

My name is Marlene Begay. I live in Schurz, Nevada. I am a member of the Walker River Paiute Tribe. These comments are my own comments; I am not speaking for the Tribe only myself as a Tribal member. I was born and raised on the Walker River Indian Reservation. I really don't know about this EIS process or what it means. I only know that I have to speak up for the future generations of my people. What they are doing, what they are trying to do, burying this nuclear waste in Yucca mountain is not a good thing. We tribal people believe that we have been put here to protect our Earth Mother, the one who gives us food, gives us water, gives us medicine, and gives us life. Earth is in a crisis. Now is the time we have to act to save her.

This nuclear waste, this is powerful thing. We don't know what it does but it scares us. We have seen the destruction it can cause. It is powerful because it destroys the very building blocks of life. It is a cancer that can destroy lives and the life of our very Earth. Now you are asking us to take this cancer in and carry it across our sacred lands, across our sacred waters and bury it in our sacred mountains. Do you not look as all life as sacred? Would you put cancer in your own mother?

We are being asked here in Nevada and on our reservation to help you do this? I ask why. The only answer I come up with is that we are considered a small community and no one will object too much. We are poor. It is no secret that our reservation is poor. The concept of environmental justice promotes the fair treatment of people of all races, incomes and cultures. We have all three of the items that environmental justice is supposed to protect. We are the Native American race, low income and a tribal culture. Is this environmental justice? It seems as though DOE targeted us because we are Indians, low income, and a tribe. How can we get environmental justice?

I have requested information from DOE, but I will not get it before this scoping meeting. In reading the material regarding the EIS and Yucca mountain project, it is very confusing. Most of my comments address the tribal issues.

In order to estimate potential impacts, the EIS must provide an understanding of the current and past relationship of Tribal People to federal, state and local governments and communities. Particular attention must be paid to specific Tribal communities and connections and claims to the repository site and proposed railroad corridors.

Topics to be addressed should include:

1. A historical and cultural description of Tribal experiences in the areas affected by the repository program and railroad corridors, including the issues of land claims, water rights, treaty obligations, federal laws relating to cultural and religious rights of Native American, unsettled political and legal issues, the potential applications if Indian law to repository and railroad corridor issues.
2. The description of current and future socioeconomic conditions for Native Americans in Nevada, and how conditions will be affected by the repository and railroad corridors. Tribal members cannot just up and move to another location. The land is our culture and our culture is the land.
3. What is the potential for accidents on Tribal lands and how will Tribes deal with emergency response?
4. What is the potential for accidents on Tribal lands and how will Tribes deal with contamination? In the EIS it states that railroads have insurance, but if railroads refuse to pay insurance to Tribes, what legal forum would the Tribe have access to. This is an Indian Law question.
5. The potential stigma impacts on Tribal Communities and business, including those economic activities now in development or likely to be developed in the future. Since most of Nevada is opposed to storing nuclear waste at Yucca Mountain, if a Tribe considers the rail line, what is going to be the reaction of close communities? Living in a small reservation community, I believe that our tribal members will be subject to racism and other forms of discrimination.
6. The role of the railroad corridor in Tribal political activities, including how the program will affect tribal behaviors. This is already happening in my community of Schurz. I have requested

information from DOE on the proposed rail route on the reservation. DOE informed the Walker River Paiute Tribe of my request, and then I faced questioning by the Tribal contact person for the Tribe asking why I was asking questions. I fully expect retaliation in my job as a result. When DOE attended a meeting on the reservation in September tribal people were told not to ask questions of them.

7. The effect of the Mina Railroad corridor on Tribal relations with other governmental entities, including neighboring rural and urban communities, as well as county, state, and federal governments. Assuming real estate values along the proposed route will go down, how will this affect tribal relationships with the counties and state?
8. Assessment of quality of life impacts of the program, including the conditions of psychological stress and its effects upon Tribal members. The ways in which the Mina rail corridor will influence or change Tribal culture is especially important to a socioeconomic and environmental justice impact statement.
9. Evaluation of the attitudes and opinions of Tribal people toward the Yucca Mountain project, the DOE management of this and other activities important to the Tribes, and the effects upon their support or opposition.
10. Evaluation of cultural and religious sites through the proposed Mina rail corridor, including Walker Lake, Mount Grant, and the Gillis mountain range. Evaluation of impacts of accident in the waterways including Walker Lake, Walker River, Carson River, and Lake Lahontan.
11. Evaluation of Mina rail corridor in relation to Department of Defense facilities including Fallon NAS bombing range and the potential for a stray bomb or airplane to hit the nuclear waste transport and the Hawthorne Army Ammunition Base. Possible security risk.
12. Evaluation of endangered species and wetlands in the area. On the Walker River Reservation, there are bald eagles, Lahontan cutthroat trout and an unknown amount of bird species. The wetlands, one of the largest in the West, are within 1 mile of the proposed rail corridor.

In addition conservation to the above the EIS must address the major concerns identified by potentially affected Indian Tribes in Nevada, the Western Shoshone National Council, and the Inter-Tribal Council of Nevada. These concerns include:

1. Tribal authority to regulate shipments across reservations;
2. Emergency response planning and training for Tribal personnel
3. advance notification of shipments and shipment monitoring
4. protection of Native American religious and cultural sites, plants, and animals, both on and off reservations
5. cultural implications of potential radiological contamination of Tribal lands, and the cultural implications of cleanup activities involving non-tribal personnel
6. Adverse economic impacts of public perception of risk, especially adverse impacts on tribal tourism and recreation businesses.
7. Protection and access to graves, religious sites and other cultural resources within the potential rail corridor and repository site.

If so many tribes are affected, with the site and transportation, why hasn't the DOE appointed a Tribal Liaison or established a tribal office with a Tribal staff, someone that can understand tribal culture?

Thank you for the opportunity to comment.

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