

# STGWWG

## STATE AND TRIBAL GOVERNMENT WORKING GROUP

Ellicottville, New York

October 2-3, 2002

## MEETING SUMMARY

<p><b>STGWWG Executive Session – Seneca Nation Reservation Wednesday, October 2nd</b></p>
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Invocation/Co-Convenor Welcome:

Armand Minthorn, Confederated Tribes of the Umatilla Indian Reservation

Tom Winston, Ohio

- Introductions, Announcements:

- Petition from Jemez Pueblo to join STGWWG

- Thanks to Seneca Nation for hosting the meeting

- New appointments: Tim Rice, New York; Ken Niles, Oregon

- Logistics of Meeting / Agenda Review:

- DAS Roger Butler is senior DOE representative for the meeting.

- Last-minute changes to I & D and Transportation sessions were made per DOE request.

**Report from Tribal Executive Session 10/1/02**

- Diana Yupe, Shoshone-Bannock Tribes -- Tribal Issues Committee Co-Chair

Topics discussed:

- New Executive Order
- Treaty obligations in Long Term Stewardship (LTS)
- Future generations and role of oral tradition.
- Nez Perce Tribe sent letter to DOE Intergovernmental Affairs re:
  - Commitments made by Secretary of Energy regarding Indian Policy
  - DOE should keep focus on implementation.
- Some commitments have not yet been met:
  - No Implementation Plan
  - No three-year plan
  - No summit with tribes
  - No dialogue with tribes regarding implementation.
- Petition by Pueblo of Jemez for STGWW membership:
  - Letter of request to join STGWW
  - One of four 'Accord' tribes surrounding LANL
  - Other Accord tribes are members of STGWW
  - STGWW decided as group to recommend Pueblo of Jemez as members to DOE.
- Letter to Secretary regarding trust responsibilities in LTS has been drafted.
  - It will transmit the STGWW working paper on treaty obligations and trust responsibilities.
  - States legal background/basis for positions.
  - Recommends/requests DOE consideration of Treaty/Trust obligations in LTS decisions/actions.
- Discussion

[Q—Question; A—Answer; C—Comment; R—Response to preceding comment]

- Individual sites have LTS issues with waste disposal/management.
- Hanford is a good example.
- Trust responsibilities must be incorporated in LTS.
- Resources must be provided.
- Impacts of cleanup (long & short term) on treaty resources must be considered and mitigated.
- There is much interest at DOE in the STGWG paper; paper explains specific Indian issues and perspective.
- Recommended changes to letter:
  - Add "Gathering of natural foods and medicines" to list (para 2- 3<sup>rd</sup> bullet); paragraph 3 as well.
  - Emphasis should be on Health and Welfare
  - 1<sup>st</sup> Page, 1<sup>st</sup> bullet: Add "Traditional cultural properties" to " Cultural/Spiritual sites"
  - Should be statement regarding "natural resources for cultural use."
  - 1<sup>st</sup> paragraph, p.1: change to "Fiduciary obligations of federal government"
    - Explanation: Just repeating title of the paper, which does not include "fiduciary."
- Should request consultation.
- Letter should refer to "Seneca Nation of Indians".
- Should mention "assured funding."
- Should refer to "Federal and Public lands."
- Suggest listing Hanford site as example of failure.
- Should suggest acts that must be incorporated in LTS.
- Letter needs to request:
  - (1) a specific action or response, and

- (2) specific time frame.
- "Natural Resources" are not limited to tribes.
- Q: Has LTS paper had legal review?
  - A: Relying on Peter Chestnut, main drafter, who is an attorney.
- Get any additional comments back to Neil next week.
- Proposal: Incorporate changes and issue under STGWG signature. Consensus: Move forward.
- Location for next meeting:
  - Possibilities: Washington, DC, Denver, Hanford
- Suggestion for Spring STGWG meeting: Tribal presentation regarding cultural issues.
- C: Want to know what's going on in DOE. What is relationship/progress with NNSA?
- C: INEEL has changed from Environmental Management (EM) to Nuclear Energy; EM mission may be de-emphasized.
- C: Yucca Mountain: Senate decision led to lawsuit by Nevada.
- C: Need to have continuity of communication while DOE is getting reorganized.

<p><b>STGWG Plenary Session</b> <b>Wednesday, October 2nd -- Morning</b></p>
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- Welcome and Invocation by Seneca Nation
- Recommendation to DOE for Jemez Pueblo membership
- Welcome:
  - Seneca Nation: President Cyrus Schindler
  - West Valley Demonstration Project: Alice Williams
  - New York State Energy and Research Development Authority: Paul Bembia
- Agenda Review:

Martha Crosland, Director, DOE Office of Intergovernmental and Public Accountability

### **DOE Update**

- Roger Butler, Deputy Assistant Secretary, DOE Office of Policy, Planning and Budget

- EM Program Implementation of Top to Bottom Review (See presentation handout)

- DOE commits to maintain tribal involvement/funding as much as possible.

- Intent is to keep level funding.

- Budget from Congress for FY-03' not yet known.

- Federal government continuing resolution for FY-'03.

- Possibility of long-term continuing resolution (possibly till Dec/Jan).

- Discussion

- Q: What is status of multi-year funding program with Office of Management & Budget (OMB)?

A: OMB directly involved in setting multi year funding profile - High investment in FY 03 to FY 06; then significantly reduced.

- Important to show progress in accelerated cleanup.

- Q: In what ways can tribes measure DOE progress in implementing American Indian Policy?

A: Will get answer and respond via Martha.

- Q: What roles will Indian tribes play in implementing Top-to-Bottom Review?

A: Will respond via Martha.

- Q: What role will tribes have in Performance Management Plans? And states?

A: They're living documents to be further defined as baselines are developed at sites.

- Q: What roles will tribes have in the "10 Teams"?

A: Teams will visit sites & involve stakeholders in setting strategies- will involve tribes then.

- C: Level funding for tribes is critical.

- Q: What will be involvement of tribes in stabilization and disposition?

A: Plans will be reviewed by stakeholders, including tribes, as plans developed

- C: Message to DOE: If interaction with stakeholders regarding performance management plans will be conducted at the site level, there should be clear directive/guidance to DOE at the site level re this responsibility.

- C: Would like to know how the \$1.1 billion is planned to be distributed.

- C: Would like to know what work will be transferred and if money will be transferred.

R: Money will transferred with some activities and not with others, depending on nature of activity.

- Comments:

- A decrease in funding for the Yakama nation over the past few years is a serious concern.

- Concern about turnover at DOE and lack of knowledge/information regarding Indian Policy and issues.

- Concern regarding DOE's lack of consultation with tribes.

- Concern that tribes are being considered a problem instead of resource/asset.

- Essential that government obligations to tribes be honored, including promised funding.

- DOE must fulfill its trust/treaty obligations, including access to treaty resources in the future.

## Wednesday, October 2nd -- Afternoon Session

### **Tribal Issues**

Moderator: Diana Yupe, Shoshone-Bannock Tribes -- Tribal Issues Committee Co-Chair

### **- American Indian Policy**

- Need to know status of Implementation Plan.

- Implementation Plan is essential to success of the Policy.
- Update on the Implementation Plan (IP) from Martha Crosland:
  - The IP was submitted to Robert Paduchik of Intergovernmental Affairs.
  - The plan is to revise it somewhat so that it's EM-specific while it's under consideration for a broader scope in the Department.
  - Martha will bring back it to STGWG after revisions are made.
  - EM will help to push the IP at Secretary level.
- C: Concern that there has been no movement on Policy and Implementation Plan.
- Q: Time frame for moving forward?
  - A: Preliminary draft of EM Implementation Plan should be back to STGWG in the next several weeks.
- The intent is that other DOE elements will adopt similar/same plan.
- Q: How will Roger Butler facilitate process?
  - A: He will work with R. Paduchik to get liaison appointed and move Policy/IP forward.
- Q: How should STGWG work with the rest of DOE now?
  - A: There is active consideration of creating separate office to deal with LTS. These organizations will need stakeholder input.
- C: A lot of work to be done in EM implementation of Policy can be an example to rest of department.
- C: Tribes concerned with flux of mission at INEEL and commitment to cleanup and LTS.
- C: Important to create a DOE-wide Implementation plan.
  - R: Will do EM plan and then push for DOE-wide plan.
- C: Plan says that DOE will comply with treaty rights. Lack of integrated plan for disposal of high level waste a big concern. High level waste must be cleaned up, not re-classified, in order

to comply with treaty rights/Indian Policy.

- C: Tribes are concerned that there has been no response from R. Paduchik to letter.

- C: Concern that DOE is not working with tribes on development of Performance Management Plans and other plans.

- C: Important for DOE to consult with tribes, to consider tribal interests.

### **- Transportation Addendum to Implementation Plan**

- Judith Holm, National Transportation Program, DOE-Albuquerque (See presentation handout)

#### **- Discussion**

- C: Yakama nation should be on the list of affected tribes.

- Q: Does transportation plan address transport of chemical and biological agents?

A: Have only focused on radioactive transport; not sure what is being done regarding chemicals and biologicals.

- C: Jemez Pueblo is also affected by transportation.

- C: DOE Office of Transportation should be commended for its consultation with tribes.

- Q: What is DOE position on predicted 100+ accidents involving High Level Waste transport to Yucca Mountain?

A: High Level Waste Program needs to answer.

- C: Important for DOE to have consistency of implementation for its policies across the Department.

R: Assistant Secretary Roberson agrees.

- C: EM has a strong focus on accelerated cleanup. There are still other important issues that must be addressed. One issue important to address is Indian Policy. Important to see progress in these other areas as well as accelerated cleanup.

- Q: What shipments are notified to tribes?

A: notifications are made for: spent fuel, TRU waste, high-level waste. The shipments managed by Argonne Lab are managed under Nuclear Energy Program and may be classified.

- C: Implementation for EM transportation needs to be coordinated with civilian waste transportation and other DOE transportation programs. Outside organizations see DOE as one entity.

R: EM working to coordinate better. Coordination regarding classified shipments ranges from minimal to difficult.

- Seneca Nation closing-the-circle video presentation: *Pathways*.

### **Integration and Disposition**

Moderators: Mike Wilson, Washington; John Walker, Nevada --

I&D Committee Co-Chairs

- Accelerated cleanup relies on integration, but there is concern regarding DOE's path forward in this area.

### **- Integration and Disposition of Materials and Waste**

- Patrice Bubar, DOE Associate DAS for Integration and Disposition (See presentation handout)

#### **Discussion:**

- Comments:

- Do what you can to reduce number of shipments. LLNL should not be candidate for movement to a hub site; too many shipments.

- No state opposed to shipping by rail to WIPP; at issue is safety if TRU is moved by general freight.

- Draft Hanford Solid Waste EIS has severe problems; is holding up complex-wide path forward.

- Hanford EIS does not address many current issues and current I & D strategy.

- Presentation very helpful.

- Q: Regarding TRU waste -- There are mixed signals regarding small site strategy, mobile sites,

large boxes, etc.

- What, from where, and how -- needs to be clarified.

- What is the target for Lawrence Livermore National Lab (LLNL)?

A: No decision yet on LLNL; options still being considered regarding small sites.

- Q: LLW/MLLW disposal site -- cost study: Is DOE philosophy changing to include preference

for disposal at commercial sites?

A: Yes, policy is changing.

- Q: Policy on shipping LLW to Hanford?

A: No shipments until ROD is complete.

- Q: What is P. Bubar's role?

A: Some technical analysis and some brokering. Have good tech basis. Have EIS's in hand. Work small political issues.

- Q: Does DOE have objective to modify National Environmental Policy Act (NEPA) – develop NEPA strategy?

A: No modification to NEPA, but will make sure there is programmatic and site-specific NEPA coverage for all disposition actions.

- Q: Definition of Nuclear Materials?

A: Radioactive material that is not managed as waste; e.g. PU metal, PUO<sub>2</sub> that have higher PU content.

- Closure of STGWG session; trip to Museum and dinner at Seneca Community Center.

<p style="text-align: center;"><b>Thursday, October 3rd – Holiday Valley, Ellicottville Morning Session</b></p>
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**Long-Term Stewardship**

Moderators: Steve Tarlton, Colorado; Neil Weber, Pueblo of San Ildefonso --

Stewardship Committee Co-Chairs

**- DOE-HQ Update**

- Greg Sullivan, DOE Office of Long-Term Stewardship

- STGWW support important.
- Closure site planning guidance regarding LTS released to sites in September.
- Site plans due to HQ January 2003.
- Early LTS planning important.
- Site Transition Framework (STF) - Checklist for LTS plans – Developed with other federal agencies: DOD, DOI.
- Site Transition Framework released for comments from federal agencies.
- Overarching LTS plan for DOE coming out of DOE-EM.
- Comments have been received; being revised during October 2002.
- Additional comments welcome; send to Greg.
- Federal Inter-Agency Initiatives:
  - Federal Agency Brownfields Initiative
  - Inter-Agency Military Land Use Committee
  - Environmental Council of the States: Federal Environmental Forum.
- Science and Technology Roadmap
  - Draft under review
  - Need to leverage research by others
  - Use to make requests to Office of Science.
- Q: Status of West Valley in DOE LTS?
  - A: West Valley was not on list in 2000, still not; further consideration to come.
- C: Tennessee is very concerned that there is no mechanism for long-term assured funding for LTS.
  - R: Current annual appropriation process is adequate for present need. Discussion is still underway; must examine other means cautiously.

- Q: Is there capability in Office of Science or elsewhere to develop soft needs such as information management?

A: May come from other sources; e.g., external academic institutes.

- C: Guidance from HQ very good -- get it to sites.

- C: DOE claims of success and self validation in transition should be validated by tribes and states.

- Q: Had DOE made request to OMB for trust funds?

A: No. Issue being examined regarding transfer of NRC sites to DOE with "No cost to Government."

- Comments:

- Annual appropriation not acceptable means for funding LTS.

- DOE should use tribes, states, STGWG as ally in this issue.

- LTS vision that monitoring shows minimal impact is unacceptable- remediation should be the vision.

- DOE should have presence with remediation for lifetime of hazard.

- C: DOE should not have strategy to minimize long-term liability; DOE should recognize its long-term liability and responsibility.

R: It was a poor choice of words in the draft plan.

- The intended meaning: Don't create more liability.

- Also means to reduce the problem in order to reduce future legal liability.

- Q: Tribal governments need to be involved. How will DOE ensure a tribal role in policy and technical decisions regarding LTS?

A: Needs to be in the DOE LTS plan. Plan will be revised.

- Q: Where does EM think LTS should be organizationally, and how will work get accomplished?

A: Will work from HQ plan down through site plans (e.g., 10-year plans).  
Organizationally: There are options for LTS organization being considered; based in

part on external input. LTS team in EM (top-to-bottom review) will also address this.

- Comments:

- Little progress on incorporating treaty obligations LTS planning/approach.
  - Draft DOE documents s/plans do not recognize/incorporate treaty rights.
  - Development of DOE plans has not included tribes.
- The issue must be addressed at the top level.
- Q: Is LTS an admission that cleanup has failed?

### **- Information Management**

- Marilyn Tolbert-Smith, DOE Office of Long-Term Stewardship (See presentation handouts)
- Long-term preservation of information -- iterative process.
- Concerns understood:
- Multiple users of info
  - Multiple levels of information and detail
  - Information quality management
  - Information must be well communicated
  - Information must be preserved.

### **- Discussion**

- Comments:

- DOE is moving forward in the right direction, in the right way.

Important to actively engage tribes in information management.

- Tribal interests may/can not be fully served using standard records management approaches.

- DOE has responsibility to maintain/provide information but should work with/link to external organizations in order to succeed.

- Important to be iterative; must develop approaches for multiple time scales – far distant future as well as near future.
- C: One level of information should be very basic and simple; tribal approach to oral traditions may help.

R: The oral history program is an important part of the picture.

- Comments:

- Physical monuments important for the long-term.
- History shows that hard copy is maintained long-term.
- Long-term record maintenance is dependent on funding; when funding stops, records are lost.
- Much historical information is lost with contractor changes, lay-offs and other turnover. Records lost and oral histories gone.

**- EPA-HQ Update:**

**- Institutional Controls Overview**

- Michael Bellot, EPA Superfund Institutional Controls Program (See presentation handout)

**- EPA Tribal Issues**

- Trina Martynowicz, EPA Federal Facilities Restoration and Reuse Office

**- Post-ROD (Record of Decision) Authority**

- Dispute with DOD
- 51 RODs affected
- DOD and EPA each claim authority over post-ROD decisions
- DOD now looking at performance measures to resolve
- EPA says this doesn't address/resolve issues
- EPA may take to DOJ if not resolved
- At issue: EPA wants more commitment/specificity from federal facilities in RODs.

- C: Important to STGWWG because wrong decision could represent precedent for DOE institutional controls.

- Tribal Efforts

- Efforts to date very broad.
- Would like more input from tribes.
- Have had government-to-government interaction with tribes.
- Involving tribes in planning.
- Have worked with tribes in existing working groups such as EMAB, SSABs.
- EPA is developing web-based Native American federal facilities tracking database.
- Working with Native American universities.
- Providing training to EPA/others for working effectively with tribes.

- Discussion

- Q: DOE position on DOD issues of sovereign immunity in property interest issue?

A: DOE not joining DOD at this time; EPA is watching.

- C: EPA is working to embrace tribes.

- C: Must deal with issue of environmental data felt to be proprietary by tribes.

- C: Another issue: EPA may oppose transfer of land from DOE to San Ildefonso. There was no government-to-government consultation with the tribe on this.

A: Concern on part of EPA that there may be strong-arming of local agencies.

- Q: What is unlimited use/unrestricted exposure? Basis in risk/land use?

A: Unlimited use/unrestricted exposure requires "reasonable judgement."

- Comments:

- Helpful to tribes to become more familiar with EPA role and activities.
- There needs to be partnership with tribes to get results.

- A standard land use scenario: Native American Subsistence Scenario.
- No consistent institutional approach within EPA for addressing tribes; tends to be handled individually at regional level rather than at HQ level.
- C: EPA should implement/ensure government-to-government consultation with tribes.

A: EPA has national and regional coordination committees; has gone far with communications.

**- DOE Treaty Obligations and Trust Responsibilities:**

- Working paper prepared by STGWW Tribal and LTS committees.
- Paper and letter will formally go to DOE shortly.
- Q: What commitment received from DOE to work this issue?
- Comments:
  - Tribes are dismayed at continuation of processes and discussions on tribal issues by current administration. Implementation Plan [incomplete] and tribal summit [not scheduled] are examples.
  - The Secretary announced Indian Policy without tribes present.
  - Tribes concerned that DOE not committed to implementing American Indian Policy.
  - Shoshone-Bannock Tribe has sent letter to Secretary; no response to date.
- Comments:
  - Must assume that LTS will fail.
  - Tribes have important roles as governments.
  - One important role: gathering and maintaining information.
  - Tribal governments are specially tied to place.
  - One way to maintain information and communicate is oral tradition.
  - At INEEL an expedited action destroyed a traditional cultural property.

- DOE-Idaho has also taken very positive actions to support traditional culture.
  - Suggest exchanging cultural information among tribes.
  - Suggest education program for non-tribes regarding tribal culture.
- Comments:
- Oral history project is very good. One year project only; should be continued.
  - Several oral history programs are underway at Hanford.
  - Important aspect of oral history is in passing it on. Tribes have effective way.
- Pictorial history also helps to preserve knowledge.
- Comments:
- Important to understand fundamental differences between tribal and European cultures.
  - Methods of tribal governing and other cultural aspects also passed down through oral tradition.
  - There should be training developed on cultural traditions.
  - The training developed should be presented at next STGWWG meeting.
- Question to take back to Dave Geiser: How can tribal methods and input be incorporated into  
DOE LTS process?
- Q: Is oral tradition crafted or does it evolve?
- A: A rule in tribes that oral histories must not be changed over time. New oral histories can be created.
- An important aspect in oral history is they are repeated word-for-word to make sure history doesn't change.
  - Story becomes oral history by repeating many times.
- C: Stewardship is multi-faceted. It is not just protecting remedies and avoiding risk; it is also  
stewardship of culture and knowledge and history.

## Thursday, October 3rd -- Afternoon Session

### Transportation

Moderators: Ken Niles, Oregon and Diana Yupe, Shoshone-Bannock Tribes,  
Transportation Committee Co-Chairs

#### **- DOE Transportation Update**

- Patrice Bubar, DOE Associate DAS for Integration and Disposition (See presentation handout)

#### **- Discussion**

- C: Transportation Protocol idea came in part from STGWWG.

- Q: Tribal involvement in developing protocols?

A: Tribes involved in TEC/WG.

- Q: Implementation guidance for protocols?

A: Protocols are for DOE sites. The sites develop their own guidance and plans.

There is some guidance for tribes to develop their own plans.

- Comments:

- WIPP has cooperative emergency plan with Shoshone-Bannock Tribes.

- Cultural practice areas are sometimes located in high risk zones for shipments.

- Protocol process was very good; ensured that comments were discussed and addressed.

- Q: What makes DOE programs use protocols?

A: Protocols will be implemented through the order. Protocols have status of policy right now. Expectation is to have order out by December 2002.

#### **- Yucca Mountain Transportation Planning**

- Jozette Booth, DOE Office of Civilian Radioactive Waste Management (See presentation handout)

- Q: Any areas of Nevada that are ruled out for route?

A: No decision to rule out Clark County.

- DOE now moving to next step: license application.

- Q: Rail routes being considered?

A: Caliente (2 routes), Carlin, Jean Valley

- Q: Is Caliente-Chalk route not preferred?

A: Not preferred; crosses Nellis.

- Q: Dedicated train or general freight option preferred?

A: General freight probably preferred but awaiting DOT analysis.

- Q: Will DOI be involved in Transportation EIS?

A: Hopefully so.

- Q: Have alternative rail routes been considered?

A: Five routes through Nevada have been evaluated. Identified routes may not be ones used in end but are considered representative.

- Q: How is sequence of shipping set?

A: Will be dictated by contracts with utilities. Right now -- oldest fuel first. Utilities have some tactical control over shipment choices.

- Q: Plans for breach of cask? And what if shipment is sent back by a state?

A: State can't refuse to allow shipments through. DOE will have plans to deal with any breach (off normal events). Each existing (operational) program already has plans in place.

- C: Regarding number of expected accidents -- results from Environment Working

Group Project: Stated approximately 100 accidents involving shipments to Yucca Mountain.

R: EIS assumes 24 accidents for mostly rail scenario; 40 to 60 accidents for mostly highway scenario; no accidents result in releases.

- C: Environment Working Group used a different approach and came up with much larger

numbers.

R: DOE does not agree with basis for this study.

- C: Nevada has significant differences with DOE regarding Yucca Mountain:

- Emergency Assistance

- WIPP external interface model

- Cask testing.

- C: Dialogue between states/tribes and DOE will be important.

- C: Discussion model for protocols would be useful.

**- Seneca Perspective on West Valley Shipments**

- Gayla Gray, Seneca Nation Environmental Protection Department

- 1996 Cooperative agreement between DOE and Seneca.

- Originally DOE was very rigid; West Valley has come a long way since then.

- Soon after West Valley began shipping LLW.

- There was a verbal agreement to notify Senecas of shipments.

- May 2000: Draft plan for shipping spent nuclear fuel was issued; there was to be no rail route through Seneca lands.

- November 2000: Revised transportation plans issued:

- Included rail route through Seneca nation

- Draft plan released November 2<sup>nd</sup>

- Final route to be selected by November 9<sup>th</sup>.

- Seneca Council thought not a good plan.

- DOE requested comments; DOE revised decision date to allow Seneca comments.

- Council requested no shipment through Seneca lands.

- Seneca comments submitted in January 2001.

- DOE chose rail route that did not go through Seneca lands.
- A mutual success: West Valley and Senecas had to learn about each other. Senecas considered that there was another route available.
- Q: Why was final route chosen?
  - A: Both routes were similar in preference. DOE honored the Seneca's request and worked out resulting issues with carrier.
- C: West Valley still committed to current route.
- C: Route through Seneca lands added because of recent improvements to those tracks.

### **- Shoshone-Bannock Perspective**

Diana Yupe, Shoshone-Bannock Tribes

- Developed relationship with Senecas.
- Worked to educate West Valley on western tribal perspective.
- Attempted to get DOE to fully honor its policies, executive orders, and obligations.
- Shoshone-Bannock tribes did not trust DOE management in West Valley.
- Technical-to-technical discussions important.
- Technical advice to policy makers important.
- Shoshone-Bannock stopped two shipments across Sho-Ban lands; DOE had been reluctant to enter into negotiations with Shoshone-Bannock regarding this shipment.
- During discussions, Shoshone-Bannock asked why materials could not remain in casks at West Valley until shipment to Yucca Mountain.
- Shoshone-Bannock considering larger issues, including cultural issues, for each decision regarding shipments.
- Q: Did rail mergers affect route selection process?
  - A: It had a negative impact; complicated the issue.
- Shoshone-Bannock has right-of-way agreement on rail lines through their lands.
- West Valley feels that Shoshone-Bannock Tribes supported possible shipment last year; DOE expects further negotiation for next try at shipment.

- C: Route analyses look only at empirical data. No provision for cultural impacts consideration.

- Shoshone-Bannock appreciates West Valley involvement.

- Relationship between Seneca's and West Valley improved significantly in last years – after cooperative agreement.

**Wrap-up**

- Next Meeting: in Denver in the Spring. Date will be selected and announced this Fall.

Adjourn.