

**TEC Tribal Issues Topic Group Conference Call
August 24, 2005**

Participants: Jay Jones (DOE/RW – Group Chair), Vicki Best (BSC), Kevin Blackwell (FRA), Greg Fasano (BSC), Ed Gonzales (ELG Engineering), Lisa Gover (NTEC), Steven Grey (DOE/CI), Elizabeth Helvey (BSC), Angela Hill (DOE/RW), Corinne Macaluso (DOE/RW), Marsha Keister (INL), Ellen Ott (DOE/GC), Jennifer Patric (BAH), Wilda Portner (SAIC Contractor Support), Willie Preacher (Shoshone-Bannock Tribes), Lisa Sattler (CSM-MW), Linda Sikkema (NCSL), Neil Weber (Pueblo of San Ildefonso), Andrea Wilkins (NCSL)

Issues discussed during this call included the upcoming TEC meeting in Pueblo, CO; phone calls to Tribes along Yucca Mountain corridor; update on Nevada Tribal activities, and other issues.

Action Items:

Responsible Party

Action to be Taken

Jay Jones/Greg Fasano	Provide Willie Preacher brochure regarding 17 NV Tribes. Make summary documentation available to remainder of group.
Linda Sikkema	Provide Jay with a list of Tribal members interested in forming a TEC Tribal Group on 180(c).
Jay Jones	Forward Linda's list to Corinne Macaluso and discuss possibility of forming such a group.

Summary:

Jay Jones opened the call by reviewing the proposed agenda for the upcoming TEC meeting and the corresponding September 22 Tribal Issues Topic Group Meeting. TEC will be held in Pueblo, CO, on September 20-21; and the Tribal Group will meet on September 22 from 10 a.m. until noon. Information will be emailed and/or faxed to Topic Group and other TEC members.

A caller asked Jay about efforts to involve more Tribal representatives in the Topic Group. He asked Wilda to read off the list of new Tribal members to date. They include: Stuart Harris (Confederated Tribes of the Umatilla Indian Reservation), Joe Kennedy and Barbara Durham (Timbisha Shoshone Tribe), Phil Swain and Calvin Meyers (Moapa Band of Paiutes), and Lora Tom (Paiute Indian Tribe of Utah). During a recent DOE State and Tribal Government Working Group meeting, Jay invited members to participate in TEC. Efforts will continue to involve more Tribal representatives in future TEC activities.

Other announcements included:

- James Firth, U.S. Nuclear Regulatory Commission, has informed Jay that they are looking into reinstating the proposed rulemaking on Tribal Notification (related to spent nuclear fuel and high-level radioactive waste shipments) that has been inactive for the past few years. Mr. Firth will update Jay as needed.
- Steven Grey, DOE Director for Indian Affairs, announced the new Deputy Assistant

Secretary for Congressional and Intergovernmental Affairs is Eric Ciliberti. Mr. Grey recently met with Mr. Ciliberti and explained the TEC process to him. Mr. Ciliberti is eager to visit DOE sites and Tribal Nations, as appropriate, and is interested in the TEC.

- Jay and Corinne Macaluso will be participating in the upcoming tabletop exercise with the Umatilla and Naval Reactors. It will simulate an emergency response situation. The Union Pacific Railroad will also participate.

Contact with Tribes Along the Potential National Transportation Routes to Yucca Mountain

Jay reported that RW and contractor staff members have been making phone calls to 39 Tribes along the potential national transportation routes to Yucca Mountain to follow up on the March 8 letter from Gary Lanthrum, Director of the Office of National Transportation (ONT) in RW. The letter introduced the program to the Tribes and invited their input on DOE's approach to government-to-government interaction on Yucca Mountain shipments. Staff who have been making the calls for the past month offered brief reports on the status of those calls, reporting a mix of contact levels ranging from administrative staff in Tribal offices to top-level Administrators such as Tribal Chairs and Presidents. Most Tribes who have been contacted have expressed an interest in meeting with RW staff to discuss the transportation program. Willie Preacher (Shoshone-Bannock Tribes) asked the status of Yucca Mountain. Jay replied that 2010 is most likely the earliest possible start date and that the license application still needs to be submitted. From a planning perspective, 180(c) funding will be provided to States and Tribes about 3 to 5 years before shipments begin.

July Tribal Update – Nevada

Vicki Best offered a short summary of the recent semi-annual Tribal meeting in NV. Sixteen of the 17 Tribes were represented by about 30 attendees. Meeting participants toured the tunnel at Yucca Mountain. Some of the attendees expressed strong feelings about Yucca Mountain, and some went on record opposing the Program. Tribes continue to be concerned about protecting cultural resources. The need for keeping two-way communication open between DOE and the Tribes was reaffirmed.

Greg Fasano reported that the Rail EIS is being written and a new rail line will be constructed in NV. The American Indian Writers Subgroup is writing the supporting documentation. Cultural resources and emergency preparedness are the key issues.

One of the callers asked how the 17 Tribes were selected in NV. Greg Fasano replied that DOE has had a relationship with Tribes in NV since the 1980s and that an ethnographic evaluation was conducted in that time period based on cultural and historic ties to Yucca Mountain. The caller asked for a copy of the ethnographic evaluation and a list of the 17 Tribes. Jay said a brochure is available that identifies the 17 Tribes. Lisa Gover asked that the information be available at the next TEC meeting.

National Conference of State Legislatures (NCSL) Meeting

The NCSL meeting was held the week before the Tribal Group conference call. Linda Sikkema has been working with Alex Thrower (DOE/RW) on Tribal issues. Jay and Alex attended a recent meeting of the Native American Legislators Caucus. Linda Sikkema said that about 40 Tribal members are involved in the group and key issues of interest would include 180(c) and security. Jay asked Linda to provide him with a listing of Tribal representatives who might be interested in participating in TEC and he will forward the list to Corinne Macaluso for consideration. The possibility of establishing a TEC 180(c) Tribal Group was also raised.

September 22 Tribal Issues Topic Group Meeting

The Topic Group meeting will be held in Pueblo, CO, on September 22, following the regular TEC meeting. Proposed agenda items include:

- History, status, and future of Tribal Issues Group
- 180(c) update
- Encouraging members to participate in Rail and 180(c) groups

Group members were encouraged to submit agenda items to Jay or Wilda Portner.