

## Bjornsen, Alan

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**From:** Cash, John [John.Cash@ur-energyusa.com]  
**Sent:** Friday, July 16, 2010 9:55 AM  
**To:** Heili, Wayne; Bjornsen, Alan; Eldon\_Allison@blm.gov  
**Cc:** Kelsey, Charles  
**Subject:** FW: Update: Lost Creek Jurisdictional Determination

FYI, below email from Army Corp of Engineers relays status of the jurisdictional determination.

-----Original Message-----

**From:** Wolken, Paige M NWO [mailto:Paige.Wolken@usace.army.mil]  
**Sent:** Thursday, July 15, 2010 4:13 PM  
**To:** Cash, John  
**Subject:** Update: Lost Creek Jurisdictional Determination

John:

I have completed the AJD documentation. My supervisor has reviewed and approved it. It has been sent to the District office for review, once they approve it, it will be sent to EPA for their review and concurrence. EPA has 14 days to respond.

Paige

Wyoming Regulatory Office  
Cheyenne, WY  
307-772-2300 x 23

-----Original Message-----

**From:** Cash, John [mailto:John.Cash@ur-energyusa.com]  
**Sent:** Thursday, July 01, 2010 3:39 PM  
**To:** Wolken, Paige M NWO  
**Cc:** Eldon\_Allison@blm.gov; Bjornsen, Alan  
**Subject:** RE: Lost Creek Jurisdictional Determination

Paige,

Completion of the jurisdictional review by mid July is well within the time frame that is acceptable to us. Please continue with your review.

Regards,  
John

-----Original Message-----

**From:** Wolken, Paige M NWO [mailto:Paige.Wolken@usace.army.mil]  
**Sent:** Thursday, July 01, 2010 3:29 PM  
**To:** Cash, John  
**Subject:** RE: Lost Creek Jurisdictional Determination

Mr. Cash:

I have begun the jurisdictional review process, but have been drawn away processing permits, which unfortunately takes priority over jurisdictional determinations not associated with a permit. Due to your inquiry,

F/121

I am now able to prioritize this JD and should be able to complete it by mid July at the latest. It is evident that the ephemeral channels and isolated wetlands within the Great Divide Basin are non-jurisdictional; however, an approved jurisdictional determination (AJD) for non-jurisdictional water features involves a 1 month review by our District Office, EPA and Corps Headquarters for formal review and concurrence.

If this action remains within your proposed timeline, I will continue. If you need a more expedited alternative, we can discuss the potential use of a Nationwide Permit 12 if the majority of impacts will be temporary or less than 0.10 acre per crossing. This would involve utilizing a preliminary jurisdictional determination (PJD) which treats the ephemeral channels and wetlands to be impacted as if they were jurisdictional, simply to expedite the process.

Please review Nationwide Permit 12 limitations and notification requirements in light of the proposed project activities (disturbances) to these features.

I've also attached our PJD form for your edification.

I will be out of the office over the extended weekend. Back in on Tues, July 6th.

Please let me know how you would like to proceed. Ultimately, if proposed activities will result in more than 0.10 acre of permanent impacts (e.g., road fill) to a given waterway, staying the course for non-jurisdictional determination probably makes the most sense.

Thank you for your inquiry.

Paige Wolken

Wyoming Regulatory Office  
Cheyenne, WY  
307-772-2300 x 23

-----Original Message-----

From: Cash, John [<mailto:John.Cash@ur-energyusa.com>]

Sent: Wednesday, June 30, 2010 3:18 PM

To: Wolken, Paige M NWO

Subject: Lost Creek Jurisdictional Determination

Paige,

Just wanted to touch base with you to check on the status of the Jurisdictional Determination request I submitted on May 14th for the Lost Creek Project. Could you please give me a call at your convenience to discuss?

Also, FYI, the phone message system for the Army Corp says your extension is 25. However, when I dial 25 I get Dennis.

Regards,

John Cash

Director of Regulatory Affairs

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