



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
5353 Yellowstone Road, Suite 308A
Cheyenne, Wyoming 82009



In Reply Refer To:
ES-61411/WY11EC0041 and WY11TA0283

MAY 25 2011

Dominick A. Orlando, Senior Project Manager
Nuclear Regulatory Commission
Special Projects Branch
Division of Waste Management and
Environmental Protection
Office of Federal and State Materials and
Environmental Management Programs
Washington, D.C. 20555-0001

Dear Mr. Orlando:

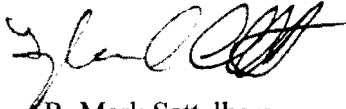
Thank you for your Project Design Report of March 10, 2010, and corresponding letter received via fax on May 19, 2011, regarding the proposed Erosion Protection Enhancement Project (Project) at the UMETCO Gas Hills Facility. The Project is located in the East Gas Hills area in Fremont and Natrona Counties, Wyoming.

Your letter provided sufficient information for the U.S. Fish and Wildlife Service to evaluate the effects of this project to federally listed species. Based on the information provided in your letter, it is unlikely that the proposed work will adversely affect any threatened or endangered species or migratory birds. You may consider this project, as proposed, to be in compliance with the Endangered Species Act of 1973, as amended (Act), 16 U.S.C. 1531 *et seq.* and the Migratory Bird Treaty Act, 16 U.S.C. 703.

This project should be re-analyzed if new information reveals effects of the action that may affect listed species or designated or proposed critical habitat (1) in a manner or to an extent not considered in this letter, (2) if the action is subsequently modified in a manner that causes an effect to a listed species or designated or proposed critical habitat that was not considered in this letter, and/or (3) if a new species is listed or critical habitat is designated that may be affected by this project.

We appreciate your efforts to ensure the conservation of endangered, threatened, and candidate species and migratory birds. If you have questions regarding this letter or your responsibilities under the Act, please contact Pedro 'Pete' Ramirez at the letterhead address or by phone at (307) 772-2374, extension 236.

Sincerely,


R. Mark Sattelberg
Field Supervisor
Wyoming Field Office

cc: WGFD, Non-game Coordinator, Lander, WY (B. Oakleaf)
WGFD, Statewide Habitat Protection Coordinator, Cheyenne, WY (M. Flanderka)