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**Subject:** Amendment for VANE Minerals Decision Memo

**To:** Files

The decision memo for the VANE Uranium Exploratory Drilling Project was signed on December 20, 2007 and distributed to various publics and organizations. Upon review of the decision memo, the Arizona Game and Fish Department and U.S. Fish and Wildlife Service recommended three additional mitigation measures that would further protect wildlife from drilling activities.

The new mitigation measures were discussed with representatives of VANE and it was agreed that the new measures would be added to the current list and attached to their Plan of Operations. These are the new mitigation measures and are numbered to follow the existing list in the decision memo:

- 19.** Open fluid pits will not only be fenced but will be netted to prevent access into the pit by birds.
- 20.** To prevent disturbance near known antelope fawning grounds, no drilling activities will occur at the CP-3, CP-4, and CP-8 claim sites from April 15 through June 15.
- 21.** If a condor shows up at a drill site, the Forest Service will be contacted immediately and any project-related activity likely to harm the condor will halt temporarily until the condor flies away or is driven away by permitted personnel (FWS or Peregrine Fund personnel). Project workers will be instructed to avoid interaction with condors.

VANE representatives also requested additional clarification on the timing of their operations, and an existing mitigation measure that dealt with fluid pits. The decision memo states that implementation may begin once VANE's Plan of Operations is approved and reclamation bonds are posted. The categorical exclusion that was used for this decision has a one-year time period to complete the work. This one-year period will begin upon the approval date of the Plan of Operations, not on the date the decision memo was signed.

This last clarification has to do with mitigation measure #6 in the decision memo to allow for more flexibility:

- 6.** Portable tanks will be used in place of fluid pits in areas with highly erodible soils. These areas include CP-3, 6, 8, and 11. (As stated in the 12/20/07 decision memo.)

The Forest Service requires fluid pits which are needed to contain mining waste material on site, especially if it happens to be radioactive. On deeper soils, VANE will be able to dig fluid pits. On shallow soils, VANE will need to use portable fluid containers. Since the drill sites are generally less than 5% slope, the Forest Service will allow VANE to dig fluid pits, even if the



soil is highly erodible. If the slope exceeds 5%, Steve Jenner, Minerals Administrator, will look for a more suitable site to place the pit. In order to allow for this greater flexibility and mitigate any negative effects, mitigation measure #6 is amended as follows:

**6.** Portable tanks will be used in place of fluid pits in areas with shallow soils, and in areas where a suitable site (5% slope or less) cannot be located. In areas with highly erodible soils (i.e. CP-3, 6, 8, and 11), straw wattles will be placed around the fluid pit and secured with rebar stakes to prevent water from running into the pit while in use. After filling the pit, a mulch (e.g. straw) will be spread across the disturbed soil and the area will be re-seeded with native plants. The straw wattles will be kept around the pit to prevent runoff from eroding the soil or removing the mulch and seed from the reclaimed area.

These changes represent additional protections for wildlife and soil resources from drilling activities, and will be included in the list of mitigation measures that are attached to VANE's Plan of Operations.

*/s/ Richard Stahn*  
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