

July 7, 2004

Coal Regulatory Program  
 Division of Oil, Gas, and Mining  
 1594 West North Temple, Suite 1210  
 P.O. Box 145801  
 Salt Lake City, Utah 84114-5801

*Incoming*  
*0/007/0013*

Re: Lila Canyon Extension to the Horse Canyon Mine permit application informal hearing.

Emery County appreciates the opportunity today to express our support for granting the permit. In keeping with the spirit of our letter of support dated April 26, 2004, we urge that the permit be issued.

It is our position that concerns identified in the public scoping process have been adequately addressed in the mining plan. Opposition to the proposed project was mostly concentrated on the impact the project would have on a Wilderness Study Area and "wilderness quality lands." The Environmental Assessment (EA) completed by BLM in October of 2000 specifically addresses the concern of undermining the Turtle Canyon WSA. The EA states that

*Minimal impacts in the form of minor subsidence is expected. The incorporation of the original IMP (interim management policy) stipulations for actions resulting from mining of the pre-FLPMA coal leases under the Turtle Canyon WSA would be incorporated for all areas deemed to be affected by surface actions. No surface facilities authorized by the BLM would be located within the WSA and no actions approved by BLM would impact the WSA.*

The other wilderness quality lands in the form of Wilderness Inventory Areas (WIAs) and areas submitted by citizen groups have since been found invalid and should have no bearing on this permitting process.

The three issues resulting in changes to the proposed action, grazing, cultural resources and wildlife, have been suitably dealt with and in our determination should not deter the issuance of the permit.

Emery County has reviewed the proposed operation plan and the also the reclamation plan and find no reason for the permit not to be issued to UtahAmerica Energy Inc.