

From: Ron Linton
To: eric_hein@fws.gov
Date: 07/23/2007 4:34:28 PM
Subject: Request for concurrence on determination of no effects on listed species

Mr. Eric Hein
U.S. Fish and Wildlife Service
New Mexico Ecological Services Field Office
2105 Osuna NE
Albuquerque, NM 87113

SUBJECT: REQUEST FOR CONCURRENCE ON THE DETERMINATION OF NO EFFECTS ON FEDERALLY LISTED SPECIES AND THEIR CRITICAL HABITATS FOR THE PROPOSED EVAPORATION POND #3 HOMESTAKE MINING COMPANY, GRANTS RECLAMATION PROJECT, GRANTS, NEW MEXICO (Docket No. 040-08903, TAC J00506).

Dear Eric:

The U.S. NRC is reviewing a request by Homestake Mining Company (HMC) to construct and operate a third evaporation pond at their Grants Reclamation Project in Grants New Mexico. The additional evaporation pond will allow HMC to increase groundwater pumping rates and speed up remediation of contaminated groundwater. The pond construction will disturb approximately 33 acres and will require an increase in the licensed area by approximately 185 acres. HMC has requested the U.S. Nuclear Regulatory Commission (NRC) approve the action by amending their Radioactive Source Materials License SUA-1471.

HMC contracted the services of Kleinfelder, Inc. to develop an Environmental Report (ER) (attached). Section 4.3.1 of the report identified threatened and endangered species that may be found in Cibola County, New Mexico. Additionally, NRC staff reviewed the threatened and endangered species list from the U.S. FWS, New Mexico Ecological Service Field Office website at, www.fws.gov/southwest/es/NewMexico/SBC_view.cfm?spcnty=Cibola to confirm that species listed were discussed. NRC staff requested and obtained an additional determination from Kleinfelder on the black-footed ferret, as that species was left off the list in the HMC ER (attached). The person with primary responsibility for determining affects for Kleinfelder, Mr. Louis Bridges, has an extensive background in biology, science, and natural resource management and appears qualified to make determinations of affects on listed species (resume attached).

After a review of the potential impacts of the proposed action, NRC staff have determined that the proposed action will have no effect on any endangered or threatened species or critical habitat. The supporting basis for this conclusion is enclosed Environmental Report and the conclusions reached by a experienced natural resource professional employed by Kleinfelder, Inc. NRC requests your concurrence with our determination of "no effect" on any listed species or their critical habitat.

If you have any questions, please contact me.

Sincerely,

Ron C. Linton
Senior Groundwater Hydrologist/Project Manager
U.S. Nuclear Regulatory Commission
Office of Federal and State Materials
and Environmental Management Programs
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Files	Size	Date & Time
MESSAGE	4039	07/23/2007 4:34:28 PM
Louis Bridges Resume.pdf	267298	07/11/2007 5:48:18 PM
HMC ER EP3 ML0708505611.pdf		3075484 07/11/2007 5:54:36 PM
e-mail black-footed ferret.pdf	131252	07/23/2007 3:58:48 PM

Options
Expiration Date: None
Priority: Standard
ReplyRequested: No
Return Notification:
Send Notification when Opened

Concealed Subject: No
Security: Standard