

# United States Department of the Interior



OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT  
Western Region  
P.O. Box 25065  
Lakewood, CO 80225-0065



March 23, 2021

James Stark  
Coal Program Supervisor  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman Street, Room 215  
Denver, CO 80203

**Re: Partial Phase I, II, and III Bond Release Application SL-4, Oxbow Mining, LLC, Elk Creek Mine, C-1981-022**

Dear Mr. Stark,

This letter acknowledges the Office of Surface Mining Reclamation and Enforcement (OSMRE), Denver Field Branch's (DFB) receipt and review of the Colorado Division of Reclamation, Mining and Safety's (DRMS) March 5, 2021 Proposed Decision and Findings of Compliance pertaining to Oxbow Mining, LLC's (Oxbow) SL-4 partial Phase I, II, and III bond release application. OSMRE agrees with the proposed decision and hereby provides concurrence in accordance with 30 CFR 740.15 (d)(3) and 30 CFR 906.30, Article IX, Section 24 of the State-Federal Cooperative Agreement.

The surface and mineral ownership associated with this bond release is federal and private. On February 22, 2021, DRMS invited the Bureau of Land Management (BLM) and OSMRE to attend the bond release inspection on February 25, 2021. Neither the BLM nor OSMRE attended the SL-4 bond release inspection. By letter signed March 18, 2021, BLM provided its concurrence with DRMS's proposed decision. OSMRE interprets this to mean Oxbow is in compliance with all stipulations associated with its federal surface use agreements and coal lease stipulations.

DRMS's proposed decision notes Oxbow's compliance with the approved Colorado regulatory program at Rules 3.03.1(2)(a) through (c) and recommends authorizing partial Phase III bond release on 10.7 acres and partial Phase I, II, and III bond release on 5.7 acres at the Elk Creek Mine. DRMS currently holds a performance bond in the amount of \$4,500,000.00 which covers the entire permit area, including the acreage proposed for release. Under SL-4, DRMS proposes to release a total of \$132,051.25 from Phase I, II, and III bond liability. DFB concurs with DRMS's proposed decision and recommends Phase I, II, and III bond release for the requested areas at the Elk Creek Mine.

Thank you and your staff for coordinating this bond release action through the DFB. Please direct any questions to Dan MacKinnon, Natural Resources Specialist, at [dmackinnon@osmre.gov](mailto:dmackinnon@osmre.gov) or (970) 310-5993.

Sincerely,

**HOWARD  
STRAND**

Howard E. Strand, Manager  
Denver Field Branch

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HOWARD STRAND  
Date: 2021.03.23  
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Cc: Oxbow Mining, LLC