



January 22, 2015

Mr. Elgin Crows Breast, THPO
Mandan, Hidatsa & Arikara Nation
Tribal Historic Preservation Office
Three Affiliated Tribes
404 Frontage Road
New Town, ND 58763-9404

Re: Strata Energy, Inc., Ross In Situ Recovery Project
Submittal of Annual Letter Report Required Under Programmatic Agreement.

Dear Mr. Crows Breast:

Attached please find the subject report required under Stipulation H.1 of the Programmatic Agreement (PA) for the Ross Uranium Project. On January 19, 2015 the NRC staff accepted the report and requested that Strata Energy Inc. (Strata) distribute the report to the Parties and the Ross Project Consulting Tribes as required under Stipulation H.1. Please provide any comments that you may have on the report within 30 days of receipt to the undersigned at Strata Energy Inc, PO Box 2318, Gillette, WY 82717-2318. As required in the PA, Strata will distribute any comments received to the Parties.

Sincerely,

Strata Energy, Inc.

A handwritten signature in black ink, appearing to read "Michael Griffin", is written over the typed name and title.

Michael Griffin
Vice President of Permitting, Regulatory and Environmental Compliance

Enclosure

Cc: U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

Johari Moore, NRC Environmental Review Branch Project Manager (w/o Enclosure)

John Saxton, NRC Uranium Recovery Branch Project Manager (w/o Enclosure)

NM5501

ROSS IN SITU URANIUM RECOVERY PROJECT
Cultural Resource Management
Annual Report and Evaluation
Implementation of the Programmatic Agreement

Legacy Consulting Services
Butte, Montana

for

Strata Energy, Incorporated
December 17, 2014

The Programmatic Agreement (PA) for Nuclear Regulatory Commission (NRC) compliance with Section 106 of the *National Historic Preservation Act*¹ was completed in May of 2014. Stipulation H. of the PA requires submission of an annual report on implementation of the PA by Strata to the NRC. The following is the report to the setting out steps towards implementation of the PA in 2014.

Stipulation B. of the PA calls for completion of the recording of certain unevaluated cultural properties and archaeological testing of other properties located within the Phase 1 area of the project. Strata is required to submit a testing plan to accomplish the work needed. GCM Services, under contract with Strata Energy, is currently completing work on the required plan. Part of that work included on-site visits for general planning and non-invasive professional observations of soil conditions to help support testing recommendations. The report on those soils studies will be included as an appendix to the plan. Also, the plan will address that part of Stipulation B. which requires that as part of the review of the testing plan, the NRC will consult with Strata concerning whether potential adverse effects to any of these cultural properties or portions thereof may be avoided. The report will include a map and other information as necessary to accomplish that. At present, Strata projects submission of the testing plan and avoidance analysis to the NRC in early January, 2015. Stipulations in the PA for review of that plan provide for a review period of 90 days. Thus, Strata currently projects that testing would be conducted on-site in the field season of 2015.

In letters dated March 6, March 27 and April 8, 2014, the NRC provided the Wyoming SHPO (WYSHPO) with the tribal surveys on the identification and evaluation of Traditional Cultural Properties. In a letter dated May 5, 2014, the WYSHPO identified various deficiencies in the documentation from the NRC. The NRC then organized additional work necessary to address the concerns expressed by the WYSHPO. The NRC supplied supplemental information under a cover letter to the WYSHPO dated December 4, 2014. Eleven properties have been evaluated by the NRC as eligible for the NRHP as TCPs. At the time of this writing, the WYSHPO has not responded to the NRC.

¹ 16 U.S.C. 470 *et seq.*