

**COMMISSIONERS**

Michael P. Bleak
Paul Cozzens
Ken Robinson

ASSESSOR / Karsten Reed**ATTORNEY /** Chad E. Dotson**AUDITOR /** Lucas Little**CLERK /** Jonathan T. Whittaker**RECORDER /** Carri R. Jeffries**SHERIFF /** Kenneth K. Carpenter**TREASURER /** Nicole B. Rosenberg

P.O. Box 429
68 South 100 East
Parowan, Utah 84761
P 435.477.8300
F 435.477.8847

February 13, 2025

Dear Neighbor,

You have been included in this correspondence as an interested participant in the review and county permitting process for the "Surface Mining" application for the Modena Canyon Mine, because of your attendance at the planning commission meeting on February 6th, having sent in a letter of concern, or having called the office regarding the matter.

At the Iron County planning commission meeting last Thursday, the decision was made to table this matter until next month's regularly scheduled meeting on March 6th, 2025. The purpose for tabling the decision was to seek greater understanding of the proposed mining operation and to better identify and evaluate the potential impacts associated with the application – many of which were shared by you, the public.

We are asking for your continued input by identifying likely impacts and suggested ways they can be mitigated. Through our evaluation and your input, we have identified the following potential impacts/concerns:

1. Added traffic to Modena Canyon Road – safety to resident and visitor traffic (included OHV trail use)
2. Existing condition of the Modena Canyon Road
3. Ambient dust from the mining operation and road traffic
4. Unknown environmental concerns associated with pozzolan (health risks to humans, plants, and animals, including airborne dust particles – air quality controls and monitoring)
5. Safety to people, livestock and wildlife in the immediate area (recreational use, open range grazing and open pit mining)
6. Mining operations – practices and strategies (methods of extraction and hauling, blasting or drilling, etc.)
7. Water resources and limitations of availability – hauling and applying to roads and mine operations
8. Groundwater protection and storm water drainage in the area
9. Protection of "ghost rock" – the unique geological formations along Modena Canyon Road
10. Light pollution – maintaining the pristine night sky values
11. Archeological considerations - identification and preservation of Native American artifacts
12. Other

If you believe there is something not previously identified (in other words not on the above list), please let us know by Thursday, February 20th, so we can forward additional considerations to the planning commission and the applicant at that time. The applicant will then have until February 27th to submit responses and suggested mitigation measures to county staff and the planning commission for consideration, in order for a decision to be made at the March 6th planning commission meeting.

There will not be another public hearing at the March 6th meeting, so any additional input must be submitted in writing by February 20th. At the March 6th meeting, the planning commission will discuss and deliberate the impacts and appropriate mitigation measures. They may ask questions and seek clarification of the applicant or public, but there will be no open public comments or public debate (no discussion back and forth with the public).

We recognize that the public may perceive the planning commission as “having already made up our minds” and “not listening to the people.” To best serve the entire county, the commission uses the ordinances already in place and then processes any request based on the required regulations. This application is for a “surface mine”, which is an allowed use in the A-20 zoning district, in conjunction with a conditional use permit (CUP). We are not considering a zone change or changing the uses allowed in this zoning district.

An important item to note is that this type of land use decision (a CUP) is an administrative decision, and is not subject to what is sometimes called “public clamor”, or the weighing of how many people may be in favor or oppose the project application. The decision to allow “surface mining” in the A-20 zone has already been made by the county many years ago and is in the county land use regulations. With this use, the county’s regulations require a CUP, which is designed to identify potential impacts, evaluate them, and consider appropriate mitigation measures to minimize their detrimental effects. The only way a CUP can be denied is when the identified impacts are so severe that they cannot be mitigated or the application doesn’t meet the standards of the county ordinances. We also recognize that there will be impacts with every land use and it is impossible to eliminate them all. The CUP process is designed to insure that any such project operates in a safe and responsible manner – responsible to the environment, the neighbors, the resources, the applicant and the larger public. We would all agree that it is a delicate balancing act.

Since this proposal is on BLM managed lands, it is worth noting that the BLM is charged with overall management of the land and its many resources. The lands are required to be managed for “multiple use”, which includes the opportunity to develop multiple and various mineral deposits/resources, when they can be done safely and effectively. Mining has been approved by BLM for many years – indicated by the numerous mining claims and remnant mining sites in the area. “Multiple Use” often means multiple interests, which are often directly opposing interests.

The County is only one of several permitting agencies, all of which will evaluate the potential impacts according to their jurisdictional mandates. The BLM will still conduct their NEPA review and make a determination for their permitting process and the viability of the project. The Utah Division of Oil, Gas and Mining; the Air and Water Quality Departments of The Department of Environmental Quality; MSHA; and OSHA all have regulatory authority for surface mining. The County CUP will require compliance with all of these regulating agencies.

Thank you for your participation in this important consideration.

Sincerely,

A handwritten signature in blue ink that reads "Reed Erickson". The signature is written in a cursive, flowing style.

Reed Erickson
Iron County Planner