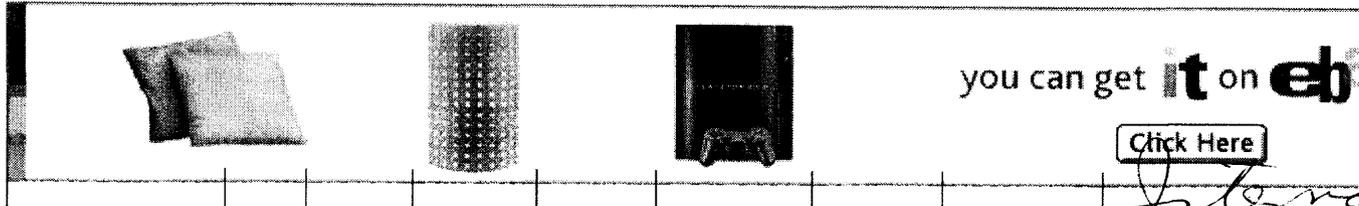


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Dispute may delay mine extension

Firm says cultural study not needed for permit

By **Steve Fidel**

Deseret Morning News

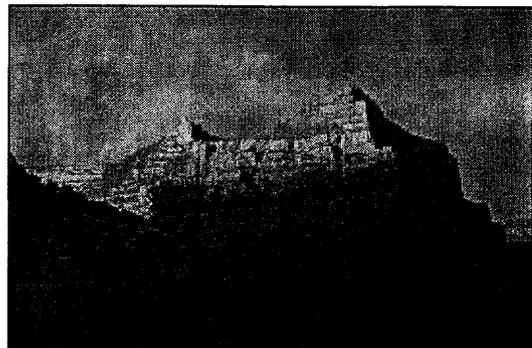
A company pursuing a permit for an underground coal mine in the Book Cliffs has lost patience with the process and is taking its complaints to the Utah Board of Oil, Gas and Mining.

The mine is near the Wilcox Ranch, a 4,200-acre spread that rancher Waldo Wilcox sold to the state in 2001 for \$2.5 million after it was revealed to the world that his property contains hundreds of ancient Indian sites prized by archaeologists.

"For eight years, (UtahAmerica Energy, Inc.) has been pursuing the issuance of a mining permit," company president and chief executive Bruce Hill said in a press release Wednesday. "Every time an issue is resolved, (the Division of Oil, Gas and Mining) raises a new one, all in an apparent attempt to unlawfully deny UEI its permit, the latest being a cultural study, which the federal government says is not required." That study was initiated last year and is now undergoing final review.

Hill could not be reached Thursday to detail what laws he believes the state is breaking.

The proposed Lily Canyon Mine is an extension of the Horse Canyon Mine that the company says would yield 7 million tons of



Ray Boren, Deseret Morning News

The last light of day spotlights a peak above Wilcox Ranch in the Book Cliffs' Range Creek area. A company is hoping to open a coal mine near the ranch.

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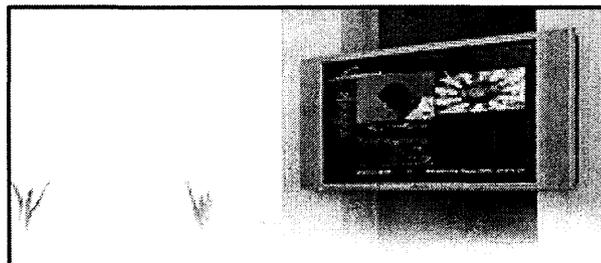
coal annually. The proposed long-wall coal mine is going through a new permit process because the company would create new access points to the underground operation, said Mary Ann Wright, the state's associate director for mining.

Wright said the permitting process has taken a number of twists and turns, with the permit initially derailed by a complaint by the Southern Utah Wilderness Alliance in 2001. She sees the mining permit as close to being issued and believes the company's protest will actually delay the permit approval.

Meanwhile, the Southern Utah Wilderness Alliance believes even more study is needed to determine whether operations will have an adverse effect on surface water systems important to wildlife. The environmental group also believes a comprehensive survey is needed to assess the impact the mine would have on the land above it.

While UtahAmerica Energy says the cultural study above its proposed mining operation is not required, Wright said federal regulations that came into play during the protracted mine-permitting process mandated a cultural study to determine the impact that the mine's surface

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operations would have, such as the disruption of antiquities such as those abundant on the nearby Wilcox Ranch.

The cultural study, conducted in 2006, noted a few cowboy camps and areas where ancient inhabitants chipped stones to make arrowheads, but it did not show the kinds of antiquities found on the Wilcox Ranch, Wright said. "There is nothing to show the mine won't happen. UEI knows that," she said.

The state is having the cultural findings reviewed by 17 Native American tribes that have historical ties to the area. The state will likely have the tribes' responses before an April hearing that the company has requested with the oil, gas and mining board, Wright said.

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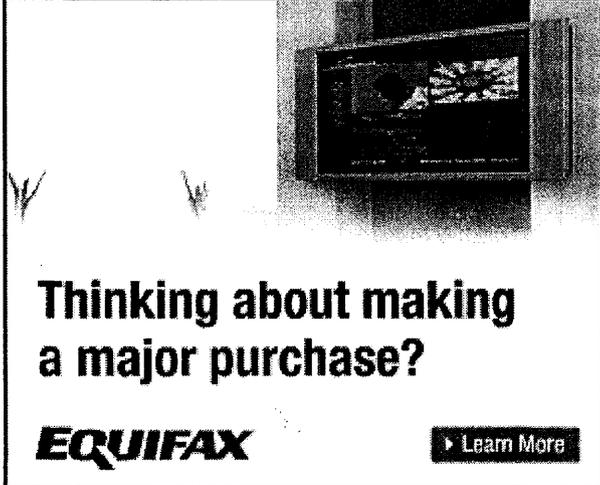
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