

January 22, 2015

Mr. John F. Cochnar  
Deputy Field Supervisor  
Fish and Wildlife Service  
9325 South Alda Road  
Wood River, NE 68883

SUBJECT: CONSULTATION FOR ENDANGERED OR THREATENED SPECIES AND  
CRITICAL HABITAT FOR LICENSE RENEWAL FOR THE CROW BUTTE IN  
SITU URANIUM RECOVERY FACILITY NEAR DAWES COUNTY, NEBRASKA

Dear Mr. Cochnar:

This letter is to follow up on the attached June 20, 2008 letter that your office sent to the U.S. Nuclear Regulatory Commission (NRC) regarding federally threatened or endangered species and critical habitat for the license renewal of the Crow Butte in situ uranium recovery facility near Dawes County, Nebraska. The renewed license authorizes an additional ten years of operation for this facility.

As part of our independent analysis, the NRC staff reviewed available U.S. Fish and Wildlife Service (FWS) documents and websites and is consulting with the Nebraska Game and Parks Commission. The NRC has determined that renewal of the operating facility license will not likely impact threatened and endangered species or critical habitat for the following reasons: no new wellfield construction is anticipated at the operating facility; there is limited suitable habitat available for federal and state listed species of concern; and federal and state listed species of concern have not been observed in the project area. The NRC staff documented its findings in the Final Environmental Assessment (Final EA) published in October, 2014. The accession number for the Final EA is ML14288A517.

Based on our assessment, the NRC staff has determined that a biological assessment or formal Section 7 consultation under the Endangered Species Act are not warranted for this project because no adverse effects to federally threatened, endangered, or candidate species are expected. The NRC requests concurrence with our determination from FWS. The Final EA will be supplemented to reflect the results of this consultation.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

J. Cochnar

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If you have any questions or wish to discuss further, please contact Ms. Mirabelle Shoemaker of my staff by telephone at 301-415-6423 or by email at [Mirabelle.Shoemaker@nrc.gov](mailto:Mirabelle.Shoemaker@nrc.gov). Thank you for your assistance.

Sincerely,

**/RA/**

Lydia Chang, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-8943  
License No.: SUA-1534

Enclosure:  
FWS letter dated June 20, 2008

J. Cochnar

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Sincerely,

**/RA/**

Lydia Chang, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-8943  
License No.: SUA-1534

Enclosure:  
FWS letter dated June 20, 2008

**ML15022A226 \*via e-mail**

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| <b>OFC</b>  | NMSS/ FCSE | NMSS/ FCSE | NMSS/ FCSE    | OGC*       | NMSS/ FCSE |
| <b>NAME</b> | MShoemaker | NGoodman   | AWalker-Smith | MSimon     | LChang     |
| <b>DATE</b> | 01/20/2015 | 01/22/2015 | 01/22/2015    | 01/21/2015 | 01/22/2015 |

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