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southern
utah
wilderness
alliance

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DIV. OF OIL, GAS & MINING

December 9, 2005

VIA FIRST CLASS MAIL

Pam Grubaugh-Littig
Utah Division of Oil, Gas and Mining
1594 West North Temple
P.O. Box 145801
Salt Lake City, Utah 84114

J. [Signature]
12/09/05

Re: Southern Utah Wilderness Alliance Request for Section 106 Consulting Party Status
Horse Canyon Mine, Lila Canyon Extension C/007/013

Dear Pam:

As you know, Southern Utah Wilderness Alliance (SUWA) is deeply concerned about the proposed Horse Canyon Mine, Lila Canyon Extension, and its potential effects on historic properties. As I have discussed with you and other Division of Oil, Gas and Mining (DOG M) staff, DOGM's efforts to date to comply with Section 106 of the National Historic Preservation Act (NHPA) have been inadequate and several steps remain in the identification and consultation process. SUWA would like to participate actively in this process, as a "consulting party" under Section 106 of the NHPA, pursuant to 36 C.F.R. § 800.2(c)(6).

SUWA is non-profit, 15,000 member environmental organization dedicated to the preservation of Utah's wild lands and has been involved in such protection for approximately nineteen years. SUWA is recognized to have expertise in matters of preservation and public land law. We are frequently solicited for comment on such issues by local and national media, as well as various federal agencies. We have offices in Washington D.C., La Verkin, Moab, and Salt Lake City, and have five attorneys trained in public land law.

- SUWA has been actively involved in cultural and historic resource protection for many years. In 2002, SUWA published a report entitled "Preserving Prehistory, Wilderness: a Sanctuary for Utah's Ancient Treasures," which discussed some of the most pressing threats at that time to cultural and historic properties. (A copy of the report is available at SUWA's website: http://www.suwa.org/page.php?page_name=Camp_Ancient_Home). In addition, SUWA has been at the forefront of National Historic Preservation Act litigation and works closely with various state and federal agencies, as well as Indian tribes and other non-profit organizations to ensure that cultural and historic properties are given the full protections authorized by federal law.

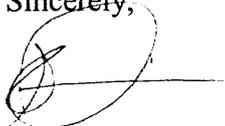
425 East 100 South
Salt Lake City, Utah 84111
Phone: 801-486-3161
Fax: 801-486-4233
Website: www.suwa.org

- Many members of SUWA live within a few hours of the proposed mine site and the greater Range Creek area and frequently visit the area to view and appreciate the cultural and historic properties that may be adversely affected by the proposed mine.

Because of SUWA's detailed understanding of the Section 106 process, our familiarity with historic and cultural properties in the greater Range Creek area, and our understanding of the potential damaging impacts that coal mining can have to those properties, we believe that SUWA can provide the Division with important information and a valuable perspective as a consulting party under Section 106.

We look forward to participating as a consulting party as the review and consultation for the Horse Canyon Mine, Lila Canyon Extension C/007/013. Feel free to contact me with any questions that you may have about SUWA's request for consulting party status: (801) 486-3161 x.3981.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. Bloch', enclosed within a circular scribble. A horizontal line extends to the right from the end of the signature.

Stephen Bloch
Staff Attorney

cc: Advisory Council on Historic Preservation
State Historic Preservation Office
National Trust for Historic Preservation