MEMO

TO: Ashley Waldron, Project Manager, US NRC

FROM: Andrew Wilkins, Archaeologist, WSP

SUBJECT: **Summary of Site Visit for Church Rock Project Cultural Resources Tribal Consultation (2043385.02), McKinley County, New Mexico**

DATE: January 23, 2020

The U.S. Nuclear Regulatory Commission (US NRC) held an in-person site visit on Thursday, December 12, 2019, at the Northeast Church Rock (NECR) Mine Site Project as part of its ongoing consultation with Indian tribes pursuant to Section 106 of the National Historic Preservation Act (NHPA). This letter summarizes the visit and discussion between NRC and tribal representatives. The meeting was held at the NECR project site with the following attendees from the Navajo Nation Tribal Historic Preservation Office (NN THPO), US NRC, and WSP USA Inc. (WSP):

- Richard Begay, Navajo Nation Tribal Historic Preservation Office (NN THPO)
- Ashley Waldron, US NRC
- Christine Pineda, US NRC
- Andrew Wilkins, WSP USA

The group was escorted on-site by Aaron Garoutte of Wood PLC on behalf of the applicant, United Nuclear Corporation (UNC). The group met at the on-site administration building and received a site safety briefing, then traveled by truck to the location of five archaeological sites that could be potentially impacted by the NECR project. WSP Archaeologist Andrew Wilkins provided project and site mapping as well as a sub-meter GPS device loaded with site and project data so that the proposed project impacts and site boundaries could be identified in the field.

Since 1974, seven cultural resource surveys (Begay 2013; Begay and Wero 2011; Martin and Begay 2009; Martin et al. 2018, 2019; Boggess and Begay 2005; UNC 1975) have been conducted to identify historic properties, and these have covered all areas now included in the area of potential effect (APE) for the NECR project as well as other surrounding areas. These surveys identified 13 archaeological sites; however, only four of those sites fall within the current APE. The four sites—LA 11617, NM-Q-20-69, NM-Q-20-70, and NM-Q-20-71—have been recommended as eligible for the National Register of Historic Places (NRHP). Each of the sites includes Anasazi-period artifact scatters and/or habitation sites. A fifth site, NM-Q-20-72, includes historic and Anasazi-period pictographs, which are located fully outside the project's APE for direct effects but are within 10 meters of the APE, warranting consideration of the project's indirect effects on the site's setting. At this time site eligibility has been recommended only by the cultural resource surveys and has not been formally determined by the NRC or submitted to either the State Historic Preservation Office (SHPO) or NN THPO for concurrence.

SITE LA 11617

Site LA 11617 is a small Anasazi habitation site located on a small hill overlooking Pipeline Road (Highway 566), first recorded in the initial survey of the UNC Mill site by the Museum of New Mexico (UNC 1975). The site dates approximately to the Pueblo II–III period (AD 920-1300) and was recorded as a single eroded masonry room block with a small scatter of associated artifacts. The site was revisited by Dinétahdóó CRM in 2017 and 2018 (Martin et al. 2018, 2019), when a second locus of artifacts was found to exist on the southeast side of the highway, and the site boundaries were adjusted to include this area. The two loci were likely part of one large site that had been bisected by the road. As mapped, small portions of the site fell within the APE for proposed Support Zone facilities on the west side of the highway, and the APE for a proposed haul road intersected the site boundary on the east side of the highway.

When the group reached Site LA 11617 during the current site visit, it was found that the artifacts on the west side of the highway were tightly clustered around the masonry room block on the summit of the small rise outside the APE, and that the site boundary had been drawn generously to include areas downslope. A similar circumstance was found on the east side of the highway, where surface artifacts were located upslope from the project APE and would not likely be impacted by haul road construction. Mr. Begay noted that the proposed project would not likely impact Site LA 11617. Given the proximity of the site to the APE, it was still agreed that recommended avoidance measures should be followed, including marking the site boundaries and having an archaeological monitor present during any ground-disturbing activities within 50 feet of the site.

SITE NM-Q-20-69

Site NM-Q-20-69 is an Anasazi artifact scatter located at the east end of a northeast-running ridge. The 26x16-meter site was identified by Dinétahdóó CRM during their 2017 survey of the Church Rock Mine and Mill site clean-up activity areas (Martin et al. 2018). The site consists of a range of ceramic sherds with no associated features or structures and appears to date to the Pueblo II period (AD 900-1100). The APE for mine waste removal intersects the east edge of the mapped boundary of the site at the base of the ridge.

During the current site visit, the group was able to visually identify surface artifacts, although the vast majority were located upslope along the ridge and out of the APE. The few artifacts observed on the downslope surface in the APE were likely carried by erosion, and it was noted that any other substantive features or subsurface remains were likely located upslope and just outside the APE and would not be impacted by the project. Given the proximity of the site to the APE, it was still agreed that recommended avoidance measures should be followed, including marking the site boundaries and having an archaeological monitor present during ground-disturbing activities within 50 feet of the site.

SITE NM-Q-20-70

Site NM-Q-20-70 is an Anasazi habitation site located on a southeast-facing hill slope with sandstone rock outcrops. The 38x33-meter site was identified by Dinétahdóó CRM during their 2017 survey of the Church Rock Mine and Mill site clean-up activity areas (Martin et al. 2018). The site includes two features, a mound of sandstone block rubble covering a two-room structure and large midden of over 3,000 ceramic and lithic artifacts. The site dates approximately between

the Pueblo I and Pueblo II periods (AD 400-1100). The APE for the mine waste removal area touches the southeast corner of the mapped site boundary but does not appear to overlap the site area.

During the current site visit, both features were re-located, well upslope from the APE in the north and west portions of the site area. A few isolated artifacts were identified on the surface farther downslope within a few meters of the APE and have almost certainly been displace downslope to erosion. Mr. Begay noted that the principal elements of the site are well away from the APE and are not likely to be directly impacted by the project. Given the proximity of the site to the APE, it was agreed that recommended avoidance measures should be followed, including marking the site boundaries and having an archaeological monitor present during ground-disturbing activities within 50 feet of the site.

SITE NM-Q-20-71

Site NM-Q-20-71 is an Anasazi artifact scatter located on a northeast-facing slope. The 20x18-meter site was identified by Dinétahdóó CRM during their 2017 survey of the Church Rock Mine and Mill site clean-up activity areas (Martin et al. 2018). The site consists of about 100 ceramic artifacts with no associated features or structures. The site appears to date to the Pueblo II period (AD 900-1100). The site has been impacted by mine operations in the past. The site falls entirely within the APE for the mine waste removal area.

During the current site visit, a light-density scatter of prehistoric artifacts was observed on the ground surface, although Mr. Begay noted there was no indication of any other prehistoric cultural features or even a habitable landform. The original survey recommended the site as NRHP-eligible under Criterion D; however, Mr. Begay noted that the site may retain little research potential or integrity. Mr. Begay did recommend that several nearby historic-period remains, including several concrete trailer pads, should be documented and added to the site description. Mr. Begay did not think any further investigations (such as Phase II site evaluations) had much potential to provide much additional information prior to mine waste removal activities, but instead he recommended that an archaeological monitor be present to thoroughly inspect and record the site during initial ground disturbing activities.

SITE NM-Q-20-72

Site NM-Q-20-72 is an Anasazi and Navajo petroglyph site that includes both precontact and historic-period markings. The site is located on a sandstone bedrock overhang facing southwest. The site is approximately 15x7 meters and was recorded during the 2018 survey by Dinétahdóó CRM (Martin et al. 2019). There are two groupings of petroglyphs. The first features images of an animal, a man, and an abstract shape pecked into the rock and filled with white paint. The second group is the recent historic markings of an elk, horses, and a series of letters done in black paint and graphite. Several ceramic sherds were also found nearby. The site is wholly outside but within 10 meters of the direct APE for the mine waste removal area.

During the current site visit, the group discussed the fact that the site will not be directly impacted by the nearby mine waste removal activity but that the surrounding landscape of the site will be at least temporary altered. Given the visual nature of the site's features and the significance of the

aspect of setting to their integrity, Mr. Begay recommended that both the site and its setting, i.e., the surrounding landscape, be documented with higher quality photography than presently contained in the survey report. Given the proximity of the site to the direct APE, it was also recommended that avoidance measures be followed, including marking the site boundaries and having an archaeological monitor present during ground-disturbing activities within 50 feet of the site.

The site visit concluded with a discussion of the sites and recommendations at the on-site administration building.

TABLE 1: RECOMMENDATIONS FOR SITE TREATMENTS

SITE NO.	SITE TYPE	NRHP ELIGIBILITY*	SITE VISIT RECOMMENDATION
LA 11617	Anasazi Pueblo II-III habitation	Recommended as eligible, Criterion D	Site components avoided by APE, archaeological monitoring during construction
NM-Q-20-69	Anasazi Pueblo II artifact scatter	Recommended as eligible, Criterion D	Site components avoided by APE, archaeological monitoring during construction
NM-Q-20-70	Anasazi Pueblo I-II habitation	Recommended as eligible, Criterion D	Site components avoided by APE, archaeological monitoring during construction
NM-Q-20-71	Anasazi Pueblo II artifact scatter & 20th-century Navajo habitation	Recommended as eligible, Criterion D	Limited subsurface potential, archaeological monitoring during construction, recording of historic-period trailer pads and refuse prior to construction
NM-Q-20-72	Anasazi and historic Navajo pictographs	Recommended as eligible, Criterion D	No direct impacts, high-quality photo documentation of site and setting to mitigate potential indirect impacts to surrounding landscape

* NRHP eligibility was recommended by surveyors and has not yet been determined by NRC or provided to SHPO or THPO for concurrence.

CC: Richard Begay, Amy Minor, Project File (2043385.02)

REFERENCES

Begay, Jeremy
2013 *A Cultural Resources Inventory of Five Proposed Borrow Pits for MWH Global in the NECR Mine Area, McKinley County, New Mexico*. Prepared for MWH Global, Inc., Steamboat Springs, Colorado, by Dinétahdóó Cultural Resources Management, Farmington, New Mexico.

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2011 *A Cultural Resource Inventory of 27.5 Acres of Land for Reclamation for MWH Global in Church Rock Mine in McKinley County, New Mexico*. Prepared for MWH Global, Inc., Steamboat Springs, Colorado, by Dinétahdóó Cultural Resources Management, Farmington, New Mexico.

Boggess, Douglas, and Richard Begay
2009 *A Cultural Resources Inventory of 68.87 Acres of Proposed Reclamation North of The Church Rock Mine, McKinley County, New Mexico*. Prepared for MWH Global, Inc., Steamboat Springs, Colorado, by Dinétahdóó Cultural Resources Management, Farmington, New Mexico.

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2019 *A Cultural Resource Inventory of the Proposed INTERA Church Rock 17 Additional Areas AUM Cleanup in Church Rock and Coyote Canyon Chapters, McKinley County, New Mexico*. Prepared for Intera Geoscience & Engineering Solutions, Albuquerque, New Mexico, by Dinétahdóó Cultural Resources Management, Farmington, New Mexico.

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1975 *Applicant's Environmental Report on the Church Rock, New Mexico Uranium Mine and Mill*. Prepared by United Nuclear Corporation, Rehoboth, New Mexico.