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## Coal Lake project appealed by DRC-

By LAUREN DONOVAN Bismarck Tribune | Posted: Monday, April 25, 2011 4:37 pm

The Dakota Resource Council is asking a judge to decide if the Falkirk Mine Co. can return 86 acres of the mine to recreational use rather than agriculture.

The Public Service Commission approved the designation last year for an area of land around Coal Lake near Underwood.

The DRC's appeal hopes to stop the post-mining land use change, saying the sale of the land to North Dakota for a recreational site does not fit the reclamation law, which says land used for agriculture before mining has to be returned to agriculture after mining unless it's for a better and higher use.

Instead, DRC says, the mining company is avoiding the stringent requirements needed to return land to agriculture after mining.

Its appeal is limited to the 86 acres of mined cropland in the Coal Lake project area.