



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 31, 2008

Elizabeth Lorina
Gonzalez Law Firm
522 7th Street, Suite 202
Rapid City, SD 57701

Re: Nominating Petition and Hearing Schedule

Dear Ms. Lorina:

Please find enclosed a copy of the department's 'Notice of Determination for Special, Exceptional, Critical or Unique Lands' for Powertech's proposed in situ uranium mine near Edgemont. We have also enclosed three nominating petitions submitted to the department to place the proposed mining area on the preliminary list of special, exceptional, critical, or unique lands.

In reviewing your petition, according to 74:29:10:16(7), a nominating petition must include "The signature of the person submitting the nominating petition witnessed by a notary public and the date of the signature." However, we noted that this was not completed on the petition submitted by your firm. Please either resubmit the last page of the petition with your notarized signature or submit a notarized statement to complete the petition.

In accordance with ARSD 74:29:10:13 the Board of Minerals and Environment must hold a hearing on nominating petitions received within 45 days following the final date of submission. However, as the next board meeting is scheduled for January 15, 2009, it would not be possible at this late date to meet the public notice requirements for the January board hearing. Therefore, we are extending the hearing date to February 19, 2009.

If there are concerns or problems with this extension, please let us know immediately.

We will provide more information on the time and location of the February hearing soon. If you have any questions please contact either Eric Holm or myself at (605) 773-4201.

Sincerely,

A handwritten signature in cursive script that reads "Roberta Fivecoate".

Roberta Fivecoate
Natural Resources Project Engineer
Minerals and Mining Program

Enclosures: Notice of Determination
Nominating Petition by Gonzalez Law Firm for the Oglala Sioux Tribe
Nominating Petition by Defenders of the Black Hills
Nominating Petition by Debra White Plume



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December 31, 2008

Debra White Plume
PO Box 71
Manderson, SD 57756

Re: Nominating Petition and Hearing Schedule

Dear Ms. White Plume:

Please find enclosed a copy of the department's 'Notice of Determination for Special, Exceptional, Critical or Unique Lands' for Powertech's proposed in situ uranium mine near Edgemont. We have also enclosed three nominating petitions submitted to the department to place the proposed mining area on the preliminary list of special, exceptional, critical, or unique lands.

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Sincerely,

Roberta Fivecoat
Natural Resources Project Engineer
Minerals and Mining Program

Enclosures: Notice of Determination
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December 31, 2008

Charmaine White Face, Coordinator
Defenders of the Black Hills
PO Box 2003
Rapid City, SD 57709

Re: Nominating Petition and Hearing Schedule

Dear Ms. White Face:

Please find enclosed a copy of the department's 'Notice of Determination for Special, Exceptional, Critical or Unique Lands' for Powertech's proposed in situ uranium mine near Edgemont. We have also enclosed three nominating petitions submitted to the department to place the proposed mining area on the preliminary list of special, exceptional, critical, or unique lands.

In accordance with ARSD 74:29:10:13 the Board of Minerals and Environment must hold a hearing on nominating petitions received within 45 days following the final date of submission. However, as the next board meeting is scheduled for January 15, 2009, it would not be possible at this late date to meet the public notice requirements for the January board hearing. Therefore, we are extending the hearing date to February 19, 2009.

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Sincerely,

Roberta Fivecoate
Natural Resources Project Engineer
Minerals and Mining Program

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