

ATTACHMENT D9-3

BLM and WDEQ Correspondence

Correspondence Wildlife Report
Ur Energy Lost Creek Project
NRC Technical Report
August 2007

List of Letters and Memos:

Memo1 – Meeting Notes BLM and AATA International on Project Overview and Wildlife Study Requirements

Memo2 – Meeting Notes WDEQ and AATA International on Project Team Introductions

Letter 3 – Correspondence between Cecily Mui (AATA Wildlife Specialist) and Rhen Etzelmiller (BLM Wildlife Biologist)

Letter4 – Correspondence between Cecily Mui (AATA Wildlife Specialist) and Rhen Etzelmiller (BLM Wildlife Biologist)

Letter5 – Correspondence between Cecily Mui (AATA Wildlife Specialist) and Melissa Bautz (WDEQ Senior Environmental Analyst)

AATA International, Inc. - Internal Memorandum
Ur-Energy USA Great Divide Basin ISL Project
Meeting Notes – BLM and AATA International
Meeting Date: February 2, 2006

Subject: Project overview and wildlife study requirements

Attendance:

AATA International, Inc.: Ping Wang (Project Manager/Geologist, Scott Kinderwater (Assistant Project Manager/Soil Scientist), Cecily Mui (Wildlife Ecologist), Eric Berg (AATA Associate/Wildlife Consultant)

BLM: Mark Newman (Project Manager/Geologist), Rhen Etzelmiller (Primary Wildlife Biologist for the Project), Frank Blomquist (Wildlife Biologist), Bob Lange (Hydrologist), Debbie Johnson (Assistant Field Manager), Mr. Carmella Miller (Supervisor)

Materials Provided: Regional topo map, aerial photos for Lost Soldier and Lost Creek project sites.

Ping Wang, Scott Kinderwater, Cecily Mui, and Eric Berg met with BLM staff at the Rawlins BLM Field Office to present a quick overview of the project and to discuss wildlife study needs for the Ur-Energy Great Divide Basin ISL Uranium Project - baseline study. Mark Newman of BLM Rawlins was assigned as the project manager for this project. Rhen Etzelmiller was introduced as the primary wildlife biologist who will be working with us. Frank Blomquist will be a secondary wildlife biologist contact for the BLM.

Scott Kinderwater presented an overview of the Ur-Energy ISL mining process. Mark Newman clarified that we will need to submit a Plan of Operation, which is the classification for mining activities with an area greater than five acres. The Plan is described in 43-CFR-3809 Surface Mining Claim Regulations. (The next day, Mr. Mark Moxely, WDEQ – Lander, clarified that the Wyoming Permit to Mine is comparable to BLM's Plan of Operation and that WDEQ will be the lead agency for the permit application process). Mr. Newman mentioned that we can submit a Plan of Operations to include both the Lost Soldier and Lost Creek project sites. The plan will be reviewed by BLM and WDEQ simultaneously. BLM will have 30 days to review the Plan of Operations (permit application) and to make decisions and comments. If they see problems with the plan, i.e. threatened and endangered species concerns, they can request an additional 60-day extension for the review process. Should there be findings of no significant impacts, the Plan of Operation will be accepted as an EA. Otherwise, the plan will move into NEPA review and an EIS process will be required. Debbie Johnson was concerned about the project timetable should NEPA and EIS be involved. Mark Newman mentioned that he does not foresee that need.

The meteorology station will disturb an area less than 5 acres, hence, a Notification of Intent will need to be filed prior to its installation. BLM will have 15 days to review the

Notice. Mark Newman mentioned that Ur-Energy has filed a Notice of Intent for the Lost Soldier and Lost Creek sites for exploratory drilling operations. Ur-Energy will need to amend the Lost Soldier Area Claim Notification of Intent with a letter describing actions for the meteorology station. The reclamation process should follow protocols described in 43-CFR-3809. AATA International will forward an electronic copy of the letter describing the met station amendment to Nancy FitzSimmons at Ur-Energy. Ur-Energy, USA will then send the amendment to Mark Newman on their letterhead.

Projected related questions posed by BLM concerned:

- Processing plant and building construction on the claim site – Ping and Scott clarified that project design and engineering are still under development. Current Plan of Operations does not include construction of a mill on-site and uranium extraction from the “resin” will be processed off-site. Possible building structure on the claim sites would be a small-scale construction (less than 5 acres) for the primary pre-processing of extracted solution and preparation of lixiviant injection.
- Aquifer depletion, contamination, and post-mining status – Bob Lange of BLM wanted to know what will be the source for water used for re-injection. Ping explained that the water will come from the same aquifer from which dissolved uranium is recovered. He explained that during wellfield reclamation, water will be returned to the aquifer in a background state. There will be numerous monitoring wells surrounding the active ISL wellfield to ensure a successful reclamation. The aquifer to be mined will have a categorical exemption under EPA’s underground injection control (UIC) program. WDEQ has a parallel program for underground injection. The aquifer exemption (for human consumption and other uses) will remain in that status after mining – even after water quality action levels are met as a result of reclamation.

Bob was also interested in the depth of the wells. Ping responded that potential depths will mostly be 100 – 900 feet below ground surface (shallower in the Lost Soldier Claim Area and deeper in the Lost Creek Claim area). BLM will be interested in knowing about ISL in areas of shallow groundwater, since they recharge water in the Lost Soldier Creek area for agricultural, wetlands, and wildlife beneficial uses. Ping pointed out that the recharging area is up-gradient from the claim areas and thus will not be impacted by proposed ISL operations.

Bob referenced us to a USGS groundwater study that was recently conducted for Sweetwater County and is currently being conducted for Carbon County. Ping recorded the reference for the publication. (AATA has obtained a digital copy of the report.)

The discussion at the point was re-directed to wildlife. Scott presented the background that Gas Hill recently presented an EA for a similar project. It is unknown if the Great Divide Basin ISL Uranium permit application would likely achieve a similar outcome,

although the intent is to conduct baseline studies that would meet all data requirements for any potential NEPA requirements.

Rhen wanted us to better clarify the extent of surface disturbance. Ping and Scott described the following probable disturbance: monitoring well, exploration well, injection wells, and production well drilling; adjacent temporary well pad areas and mud pits; one small primary pre-processing building and header works on each claim; some buried pipelines. Well monitoring activities may disturb the surface, but will be minimized by not monitoring when the surface is wet. No new roads are anticipated except for a road at each claim to the header works building. In summary, 40 plus wells will be active before and after operations commence. Minimal noise levels are anticipated - similar to compression stations.

BLM wants the restoration to be to the state of Wyoming engineering standards. Rhen mentioned that the mining activities will need to be sensitive to wildlife activities such as migratory bird nesting seasons especially for species on the BLM species of concern list which is slightly different from the Wyoming state list.

Rhen mentioned the need for a nesting bird survey in representative habitats on the Project sites. Eric will modify his scope of work to include it.

Eric presented the studies that he has planned that the BLM will most likely require. He will be doing a sage grouse lek survey. He wanted input from BLM on their preferred method, either aerial or ground. BLM suggested talking to grouse expert Greg Hyatt of WGFD. They will contact him for additional information on lek surveying and the need for winter surveys. Winter survey requirements are determined on a project-to-project basis and will need Greg's input. These surveys will be conducted with a two mile radius around the Project sites. Cecily asked if we could acquire presently know data for leks and other wildlife. BLM said yes and we could get it from their GIS department.

Eric presented his plan for a mountain plover survey. Frank agreed because he believes that they are nesting in the Lost Creek area.

Eric mentioned that he planned to conduct a raptor nest survey. That will include a one mile radius around the Project sites.

Eric inquired if additional big game data would be need or if existing data would suffice. Rhen and Frank agreed that additional data is not necessary.

Eric asked if this area is black-footed ferret block-cleared, which meant that the area is exempted from further needs to search for black-footed ferrets. Rhen and Frank do not think that it is. Hence if prairie dogs are found on the site, the towns will not only need to be mapped, they will need to be searched for black-footed ferrets. (However, later review of GIS data showed that the Project sites are block-cleared except for two section of Lost Soldier Claim Area.)

Eric mentioned that he is doing pygmy rabbits studies on another site and wanted to know if the Rawlins BLM wanted it for this area. Frank and Rhen mentioned that they recently learned from upper division BLM that they have pygmy rabbits in their management area. They do not know about proper protocols yet. Eric proposed that he could submit surveying protocols for the study if it is needed. Cecily suggested that we should wait for the BLM to determine their regulatory policies and they could then contact us on the monitoring needs. Rhen and Frank agreed.

Cecily asked if BLM were aware of any plant of concern on these sites. BLM said no.

Mark Newman want to know the actual extent of the disturbance area and if it was throughout the whole site. Ping said no. Mark mentioned that a biological study of the whole site might not be necessary. Scott stated that Ur-Energy wanted a baseline for the whole area and not just the active mining areas.

Action Plan:

Eric Berg (wildlife specialist) will present an updated scope of work to AATA International based on the information gathered at the BLM meeting.

Eric Berg will communicate survey plans and methods to BLM. All problem areas will be clarified with further consultation with BLM and WGFD.

Cecily and Eric will get GIS and previous wildlife data from Rhen and Frank.

Eric will touch base with Greg Hyatt from WGFD to review our meeting with BLM.

Rhen and Frank will contact Greg for sage grouse lek surveying methods and winter surveying needs.

If there is a need to conduct sage grouse winter surveys, Eric will see to those needs immediately.

Rhen will follow-up with us on BLM pygmy rabbit policy.

Rhen requested that we provide the BLM with our wildlife findings and maps.

**AATA International, Inc. - Internal Memorandum
Ur-Energy USA Great Divide Basin ISL Project
Meeting Notes – WDEQ and AATA International
Meeting Date: February 3, 2006**

Subject: AATA International project team introductions

Attendance:

AATA: John Aronson (President), Ping Wang (Project Manager/Geologist, Scott Kinderwater (Assistant Project Manager/Soil Scientist), Cecily Mui (Wildlife Ecologist), Eric Berg (AATA Associate/Wildlife Consultant)
WDEQ-Land Quality Division: Mark Moxley (Project Manager/District Supervisor) and Amy D. Boyle (Senior Environmental Analyst)

Materials Provided: Regional topo map, aerial photos for Lost Soldier and Lost Creek project sites.

John Aronson, Ping Wang, Scott Kinderwater, Cecily Mui, and Eric Berg met with Mark Moxley and Amy Boyle at the Wyoming DEQ Landers office on February 3, 2006.

John introduced the members of the AATA team to WDEQ and mentioned other members not present, including Warren Keammerer (Botanist) and Kathol (Sociologist). Mark asked about the hydrologist for the project and John mentioned a specialized hydrology firm based in Wyoming will be contracted by Ur-Energy for the work.

Ping was asked by John to summarize the key points of the BLM Rawlins Field Office meeting from the previous day.

Ping mentioned the meteorology station and John presented background information and data that will be collected by the meteorology station. Ping and Scott mentioned their plans to add an amendment to the Notice of Intent for exploratory drilling present by Ur-Energy. This amendment was advised by BLM based on the discussions during the previous day at the Rawlins BLM Field Office. The meteorology station would most likely be installed immediately after the Notice is reviewed by the BLM.

Ping reviewed the ISL mining procedures. John suggested that a visit should be made by the participating government agencies to the Smith Ranch Highlands ISL site so that they can see and understand how the operation works and the level of environmental impact.

Ping reviewed the aquifer discussion at BLM and that ore depth ranged from 100-900 feet (shallower in the Lost Soldier Claim Area and deeper in the Lost Creek Claim area). Mark wanted to know about past drilling exploration activities and the possibility of existing open bore holes. John mentioned that there may be holes that were not covered properly in the past but that it was a very small percentage.

Eric Berg reviewed the BLM wildlife discussion and his scope of work. Mark reaffirmed that he wanted us to follow the WDEQ wildlife guidelines. Ping mentioned that he will be posting protocols to the environmental management website.

Everyone concurred that the baseline studies will have to be done this summer for permitting review to begin in the fall.

Tom Nicholson, **his association?**, will be the on-site geologist and will be conducting the geohydrology work. Mark wants a meeting with the groundwater team as soon as possible. He would like to review well drilling that was conducted last fall and ground water sampling at each site, especially if the sampling will begin again soon this year. John stated that the sampling protocol will need to be reviewed by WDEQ and that similarly, architects will want to come up to meet with WDEQ. John further assured that Ur-Energy plans to hire a groundwater specialized company with an engineering focus. However, AATA will help review the environmental aspects their groundwater plans.

Mark discussed BLM and the NEPA process. NRC will take the lead on NEPA. Steve Cowen from NRC will be reviewing the environmental aspects. Mark mentioned that there has been poor coordination between NRC and BLM in the past. BLM does not appear to understand the NRC environmental assessment process. John assured that he will have meetings with NRC in Washington, D.C. to review the NEPA and that he will bring the agencies together.

Ping mentioned that the riparian area along Lost Soldier Creek will not be disturbed and that mining activities will be concentrated up-gradient of the stream. Mark reaffirmed a need for riparian delineation.

Ping discussed present road conditions on the site and WDEQ were able to see the numerous existing roads on the aerial photos. Ping reaffirmed that no new roads will be built except for a road to the primary pre-processing building which will be on parcels less than 5 acres on each site. Dirt roads on the site will not be used if the ground surface is wet and off-road driving will not occur.

Mark asked if a monitoring station will be installed for surface hydrology studies. John responded that it will be and there will be sampling during the wet and dry seasons. Eric mentioned that the BLM had said that they supplement flows in Lost Soldier for agricultural and wildlife enhancements. Ping reassured that activities should not impact the riparian area.

Action Plan:

Ur-Energy will need to contact WDEQ with the name of the firm administering to groundwater and to set-up a meeting between the firm and WDEQ.

AATA will contact Ur-Energy to amend the Notice of Intent for Lost Soldier for the meteorology station installation.

Eric Berg will conduct the wildlife studies in a manner that will meet WDEQ wildlife guidelines.

The architectural team will need to meet with WDEQ to review architectural plans.

John Aronson will meet with NRC in Washington, D.C. and will orchestrate a smooth communication between pertinent government agencies.

AATA will confirm proper riparian delineation and surface water monitoring according to WDEQ guidelines.

March 17, 2006

Rhen Etzelmiller
Wildlife Biologist
Bureau of Land Management
Rawlins Field Office
1300 North Third Street
P.O. Box 2407
Rawlins, WY 82301

Dear Rhen,

I would like to give you an update on the progress we are making in the Wildlife section of the baseline study for Ur-Energy at the Lost Soldier and Lost Creek Claim Areas.

First of all, many thanks to you, Frank Blomquist, and Lynn McCarthy for the time, data support, and insights that you have all given to us on the project. Our wildlife team is well-situated for a timely start to the field season. The fieldwork will begin with Sage Grouse Lek Surveys and Counts on the first week of April. Other wildlife surveys planned for the season are:

- Raptor nest survey
- Nesting mountain plover survey
- Breeding bird survey
- Prairie dog colony mapping
- Black-footed ferret survey
- Aquatic survey

I have enclosed a rough timetable of our field schedule.

We have also compiled a set of written field protocols for each of the above surveys to ensure uniform data collection. These protocols are based on your inputs and techniques commonly used by BLM and WGFD. We desire to use techniques that are accepted by the BLM that would result in a data set which may be useful for your database. Any suggestions or comments that you have on our field protocols would be acknowledged and greatly appreciated.

I look forward to hearing from you.

Sincerely,

Cecily H.Y. Mui
Environmental Specialist II

cc: Mark Newman, BLM, Rawlins Field Office

From: Rhen_Etzelmiller@blm.gov
Sent: Thursday, March 23, 2006 10:35 AM
To: Cecily Mui
Subject: Re: Ur-Energy Wildlife Work Plan

Cecily,

First off, I apologize for not getting back to you sooner. I've been out of the office for a few days. I haven't yet had a chance to review the Wildlife Studies Workplan that you sent to me. There are a couple of issues that must be resolved before I can allocate much work time to the review or coordination of the project. I completely understand the desire to get out there and get ahead of the project to gather some important and relevant wildlife baseline info. The primary problem from my end is that there is no Plan of Operations submitted yet for the project, and the Plan of Ops. is the document that is necessary for us (BLM) to officially start work on the project.

Now, with that being said, I can also say that I am trying to figure out what I am allowed to do in regards to this project, and I am fully willing to do whatever I can in order to facilitate the implementation of survey protocols and ensure that the information gathered will be up to standard. In that regard, I will say that whatever wildlife work that is done before a Plan of Operations is submitted is dependent upon what you (AATA) determine to be necessary and are willing to pay for. I can not/will not require/request any surveys until I have reviewed the Plan of Operations and determined exactly what is relevant.

Thanks,

Rhen M. Etzelmiller, Wildlife Biologist
 BLM, Rawlins Field Office
 1300 N. 3rd, P.O. Box 2407
 Rawlins, WY 82301-2407
 1 (307) 328-4200
 "Rhen_Etzelmiller@blm.gov"

"Cecily Mui" <cecily.mui@aata.com>

03/17/2006 12:18 PM

To <rhen_etzelmiller@blm.gov>

<mark_newman@blm.gov>, <frank_blomquist@blm.gov>, "John Aronson" <john.aronson@aata.com>, "Ping Wang" <ping.wang@aata.com>, "Scott Kinderwater" <scott.kinderwater@aata.com>, "Ayman Salloum" <ayman.salloum@aata.com>

Subject Ur-Energy Wildlife Work Plan

Dear Rhen,

I would like to give you an update on the progress we are making in the Wildlife section of the baseline study for Ur-Energy at the Lost Soldier and Lost Creek Claim Areas.

First of all, many thanks to you, Frank Blomquist, and Lynn McCarthy for the time, data support, and insights that you have all given to us on the project. Our wildlife team is well-situated for a timely start to the field season. The fieldwork will begin with Sage Grouse Lek Survey and Counts on the first week of April. Other wildlife surveys planned for the season are:

- Raptor nest survey
- Nesting mountain plover survey
- Breeding bird survey
- Prairie dog colony mapping
- Black-footed ferret survey
- Aquatic survey

I have enclosed a rough timetable of our field schedule.

We have also compiled a set of written field protocols for each of the above surveys to ensure uniform data collection. These protocols are based on your inputs and techniques commonly used by BLM and WGFD. We desire to use techniques that are accepted by the BLM that would result in a data set which may be useful for your database. A hardcopy of the attachments to this email will follow via post. Any suggestions or comments that you have on our field protocols would be acknowledged and greatly appreciated.

I look forward to hearing from you.

Sincerely,
Cecily

CECILY H.Y. MUI
Environmental Specialist II
AATA International, Inc.
300 East Boardwalk Dr, Ste 4A
Fort Collins, CO 80525
Office: 970-223-1333
Fax: 970-223-9115
cecily.mui@aata.com

March 24, 2006

Melissa L. Bautz
Senior Environmental Analyst
State of Wyoming
Department of Environmental Quality
Land Quality Division
Lander, WY 82520

Dear Melissa,

You may have heard from either Mark Moxley or Scott Kinderwater that I am the wildlife task manager at AATA International, Inc. I would like to give you an update on the progress we are making in the Wildlife section of the baseline study for Ur-Energy at the Lost Soldier and Lost Creek Claim Areas.

Our wildlife team is well-situated for a timely start to the field season. The fieldwork will begin with Sage Grouse Lek Surveys and Counts on the first week of April. Other wildlife surveys planned for the season are:

- Raptor nest survey
- Nesting mountain plover survey
- Breeding bird survey
- Prairie dog colony mapping
- Black-footed ferret survey
- Aquatic survey

I have enclosed a tentative schedule for our field work in 2006.

We have also compiled a set of written field protocols for each of the above surveys to ensure uniform data collection. These protocols are based on techniques commonly used by BLM and WGFD. Please let us know if you have comments on our wildlife studies work plan.

Sincerely,

Cecily H.Y. Mui
Environmental Specialist II

cc: Greg Hyatt, Biologist, WGFD