

Crow Butte ISR License Renewal

Clarifying Questions on the Oglala Sioux Tribe's Response to the NRC Staff's Request for Input on a Survey Methodology

1. Meaning of the Word "Intangible"

- In the Methodology section, Phase 2 is described as "the assessment of the intangible interest of the Lakota/Oglala Sioux Tribe" (see page 4). Can you explain what "intangible interest" means as used here and throughout this document?
- The Methodology section also refers to "historical 'intangible' data" and "cultural and spiritual 'Intangible' data" (see first paragraph on page 4). Could you please give some examples of this type of data?
- The document also refers to "sites of tangible interests" and "sites of intangible interests" (see fifth paragraph on page 1) or "tangible and intangible traditional cultural heritage sites" (see the last paragraph on page 2). Can you explain the difference between a tangible site and an intangible site?

2. Evaluation of Disturbed Areas

- Throughout the document there are various references to examination of disturbed areas. For example, at the bottom of page 1 and top of page 2 it states that some areas that were previously disturbed would be reviewed, but some of those disturbed areas "should be excluded based on the assumption that areas with considerable previous disturbance by Euro American land use activities (i.e. agricultural cultivation, gravel exploration, construction activities, mining etc.)" would have destroyed or diminished the integrity of sites. Can you help us understand the plan for deciding which disturbed areas would be surveyed?
- How would you determine which areas are so disturbed that the probability of finding a site with integrity is too low to warrant surveying those areas?
- For disturbed areas that would be surveyed, would 5 meter transects be used? If so, please explain why. If not, what spacing would be used?
- At the bottom of page 1, there is a reference to "native prairies" that "should be the primary focus of the survey." Which areas is that referring to?

3. Implementation of the TCP Survey

- In the list of "Field Survey Personnel" on page 5, could you please clarify which of those personnel would be involved in the field survey and which would be involved in interviews with elders and historians?
- On page 4, the proposal as described in Article 2 is to complete the survey in three phases over 73 days, and that the "total time to complete a Final Report" would be 584 hours.
 - 584 hours does not appear to be an estimate of the total man-hours that would be required to complete this effort. Can you provide an estimate of the total man-hours?
 - Would the three phases be performed consecutively over 73 work days, or would there be breaks between the phases?

- The proposal states that developing a draft report would take 30 days. How many man-hours would be needed?
- Would the draft report be shared with the other parties? How much additional time (man-hours) after completing the draft report would be needed to complete the final report?
- On page 5, the proposal states that the “rates will be the fee schedule of Makoche Wowapi.” Could you please provide the fee schedule?

4. Scope of the Survey

- On page 4, the description of Phase 2 refers to “the new expansion (color coded blue).” For your clarification, the proposed action does not include any expansion areas. On the map this is referring to, the areas in yellow have been developed (wellfields and associated facilities), and that is the extent of planned wellfield development. Therefore, the yellow area is the only area where land disturbance activities would be anticipated during the proposed action. The areas in blue have not been disturbed by the licensee’s activities (although much of the area has likely been disturbed by other activities), and the licensee is not planning to conduct land disturbance activities in the blue areas. Other activities that could occur in the blue areas, such as grazing or agricultural activities, are not within the scope of the proposed action.
- Are references to 3,300 acres in the document intended to refer to the size of the license area? (As discussed at the June 24 Status Conference, the license area is less than 3,300 acres.)
- The proposal does not explicitly address whether the Tribe would want to revisit the sites identified in the 1987 Bozell & Pepperl report. Would the Tribe plan reexamine those sites as part of the TCP survey?

5. Scope of the Interviews

- For the interviews proposed in Phase 2:
 - How many individuals would be interviewed?
 - Could you please clarify the scope of the interviews? Would the scope of the interviews be focused on specific sites that are identified during Phase 1?
 - How many total hours would it take to conduct the interviews?
- Please explain the roles of the following individuals during the oral history interviews (i) Oral History Manager, (ii) Interviewers, and (iii) Historian.
- Page 4, in the description of Phase 2, states that “Site visits timelines for spiritual leaders” would be required. Can you explain what “site visits timelines for spiritual leaders” means? When would such site visits occur?
- As described on page 4, under Phase 3, a transcript of the interviews of the Lakota spiritual advisors, Lakota historians/people would be developed and condensed into a report to be included in the Final Report. Would the entire transcript be provided to the NRC staff in English or would the NRC staff just receive a condensed report in English?

- How many total hours would it take to develop the transcripts and associated report (Phase 3)? Would this effort be completed within the 25 days provided for the oral history interviews or the 30 days to develop the draft report?

6. Final Report

- Would the final report include the Tribe's recommendations on eligibility to the National Register of Historic Places (including evaluation of the integrity of sites), evaluation of potential adverse effects, and recommendations on avoidance and mitigation measures?
- As described on page 3, the plan would include submitting "Nebraska SHPO Site Form and/or TCP form." Can the Tribe provide a sample of a TCP form that would be used to the NRC staff?
- On page 5, under Article 3, there is a reference to an "Intangible spiritual evaluation report." Is the intangible spiritual evaluation based on the information obtained during Phase II (the oral history interviews)? If not, what would it be based on?
- Would the intangible spiritual evaluation report be incorporated into the Final Report or would it be a separate stand-alone report?
- On page 3, one of the bullets under the list of topics that would be included in the final report refers to background and literature searches. What background and literature searches related to TCPs would be conducted as part of this effort?