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## THE SALT LAKE TRIBUNE

### **It Appears the End Is Near For Andalex Mine Proposal; End May Be Near for Proposed Mine**

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Trade talks have started. Environmental paperwork has stopped. Call this the proverbial dotting of the i's and crossing of the t's needed to wrap up the all-but-given demise of **Andalex** Resources' proposed coal mine in the Kaiparowits Plateau.

Theoretically, President Clinton did not kill the mine with his creation of the Grand Staircase-Escalante National Monument in September. At that time, Secretary of Interior Bruce Babbitt said the Bureau of Land Management would continue to prepare an environmental impact statement (EIS) evaluating the mine's potential impacts on southern Utah's public lands.

But work on the EIS was cut off this month.

**Andalex** figures the suspension is permanent. The BLM is leaving some leeway to resume the job later -- if **Andalex** is unable to arrange some sort of exchange with the federal government that would give the company ``alternatives to the development" of its 36,000 acres of coal leases now within the monument.

The company and the government agreed to disagree ``over whether the stoppage is permanent or temporary" in a Dec. 6 memo signed by BLM Deputy Director Mat Millenbach and **Andalex** President Douglas Smith.

The memo notes that George W. Miller, a Washington, D.C., attorney representing the coal company, informed the BLM in late November that **Andalex** ``regards the EIS process as futile."

Miller could not be reached Thursday to explain why **Andalex** considers the continuation of environmental studies as futile. Telephone calls to Dave Shaver, **Andalex**'s Price-based project manager, were not returned.

But ever since President Clinton created the 1.7 million-acre national monument on Sept. 18, everyone from Utah Gov. Mike Leavitt to environmental attorneys have taken it for granted that **Andalex**'s mine was dead. After all, the president had said in his monument-

designation speech that ``we shouldn't have mines that threaten our national treasures."

Still, BLM's official position is that it is obliged under the National Environmental Policy Act to complete the EIS -- unless the matter is made moot by **Andalex** trading away the contentious coal leases.

While the memo gives both sides legal flexibility in case their efforts to work something out ends up in court, the practical implications of the EIS's suspension were viewed favorably by the mine's most outspoken opponent, Ken Rait of the Southern Utah Wilderness Alliance (SUWA).

``The mine's dead. **Andalex** doesn't have a permit from the Utah Division of Oil, Gas and Mining. The EIS is far from being done. And now they don't even think it needs to be completed," he said.

``Clearly, **Andalex**'s scheme is incompatible with the purpose for which this magnificent region was designated a national monument. **Andalex** [should] work constructively with the federal government to seek coal resources elsewhere in the West, in areas without the damage that would have occurred on the Kaiparowits."

Pete Wilkins, a Cedar City-based BLM officer coordinating the development of a management plan for the new national monument, was not so absolute. He does not think the mine is completely dead until **Andalex** ``has gotten anything in return for their investment in the leases and the EIS."

But he acknowledged that the memo implies the mine will figure less prominently in his work. ``In terms of planning for the national monument, as long as there's not coal in the mix, it simplifies it . . . There's already going to be a complicated mix of resource uses and protections out there."

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