom, Quality Services, Inc. (Consultant for the Oglala Sioux Tribe)	Kyle White, Interim Director, Oglala Sioux Tribe Natural Resources Regulatory Agency, Acting Tribal Historic Preservation Officer (THPO)
		Reuben Weston, Quality Services, Inc. (Consultant for the Oglala Sioux Tribe)	Lance Rom, Quality Services, Inc. (Consultant for the Oglala Sioux Tribe)
		Travis Stills, Counsel for the Oglala Sioux Tribe	Reuben Weston, Quality Services, Inc. (Consultant for the Oglala Sioux Tribe)
		Travis Stills, Counsel for the Oglala Sioux Tribe	

NRC Materials Used at the Meetings:

1. Webinar and Teleconference Agenda – Agencywide Documents Access and Management System (ADAMS) Accession Number ML18152A672
2. Webinar and Teleconference Presentation Slides – ADAMS Accession Number ML18152A676

Purpose:

To discuss and establish the methodology to be implemented at the field survey and the areas to be examined at the Dewey-Burdock ISR facility located in Fall River and Custer Counties, South Dakota.

Summary:Friday, June 1, 2018, Webinar and Teleconference Call Session:

Participants in the June 1, 2018, webinar and teleconference call session included U.S. Nuclear Regulatory Commission (NRC) staff, the NRC staff's contractor (SC&A, Inc.), and counsel for the Oglala Sioux Tribe. No other invited Tribes participated in this webinar and teleconference call session. After introductions, the NRC staff answered questions from counsel for the Oglala Sioux Tribe.

In response to questions about the purpose of the documentation forms identified in slide 20 of the NRC's presentation from counsel for the Oglala Sioux Tribe, the NRC contractor stated that documentation forms were being developed for use in the June 2018 and September 2018 field surveys. He further explained that the purpose of these documentation forms is to obtain consistent information for each place revisited or discovered during the field survey. The NRC contractor clarified that each Tribal field crew, however, is free to record their own notes during the course of the fieldwork. With respect to the NRC contractor's effort to identify, consolidate, and evaluate existing information (see slide 20 of NRC's presentation), the NRC contractor explained that he has been reviewing, evaluating and consolidating publicly available information regarding the targeted geographic area, previous archaeological and cultural resource survey efforts, and historical and cultural information in preparation for the planned field survey. The NRC contractor clarified that the goal is to provide the documentation forms, literature review report, and maps to the invited Tribes as part of NRC's efforts to carry out its selected approach and, specifically, in support of the field survey. Once the NRC staff completes its review of the documentation forms and literature review report, these would be provided to the invited Tribes.¹

In response to questions from counsel for the Oglala Sioux Tribe regarding the survey methodology, the NRC staff clarified that the purpose of the webinar and teleconference call sessions was to obtain input from and develop the survey methodology with the Tribes. Accordingly, slides 22 through 24 of the NRC staff's presentation included two potential approaches for conducting a field survey, additional field survey considerations, and questions for discussion with the invited Tribes. In response to a follow-up question from counsel for the Oglala Sioux Tribe, the NRC contractor explained that he considered more specific methodologies; however, obtaining the invited Tribes' input and discussing the methodology that they want to use to conduct the field survey was the goal of the webinar and teleconference call sessions. Counsel for the Oglala Sioux Tribe stated that, although deferring to the Tribes

¹ The NRC contractor provided the documentation forms and literature review report to the invited Tribes on June 7, 2018 (ADAMS Accession Numbers ML18159A503 and ML18159A190, respectively).

regarding the methodology is adequate, it would be beneficial for the NRC contractor to provide his expert opinion regarding the methodology.

Counsel for the Oglala Sioux Tribe also asked about a confidentiality component of the field survey and the human subject research, and protection of sensitive unclassified non-safeguards information (SUNSI) material. The NRC staff stated its commitment to protect all such information in accordance with federal laws and regulations, as applicable.

Monday, June 4, 2018, Webinar and Teleconference Call Session:

Participants in the June 4, 2018, webinar and teleconference call session included the NRC staff, the NRC staff's contractor (SC&A, Inc.), the Oglala Sioux Tribe Acting Tribal Historic Preservation Officer (THPO), counsel for the Oglala Sioux Tribe, and consultants for the Oglala Sioux Tribe. After introductions, the NRC staff discussed the purpose of the meeting, which was to discuss and establish the methodology to be implemented at the field survey and the areas to be examined at the Dewey-Burdock ISR facility. The NRC staff further stated that the desired outcome of the webinar and teleconference was to collectively establish a methodology to be implemented during the field survey.

The NRC staff provided a brief overview of the NRC's review of Powertech (USA), Inc.'s (Powertech's or licensee's) license application to construct and operate the Dewey-Burdock ISR facility to be located in Fall River and Custer Counties, South Dakota. As part of its licensing review, the NRC staff completed a safety evaluation report and, in April 2014, issued a license to Powertech to construct and operate the Dewey-Burdock ISR facility. In accordance with the NRC regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Part 51, issued a final supplemental environmental impact statement (FSEIS), Supplement 4 of NUREG-1910, in accordance with the National Environmental Policy Act (NEPA), and executed a Programmatic Agreement in accordance with Section 106 of the National Historic Preservation Act (NHPA).

The NRC staff explained that the adequacy of the analysis in the Dewey-Burdock ISR FSEIS is the subject of an adjudicatory proceeding before the Atomic Safety and Licensing Board Panel (ASLBP). The ASLBP found that the NRC staff had satisfied the requirements of the NHPA, but had failed to meet the "hard look" standard under NEPA in assessing the impacts of the Dewey-Burdock ISR project on the cultural, historical, and religious sites of significance to Lakota Sioux Tribes in its FSEIS (LBP-15-16, April 30, 2015, and LBP-17-09, October 19, 2017). Accordingly, the NRC staff is seeking to obtain information on the cultural, historical, and religious sites of significance to the Lakota Sioux Tribes that may be impacted by the Dewey-Burdock ISR project to evaluate potential impacts to the identified sites and identify measures to avoid or mitigate impacts to those identified sites. The NRC staff would use the information gathered and evaluation to supplement the analysis in the FSEIS for the Dewey-Burdock ISR project.

The NRC staff discussed the selected approach for supplementing the analysis in the FSEIS, which was developed based on input and recommendations from the Oglala Sioux Tribe, Consolidated Intervenor, and Powertech. The approach, which was provided to these parties on March 16, 2018 (ADAMS Accession Numbers ML18074A396, ML18074A232, ML18075A422, and ML18074A397), consists of:

- Onboarding a contractor to facilitate implementation of the approach
- Involving Tribes
- Holding meetings with Tribal Leaders of the invited Tribes, to the extent possible
- Conducting oral history interviews with Tribal Elders of the invited Tribes
- Providing an opportunity for a field survey of the Dewey-Burdock ISR project site
- Supplementing the analysis in the FSEIS to account for information obtained concerning sites of historic, cultural, and religious significance to the invited Tribes

The NRC staff also discussed the anticipated timeline to carry out the selected approach. The NRC staff had previously requested a response from the Oglala Sioux Tribe and Powertech regarding their willingness to participate in the approach and timeline. The NRC staff received positive responses on March 30, 2018, and a supplemental (positive) response from Powertech on April 11, 2018. The Oglala Sioux Tribe indicated that “Based on the approach described, the Tribe continues to believe these efforts may provide a reasonable path toward NRC satisfying NEPA and resolving the Oglala Sioux Tribe’s long-standing NEPA contention.” Powertech agreed to support the survey and provide reimbursement and compensation to the participating Tribes. On Friday, June 1, 2018, Powertech clarified the reimbursement and compensation structure as follows:

“Powertech will make proportional payments of the honorarium based on specific milestones within the NRC staff’s timeline to reflect the timing of expenditures and professional staff of the Tribe. Powertech proposes to divide the honorarium into four equal payments tied to the following milestones: 1) the first phase of the tribal field survey, 2) meetings with Tribal Leaders and oral history interviews with Tribal Elders, 3) the second phase of the tribal field survey, and 4) providing comments on the survey report and oral history interview document or stating that no comments will be provided.” (ADAMS Accession Number ML18152B332)

The NRC staff, as recommended by the Oglala Sioux Tribe, brought onboard an experienced and highly qualified contractor, SC&A, Inc., to facilitate the implementation of the NRC staff’s selected approach. Dr. Paul Nickens and Dr. Richard Stoffle will be the principals working side-by-side with the NRC staff.

In mid-April 2018, the NRC staff invited Tribes to participate in the selected approach and shared the anticipated timeline. Since that time, the NRC staff has been working diligently to begin the field survey with invited Tribes scheduled for June 11-22, 2018 (first phase) and September 3-4, 2018 (second phase). The field survey will be conducted in two phases; each phase will be two weeks in length. This approach provides the broadest flexibility and opportunity for tribal participation by providing Tribes time between each of the phases to discuss preliminary results and findings with their Tribal Leaders; an opportunity to revisit the site to examine different areas or re-examine previously-visited areas; and different dates to participate in the field survey if one of the phases conflicts with the Tribes’ schedule. The NRC staff anticipates sharing the results of the first phase of the field survey with the participating Tribes for their review and comment. After the second phase of the field survey, the NRC staff would request the participating Tribes to provide information to the NRC to support the development of the survey report. By the end of October 2018, the NRC staff anticipates

providing the draft field survey report to the participating Tribes for a 30-day review and comment period. And, by the end of the calendar year, the NRC staff anticipates providing the final survey report to participating Tribes.

The NRC contractor initiated a discussion about the survey methodology. The NRC contractor presented the following two scenarios as potential options for discussion. Scenario 1 (see slide 22 of NRC's presentation slides) focused on relocating places previously identified as: (1) archaeological sites with Tribally-identified features (N=24), and (2) other Tribal sites (N=34); Total - 58 places; evaluating and documenting these places with the participating Tribes; and reconnoitering the Dewey-Burdock ISR Project area to identify other acreages for additional Tribal survey, focusing on those portions of the license area that would potentially be disturbed by project construction and operations for the first phase of the field survey. For the second phase, the participants would conduct additional Tribal surveys of selected areas. Scenario 2 (see slide 23 of NRC's presentation slides) focused on prioritizing the previously identified Tribal places and relocating a subset, e.g., all potential burial places and select stone circle features, cairns, and other site types, and/or use National Register of Historic Places eligibility determination and evaluate and document these selected places with the participating Tribes for the first phase of the field survey. For the second phase of the field survey, survey participants would revisit the Dewey-Burdock ISR site to examine different areas or re-examine previously visited areas.

Counsel for the Oglala Sioux Tribe referred to information provided by Powertech on June 1, 2018, regarding the structure for the reimbursement and compensation of participating Tribes, and questioned why the NRC had not informed the parties and requested that all be informed immediately. NRC staff responded that it was their understanding, per Powertech's June 1, 2018 e-mail, that Powertech was proposing the same reimbursement and compensation structure proposed to counsel for the Oglala Sioux Tribe in mid-April 2018. After obtaining Powertech's permission, the NRC staff shared the proposed reimbursement and compensation structure with the invited Tribes via e-mail on June 4, 2018 (ADAMS Accession Number ML18156A161).

Counsel for the Oglala Sioux Tribe and the Oglala Sioux Tribe Acting THPO questioned why the NRC staff provided such short notice about the start date of the field survey. The Tribe's Acting THPO requested that the start date be pushed back by one week, from June 11 to June 18, 2018, to allow the Oglala Sioux Tribe time to prepare for the field survey effort and select the appropriate personnel to participate. The NRC staff explained that the planned schedule to carry out the selected approach, which included the specific dates for the first and second phase of the field survey, was provided to the Oglala Sioux Tribe, Powertech, and Consolidated Intervenor on March 16, 2018, and the Oglala Sioux Tribe and Powertech agreed to support the NRC staff's approach consistent with the planned timeline. The NRC staff, however, committed to consider the Oglala Sioux Tribe's request.

Counsel for the Oglala Sioux Tribe asked about the purpose of the documentation forms to be used at the field survey. The NRC contractor explained that the "Dewey-Burdock Cultural Heritage Form" is similar to an archaeological site form but focused on tribal cultural resources, and the "Dewey-Burdock Native American Ethnographic Form" was based on forms used by the University of Arizona to gather information about, for example, how one place relates to the

other, history, culture, etc. In response to questions from counsel for the Oglala Sioux Tribe, the NRC contractor explained that the purpose of the documentation forms is to obtain consistent information for each place revisited or discovered during the field survey.

The Oglala Sioux Tribe's Acting THPO raised concerns regarding the proposed oral history interview component of the NRC staff's approach and the potential for outsiders coming onto the reservation to gather information and data. He requested that such interviews be conducted in accordance with the Oglala Sioux Tribe's ordinances and explained that requests for oral history interviews need to go through the Tribe's Research Review Board. The NRC staff committed to scheduling a separate meeting with the Oglala Sioux Tribe to discuss the oral history interview component. The Oglala Sioux Tribe committed to sharing the applicable ordinances with the NRC staff.²

Counsel for the Oglala Sioux Tribe requested that the NRC staff provide the documentation forms and the literature review document developed by the NRC contractor. The NRC staff committed to providing the literature review report to the invited Tribes as soon as possible. The NRC contractor provided the documentation forms and literature review report to the invited Tribes on June 7, 2018 (ADAMS Accession Numbers ML18159A503 and ML18159A190, respectively). In addition to the literature review report, the NRC contractor identified the Class III archaeological survey report that Powertech submitted with its license application and the Tribal field survey that the NRC staff conducted in 2013 with seven Tribes as additional resources that contain archaeological and cultural information. Counsel for the Oglala Sioux Tribe stated his objection to the 2013 Tribal survey and noted the lack of the Oglala Sioux Tribe's participation at this Tribal field survey. The consultant for the Oglala Sioux Tribe also explained that identified/known tribal sites might be of significance to one Tribe but not significant to another, and that the Oglala Sioux Tribe could discover new sites of significance to them. Counsel for the Oglala Sioux Tribe asked the NRC contractor's to discuss how best to carry out these efforts from an anthropological perspective. The NRC contractor explained that, from an anthropological perspective, other methodologies for surveys could consist of visiting three to five sites per day, selecting different areas to examine, and including the participation of Tribal Elders. The NRC contractor clarified that information that would be asked of the Tribes or obtained from the Tribes would be of the appropriate scope and nature that it can be made publicly available given that it would be used in a NEPA analysis.

The Oglala Sioux Tribe's Acting THPO inquired about the number of tribal representatives that could participate in the survey. He stated that he recommends bringing a team that consists of Tribal Elders, archaeological staff, and spiritual leaders. The NRC staff stated that Powertech agreed to provide reimbursement for up to three tribal representatives per Tribe. Additional tribal representatives, however, are welcome to participate in the survey. The Oglala Sioux Tribe's Acting THPO indicated that between five to eight participants would be appropriate. The NRC contractor suggested that a Tribe could bring three representatives during the first phase, or for the first week of the first phase of the field survey, and three others for the second phase of the field survey, etc. The Oglala Sioux Tribe's Acting THPO asked whether the Tribe could obtain authorization from Powertech to use the resources from another Tribe that might not be

² The Oglala Sioux Tribe's Acting THPO provided the ordinances to the NRC staff on June 5, 2018 (ADAMS Accession Number ML18157A381).

participating. The NRC staff agreed to ask Powertech if such arrangement would be possible, given that there would not be an increase in the overall projected cost.

The webinar and teleconference participants adjourned with a commitment to meet again at 4:00 PM EDT on Tuesday, June 5, 2018, to continue the discussions toward developing a survey methodology. Counsel for the Oglala Sioux Tribe requested that the NRC contractor put together a proposed survey work plan to be discussed at the teleconference on June 5.

Tuesday, June 5, 2018, Follow-up Teleconference Call Session:

Participants in the June 5, 2018, teleconference call session included, the NRC staff, the NRC staff's contractor (SC&A, Inc.), counsel for the NRC staff, the Oglala Sioux Tribe Acting THPO, the Rosebud Sioux Tribe THPO, counsel for the Oglala Sioux Tribe, and consultants for the Oglala Sioux Tribe.

The NRC staff welcomed all participants and expressed its appreciation for the discussion on June 4, 2018, and agreeing to continue the discussions today.

Counsel for the Oglala Sioux Tribe inquired about the NRC staff's position on delaying the start date of the first field effort by one week. The NRC staff explained that it had considered the Oglala Sioux Tribe's request, but stated that it was the first time since providing the selected approach and timeline to the Oglala Sioux Tribe on March 16, 2018, that the NRC staff heard concerns from the Oglala Sioux Tribe about the schedule. The NRC staff explained that changing the schedule with such short notice would present challenges that the staff did not feel could be overcome at this late date. Specifically, since mid-April 2018, the NRC staff has been communicating with other invited Tribes and has consistently communicated the dates of the field surveys, including June 11 as the start date of the first field survey. Further, the NRC staff noted that the field survey effort was developed with appropriate flexibility: two phases, each two weeks in length, so that, for example, survey participants can begin activities when convenient during the two week period. Accordingly, the NRC staff stated that it had determined to move forward with the originally planned schedule. Counsel for the Oglala Sioux Tribe noted his objection to the NRC staff's decision.

Counsel for the Oglala Sioux Tribe stated that there is a question of SUNSI and confidentiality provisions that are necessary to have in place before the start of the field survey. Counsel for the Oglala Sioux Tribe objected to not having the appropriate protocols in place for human subject research, intellectual property, SUNSI, and confidentiality. The THPO for the Rosebud Sioux Tribe indicated that he shared some of the Oglala Sioux Tribe's concerns about confidentiality, human subject research, and intellectual property. The NRC contractor explained that the NRC staff is not conducting research; rather, the NRC staff is facilitating the opportunity for Tribes to discuss the cultural meaning of the area. The NRC contractor further explained that although two graduate students will be working with SC&A in the field, this project is not a university research project. Counsel for the Oglala Sioux Tribe raised concerns about compliance with federal laws governing human subject research, to which NRC staff responded that the NRC staff will comply with all applicable federal laws. With respect to the protection of sensitive information, the NRC staff explained that it will protect all such information in accordance with federal laws and regulations to the extent possible. The NRC staff stated that

it will defer to the Tribes regarding the information they wish to provide the NRC staff, but that NRC staff's goal is to obtain information that can be used to supplement its NEPA analysis.

The Oglala Sioux Tribe's Acting THPO requested to have access to the maps, reports, and literature review results pertaining to the Dewey-Burdock ISR project prior to the field survey. The Rosebud Sioux Tribe's THPO agreed that it would be good have the reports to review prior to the field survey. The NRC staff agreed to provide this information as soon as possible.³ The Oglala Sioux Tribe's Acting THPO stated that the NRC contractor's proposed Scenario 1 (slide 22 of NRC's presentation), with a mix of field days and discussions with the Oglala Sioux Tribe Advisory Council, would be the best fit for the Oglala Sioux Tribe. The Oglala Sioux Tribe Acting THPO then suggested that the first week would consist of a mix of reviewing documents and fieldwork, and the second week primarily fieldwork with a day for consultation with the Oglala Sioux Tribe's Advisory Council. The Oglala Sioux Tribe's Acting THPO stated that the Tribe would prefer the technical support of their consultant (Quality Services, Inc.) and tribal monitors during the field survey. He reiterated that the NRC staff would need authorization to come onto the reservation to conduct oral interviews and the NRC staff would have to follow the tribal ordinances and consult with the Oglala Sioux Tribe Advisory Council.

The NRC contractor discussed a proposed initial work plan for conducting the field survey for consideration by the invited Tribes, but emphasized that he welcomed further comments and modifications from the invited Tribes on the proposed plan. The NRC contractor proposed a "windshield survey" of the project area on the first day of the field survey effort so the tribal field crews can gain an overall perspective of the landscape. During the first few days, the approach would involve daily field visits to a select number of sites, generally three to five sites. Those sites would be prioritized according to the list of known tribal sites, either from (1) previously recorded archaeological sites that were revisited by the Tribes in 2013 and which the tribes identified additional features of significance or (2) places identified by the Tribes in 2013 that fall outside previously identified archaeological sites. To prioritize within those two types of places, the focus could be on Tribal places/features located in the direct impact area of potential effect (APE). The NRC contractors would prepare a "daily package" for each of the participating Tribes, including the known information for each of the places to be visited that day. A discussion would occur at the beginning of each day in which the list of sites is reviewed, including information for why a particular place has been selected, what and where it is, and any other relevant information. Additional information can be found in the proposed initial work plan that was shared with the invited Tribes via e-mail on June 5, 2018 (ADAMS Accession Number ML18157A081).

Counsel for the Oglala Sioux Tribe stated that beginning the survey on June 11 would be tantamount to an open-site survey, and that going out without a methodology in place is objectionable. He also stated that the idea of Powertech giving the Tribes a windshield tour is objectionable from a confidentiality standpoint. He also recommended that a tribal liaison from the NRC be involved in the NRC's implementation of the approach. The NRC contractor stated that the goal of the meeting is to have a plan to move forward with by the end of the day. The Oglala Sioux Tribe's Acting THPO agreed that they needed a working framework figured out

³ The NRC contractor provided the documentation forms and literature review report to the invited Tribes on June 7, 2018 (ADAMS Accession Numbers ML18159A503 and ML18159A190, respectively).

today so he could have people in place on Monday. He asked how the \$10,000 honorarium would be used, and whether he was expected to submit a budget, and what milestones were associated with the honorarium. The NRC staff explained Powertech's proposed reimbursement structure and that the honorarium was to be used at the discretion of the Tribe.

In response to comments from the Oglala Sioux Tribe's Acting THPO and the Rosebud Sioux Tribe's THPO about obtaining the reports generated from the previous archaeological survey for review, the NRC contractor noted that the publicly available summary of the 2013 tribal field effort, which can be found as an appendix to the Programmatic Agreement executed for the project, provides a succinct but good account of the efforts up to the tribal survey in 2013. Counsel for the Oglala Sioux Tribe cautioned that the Programmatic Agreement was not accepted by the Tribes, and it would be helpful to separate the summary from the Programmatic Agreement in conveying it to the Tribes. In response to counsel for the Oglala Sioux Tribe's concerns, the NRC contractor clarified that the summary is a stand-alone document appended to the Programmatic Agreement and that it is useful as background reading. The Rosebud Sioux Tribe THPO expressed interest in the summary and the NRC contractor committed to providing it to the invited Tribes.⁴

Counsel for the Oglala Sioux Tribe asked the NRC staff contractor what the survey methodology is. The NRC contractor stated that he has his own survey methodology, but that he is looking for concurrence, comment, or revision from the invited Tribes. He stated that he could go out to the site with a recommendation, and adapt if the Tribes want to do something different. He stated that he would provide a one-page summary of the methodology as a way to get going on the first few days. Counsel for the Oglala Sioux Tribe stated that the NRC staff contractor's approach didn't align with the Oglala Sioux Tribe's Acting THPO's scenario, involving two phases, beginning with looking at maps and reports. He suggested that the Oglala Sioux Tribe get together and get back to the NRC staff later in the week.

The Rosebud Sioux Tribe's THPO indicated that the Rosebud Sioux Tribe may request a government-to-government meeting with the NRC staff, and explained that the Dewey-Burdock ISR project approach would have to be shared with the Rosebud Sioux Tribe Council Liaison. He also stated in terms of the schedule that it would be hard to assemble a crew to participate in the field survey by Monday, June 11, 2018, and he would have to inform his Advisory Council, which was expected to meet on Thursday, June 7, and get back to the NRC staff. Additionally, the Rosebud Sioux Tribe's THPO expressed his concern about potential disturbance of an eagle's nest that he recalled was located on the Dewey-Burdock ISR project site. The NRC contractor explained that he was aware of the eagle's nest in the project site.

Before adjourning the meeting, the NRC staff stated that it would confirm the meeting location and time for Monday June 11, 2018, via e-mail with the invited Tribes. Counsel for the Oglala Sioux Tribe requested that the NRC staff not send any e-mails regarding a meeting location and time, and committed to developing a proposed schedule and plan of work by the end of the week.⁵

⁴ The NRC contractor shared the summary of the 2013 tribal field survey with the invited Tribes via e-mail on June 5, 2018 (ADAMS Accession Number ML18157A081).

⁵ Counsel for the Oglala Sioux Tribe provided a proposed schedule for a cultural resources survey via e-mail to the NRC staff on June 8, 2018 (ADAMS Accession Number ML18159A619).