



SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF RESOURCE CONSERVATION & FORESTRY

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February 5, 2013

Mike Cepak
Minerals and Mining Program
South Dakota Department of Environment and Natural Resources
523 E Capitol Avenue
Pierre, SD 57501-3182

RECEIVED
FEB 06 2013
MINERALS & MINING PROGRAM

RE: Comments on SD DENR Application for Large Scale Mining Permit Powertech (USA) Inc.

Dear Mr. Cepak:

The South Dakota Department of Agriculture, Division of Resource Conservation and Forestry has reviewed the SD DENR Powertech (USA) Inc. application for Large Scale Mining Permit for the proposed Dewey-Burdock In-Situ Leach Uranium Recovery Facility. In response, we offer the below comments regarding the proposed project:

Appendix 6.4-C Noxious Weed Control Plan

Page 6.4-C-1, Line 1

- The timing statement of the proposed noxious weed inspection is insufficient. Annual inspections should be performed during the active growing season of the weeds.

Page 6.4-C-1, *Herbicides*

- The herbicide use and application statement is insufficient. Herbicide application must be performed by South Dakota Certified Licensed Pesticide Applicators. Powertech (USA) must follow all grazing and haying restrictions noted on the product label.

Page 6.4-C-3, Table 1

Custer County Noxious Weeds

- The Custer County noxious weed list is incomplete. White Horehound (*Marrubium vulgare*) was added to the list by emergency declaration in August 2012. See Custer County Weed & Pest Board Archive meeting minutes, August 1, 2012: <http://www.custercountysd.com/wp-content/uploads/2011/01/Bdmtg080112.doc> (page 2)

Page 6.4-C-4, References

- The references to SDSU 2010 Weed Control in Pasture and Range is outdated. Use South Dakota State University Extension, 2013 Weed Control, Pasture and Range: 2012 SDSU Extension, available on the internet as of January 2013:
<http://igrow.org/up/resources/03-3020-2012.pdf>

We appreciate SD DENR's attention to these comments. Please do not hesitate to contact us with any questions, or requests for additional information regarding the issues raised in this letter.

Sincerely,



Ann M. Juette
Natural Resource Planner

XC: Ray Sowers, Division Director
Bill Smith, Conservation Program Supervisor