



State of Utah

Department of Natural Resources

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Division of Oil, Gas & Mining

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December 5, 2005

Wilson Martin, State Historic Preservation Officer
DCED - State History Division
300 Rio Grande
Salt Lake City, Utah 84111

Subject: SHPO Concurrence for Lila Canyon Extension, UtahAmerican Energy, Inc. (UEI), Horse Canyon Mine, C/007/0013, Task ID #2304, Outgoing File

Dear Mr. Martin:

The Division consulted with your office on previous editions of the Lila Canyon Mine project (DOGM task numbers SR98 (1) and 2055). The original communications with your office were on September 22, 1999, March 8, 2001, and March 27, 2001. On April 18, 2001, the Division visited your office and at that time your office provided a verbal concurrence with the Division of “no effect based on no historic properties” for the Lila Canyon Mine site.

The Permittee has since submitted additional permitting information. The new information did not include plans to expand the facilities or permit areas. The Division requested concurrence from SHPO (letter dated February 28, 2005) with our determination of “no historic properties affected” for the Lila Canyon Mine project. This letter described the location of the project area and provided a list of surveys (not inclusive of all surveys of the area) that described historic resources within and adjacent to the permit area that were classified as eligible for listing in the NRHP.

It was the understanding of the Division that SHPO would consider 1) previous consultations over the same project, 2) surveys of the area, and 3) project location. The response letter (March 22, 2005) provided concurrence with the Division of “no historic properties affected” for 42EM2255 and 42EM2256; however, did not specifically mention concurrence for the project. The Division has assumed that the concurrence originally offered in April 2001, the concurrence received in March 2005, and confirmation of BLM’s responsibility* to mitigate 42EM2517, has met this agency’s responsibilities.

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The Division requests the confirmation of concurrence from SHPO with our determination for the Lila Canyon Mine *project*. As mentioned in the March 2005 letter, the two surveys listed did not include all surveys of the area. There are two other surveys (BLM 1980; Rauch 1981), however, these surveys do not present additional results of listed or eligible historic resources within the proposed permit project area.

The Division would appreciate your response so we may proceed with the review process. Upon request, the Division will provide a cultural resources map, (prepared by the Permittee) illustrating the permit area and cultural resources. If you have any questions about this project, please call me at (801) 538-5286 or Jerriann Ernstsen at (801) 538-5214.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

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*Keith Montgomery (1999; U-98-MQ-0739b) prepared the required data recovery plan for 42EM2517. BLM submitted the plan to SHPO. The data recovery project will begin following approval of the mine plan (Blain Miller, BLM, 5/04). The Division considers that the permit should receive clearance without additional stipulations.