

From: Ciurej, Amanda
To: [CBRMarslandEA Resource](#)
Subject: [External_Sender] Re: Service Comments on the NRC's draft EA for the Marsland Expansion Area
Date: Tuesday, January 30, 2018 12:23:19 AM

Jean,

To add, it wasn't clear if the NRC wanted the Service to provide comments on the draft EA and/or if the NRC was using the draft EA to meet compliance under Section 7 of ESA. My comments reflect the latter. I started reviewing the draft document and did notice some information gaps. I make reference to some of these in my comments (see previous email), that would behoove the NRC to address in their EA.

Amanda

On Mon, Jan 29, 2018 at 10:57 PM, Ciurej, Amanda <amanda_ciurej@fws.gov> wrote:

Hi Jean,

The U.S. Fish and Wildlife Service (Service) is not able to provide concurrence on the species effect determinations made by the U.S. Nuclear Regulatory Commission (NRC) in the draft Environmental Assessment (EA) for the Marsland Expansion Area, License Amendment Application. While the completion of an Environmental Assessment meets compliance with the National Environmental Policy Act, they do not necessarily contain the information the Service needs to adequately assess a project under Section 7. Written requests to consult with the Service under Section 7 need to be accompanied with a Biological Assessment (BA) prepared containing the information in 50 CFR §402.14(c). Given the chemical nature of uranium (radioactive properties) and other contaminants introduced through the mining process, the NRC needs to assess in the BA how contaminants introduced could potential affect listed species and their critical habitats. The same should be considered when assessing impacts to eagles and migratory birds.

Also, the draft EA does not assess all of the federally listed species likely to occur in the proposed project area. The Rufa Red Knot (*Calidris canutus rufa*) and Black-footed ferret (*Mustela nigripes*) are two federally listed species not assessed and should be.

Please contact me with any questions you may have on the comments.

Thank you,

Amanda

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