

October 15, 2010

Mr. Richard L. Currit
Senior Archaeologist
Wyoming State Historic
Preservation Office
2301 Central Avenue
Barrett Building, Third Floor
Cheyenne, WY 82002

SUBJECT: URANERZ ENERGY CORPORATION, NICHOLS RANCH IN-SITU URANIUM
RECOVERY PROJECT – SECTION 106 CONSULTATION – STATE HISTORIC
PRESERVATION OFFICE FILE #0708RLC009

Dear Mr. Currit:

With this letter, the U.S. Nuclear Regulatory Commission (NRC) is submitting its determination of effects licensing the proposed Nichols Ranch *In-Situ* Recovery Project (the Federal undertaking) will have on four additional historic properties identified during consultation with representatives of the Northern Cheyenne and Ft. Peck Assiniboine/Sioux Tribes as required by Section 106 of the National Historic Preservation Act.

On July 7, 2010, Uranerz hosted a site visit for the following members of the two tribes: Conrad Fisher, the Tribal Historical Preservation Officer of the Northern Cheyenne Tribe, Mr. Darrell “Curley” Youpee, the Tribal Cultural Resources Director of the Ft. Peck Assiniboine/Sioux Tribe, and Mr. Eugene Hart of the Northern Cheyenne Tribe. Mr. Youpee and Mr. Fisher suggested and agreed that, as a part of the proposed project, site 48CA268, Pumpkin Buttes Traditional Cultural Property (TCP) should be formally nominated for listing on the *National Register of Historic Places* (NRHP) for protection. No other issues were identified during the site visit regarding the Pumpkin Buttes TCP.

A follow-up site visit was conducted on July 30, 2010, with representatives from the Northern Cheyenne Tribe and the Ft. Peck Assiniboine/Sioux Tribe to specifically evaluate and conduct consultation for sites 48CA6148, 48CA6748, 48CA6751, and 48CA6753. These sites are considered by the Tribes to possess traditional cultural and religious significance and are considered to be traditional cultural properties. The NRC has determined that sites 48CA6148, 48CA6748, 48CA6751, and 48CA6753 are eligible for listing on the NRHP for their religious and cultural significance. Notes from these two site visits are included as an enclosure to this letter.

No sites will be directly affected by construction activities; however, there will be an adverse effect to the visual setting of the four sites. The mitigation of adverse effects will be addressed in a Memorandum of Agreement (MOA) between the Wyoming State Historic Preservation Officer, the Bureau of Land Management, the NRC, Uranerz, and interested Indian Tribes. A draft MOA for the impacts to the Pumpkin Buttes TCP was sent out to interested parties by letter dated July 22, 2010, for review and comment. A revised draft MOA to cover the impacts to the Pumpkin Buttes TCP and impacts to the visual setting of the four additional sites will be sent out to interested parties for review and comment in the near future.

R. Currit

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If you have any questions or require additional information, please contact Ms. Jennifer Davis at (301) 415-3835, or at Jennifer.Davis@nrc.gov.

Sincerely,

/RA/

Kevin Hsueh, Chief
Environmental Review Branch B
Environmental Protection
and Performance Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials

Enclosure:
TRC Ltr. Summarizing
Consultation

cc: D. McKenzie, DEQ, Cheyenne
G. Mooney, DEQ, Sheridan
C. Crago, BLM, Buffalo
D. Spencer, BLM, Buffalo
M. Thomas, Uranerz

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