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BLM paves way for proposed Yucca rail

By STEVE TETREAULT STEPHENS WASHINGTON BUREAU



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WASHINGTON -- The Bureau of Land Management has agreed to place restrictions on public land in a 300-mile corridor that is being studied for a railroad line to carry nuclear waste to Yucca

Mountain.

The BLM announced Wednesday that it has reserved the mile-wide corridor from Caliente to the Yucca site, a proposed underground repository where the Department of Energy wants to store radioactive spent fuel.

The BLM's land withdrawal cements the Energy Department's access to the property as it studies rail alignments to the site, 100 miles northwest of Las Vegas.

A two-year temporary land withdrawal was set to expire Thursday, said Dennis Samuelson, a BLM realty specialist in Reno. The new order extends the land withdrawal for 10 years on 308,600 acres.

The land withdrawal will prevent mineral prospectors from filing mining claims along the route. It also will deter BLM from selling any of



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the land or allowing other federal agencies to make use of it, Samuelson said.

Current valid mining claims, grazing rights, water rights and public access to the land will not be affected, BLM officials said.

The Department of Energy said in a draft study in August that its work would be minimally invasive, consisting of photographing topography and conducting land surveys.

But Nevada state officials and other critics of the Yucca program contend that the Energy Department underestimated the impact of the land withdrawal on ranchers and other land users. They argue that on-the-ground activities will be more disruptive than the Energy Department has advertised, with implications for property values, the local economy, and archaeological and cultural features.

"We are still contending the selection of the corridor itself was illegal and that BLM dropped the ball in not requiring a more thorough environmental impact statement," said Joe Strolin, planning division administrator for the Nevada Agency for Nuclear Projects.

Attorneys for the state have sued the government over the Energy Department's transportation planning, and a three-judge panel heard oral arguments in the case in October. A ruling is expected early next year.

The land withdrawal may provide fodder for further legal action by the state or possibly from ranchers along the corridor, said Bob Halstead, a Nevada-hired transportation consultant.

"We are going to take a close look at this. If we can find anything that seems unacceptable, we are not going to be shy about going after

them," Halstead said.

The land withdrawal "is our first really final action in terms of control of the specific corridor," he said.

Samuelson said the Energy Department completed BLM requirements for a land withdrawal three or four weeks ago, including finalizing an environmental assessment.

The land order was signed Dec. 21 in Washington by Mark Limbaugh, the Interior Department's assistant secretary for water and science, Samuelson said. It was published Wednesday in the Federal Register.

The Energy Department is pursuing a strategy of shipping nuclear waste from most commercial power reactors by rail to a rail yard outside Caliente, and then west around the Nevada Test Site boundary and south to Yucca Mountain on newly built rail.

Caliente is on the existing Union Pacific line between Salt Lake City and Las Vegas.

Department of Energy officials recently doubled the cost estimates for a Nevada railroad, to \$2 billion.

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