

Meeting Notes

Agencies: Bureau of Land Management Buffalo Field Office (BLM)
U.S. Fish and Wildlife Service Buffalo Field Office (FWS)

Location: Buffalo, WY

Date: January 14, 2009

Attendees:

Irene Yu, NRC
Behram Shroff, NRC
Nancy Barker, VHB
Tracy Hamm, VHB
J. Stewart Bland, Chesapeake Nuclear Services
Brian Kuehl, The Clark Group
Lori VanBuggenum, The Clark Group
Buck Dumone, Archaeologist, BLM
Jerry Queen, Geologist, BLM
Clint Crago, Archaeologist, BLM
Tom Bills, Environmental Coordinator, BLM
Paul Beels, Associated Field Manager, BLM
Brad Rogers, Fish and Wildlife Biologist, FWS
Pete Ramirez, EC Specialist, FWS Cheyenne Office

Purpose:

- To discuss habitats, species of concern, T&E species for Moore Ranch and Nichols Ranch.
- To discuss the Moore Ranch and Nichols Ranch applications and BLM's involvement, to inform them of the progress in developing an MOU, better understand BLM's NEPA responsibilities during the exploratory phase vs after an application comes in (When is a POO required? When are multiple POOs required? How does the POO approval process coincide with the DEQ mining permit process?), and discuss cumulative effects.

Discussion:

- Moore Ranch – not likely to review application because no BLM land
- Nichols Ranch
 - BLM will comment on entire project, DEQ will be starting technical review next month
 - Cultural issues most important – Pumpkin Buttes, tribes
 - Deemed a TCP in June 2007
 - BLM conducted a big study and narrowed down the list of interested tribes from ~ 20 down to ~7
 - Elevation boundary of the TCP based on topographic lines of buttes
 - Programmatic agreement in development for TCP, should be completed by end of month, small section on ISL because BLM doesn't know much about the process
 - North Middle Butte – BLM managed ¼ of butte, rest is privately owned

- Tribal concerns – worried about effect of project on plants, wildlife, streams
 - Bald eagle roost nearby
 - No archaeological concerns
 - BLM has conducted many tribal outreach efforts, will be difficult for NRC to establish contacts cold
- BLM is responsible for the POO approval, DEQ is responsible for issuing permits – DEQ has the lead on the review and collect comments from both agencies
- Sage grouse is not listed, coordinate with the Wyoming Game & Fish Department for more information
- Buffalo Resource Management Plan (RMP)
 - Just completed scoping, will develop alternatives in Spring, 2 more years for draft plan, Sept 2012 to complete final RMP
 - Developed preservation areas that may be zoned
 - Old RMP dated 1985 with 1 revision in 2001
 - Other recently completed RMPs include Casper, Pinedale, Rawlins
- BLM is presently structured with HQ in Washington DC, State Office in Cheyenne, and Field Offices -> will be having a fourth level of District Offices to go between Field Offices and State Office (Casper will be the "High Plains" district office for the Buffalo Field Office)
- Field Offices are currently the ones signing off on NEPA documents
- Cost for developing EISs vs EAs
 - EISs are developed for locatable minerals and the operators pay for the development of the EISs
 - EAs are paid for BLM
- POOs are required for surface disturbance of five acres or more (both exploratory or construction)
 - POOs require a NEPA review and usually development of an EA
 - POOs can be amended for more area disturbance
 - DEQ takes lead when it becomes a POO
 - If a company comes in with > 5 acres of surface disturbance for exploration, then a POO is required. If that same company comes in after exploration with >5 acres for construction and operation of uranium ISL facility, a new POO is required and separate NEPA review and EA.
 - BLM's MOU with DEQ makes all reviews concurrent, issuance of DEQ mining permit and BLM's approval of the POO should be in sync
- Surface leases
 - No grazing issues
 - May look at mitigation
 - Can double lease property
 - BLM coordinates both applicants through NEPA process
 - BLM takes lead for leasable minerals like O&G (royalties) and CBM
 - DEQ takes lead for locatable minerals like uranium (more surface concern, no royalties)
- BLM's concerns
 - Not concerned with interference between CBM and uranium because distance between CBM wells ~ 80 acres apart
 - Not concerned with deep well injection if wells constructed correctly
- No state Endangered Species Act
 - Wyoming Game & Fish has a comprehensive plan that identifies species @ risk

- Sage grouse on that Wyoming Game & Fish list, also listed as sensitive species by BLM
- FWS has candidate conservation assurances (CCA) program
 - Landowner can sign up
 - Assurance that if species gets listed, can keep operations going
 - Governor working with FWS to work on this programmatic CCA
 - CCA program does not affect agency's Section 7 responsibilities under ESA.
- FWS has concern over migratory birds
 - Electrocution of raptors on power poles, recommend buried power lines or having all aboveground lines conform to Avian Power Line Interaction Committee (APLIC)
 - Sage grouse core areas – may need avoidance
- FWS had comments on the GEIS – wanted to make sure that they were being looked at

Questions:

- Will wells have auto shutoff valves to help prevent spills due to accidents? (safety question)
- What is the status of Cogema Restart? (Johari Moore)
- Should NRC have quarterly calls with BLM and DEQ regarding current and future applications?

Action Items:

- Review BLM's POD EISs and 2003 EIS on CBM and Natural Gas for cumulative impacts analysis
- Review Northeast Wyoming's Management Plan for sage grouse
- Call Jerry Queen with status of Cogema Restart and POC