



STATE OF  
COLORADO

Simmons - DNR, Leigh <leigh.simmons@state.co.us>

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## C1981022, Elk Creek Mine, May Inspection Report/SL-5

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**Mackinnon, Daniel K** <dmackinnon@osmre.gov>  
To: "Simmons - DNR, Leigh" <leigh.simmons@state.co.us>

Mon, May 17, 2021 at 8:50 PM

Leigh please see my attached report and let me know if you have any questions or concerns,

Dan M.

Dan MacKinnon  
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OSMRE - Denver  
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**From:** Simmons - DNR, Leigh <leigh.simmons@state.co.us>  
**Sent:** Wednesday, May 12, 2021 12:14 PM  
**To:** Doug Smith <Doug.Smith@oxbow.com>; Mackinnon, Daniel K <dmackinnon@osmre.gov>; Dyer, Desty D <ddyer@blm.gov>; Gray, Daniel E -FS <degray@fs.fed.us>  
**Cc:** DNR DRMS\_CoalAdmin - DNR <dnr\_drms\_coal\_admin@state.co.us>  
**Subject:** [EXTERNAL] C1981022, Elk Creek Mine, May Inspection Report/SL-5

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**Final Elk Creek SL-5 Bond Release Inspection Report.pdf**  
3710K

SL-5 Bond Release Inspection

COMPANY: Oxbow Mining, LLC

MINE: Elk Creek

PERMIT NO: C-022-81

DATE OF INSPECTION: May 4-6, 2021

WEATHER: Sunny and muddy May 4; sunny and less muddy May 5; OSMRE did not attend May 6

ATTENDEES:

Company Official: Doug Smith

Division of Oil, Gas and Mining Official (DOGM): Leigh Simmons

U.S. Forest Service Official: Daniel Gray (May 5 only)

OSMRE Official: Dan MacKinnon #554 (May 4 and 5 only)

### Overview

OSMRE attended a bond release inspection concentrating on gob vent boreholes and adjacent lands. Minor maintenance items (e.g. weed treating, seed sowing) were identified that the operator agreed to complete. Overall these lands were well-reclaimed and functioning as designed with good evidence (e.g. bear and ungulate scat and browse) of wildlife use. One site (U.S. Forest Service parcel Upper Hubbard Creek) requires permit updates and the removal of a well before being considered for bond release.

OSMRE did not attend the entire bond release inspection, some sites on private property were inspected without our presence.

No enforcement actions were issued as a result of this inspection.

### Field Inspection

We began the inspection at the mine offices, where we reviewed the goals while looking at maps, then headed out to the field.

We inspected the following sites: East Yard Refuse Pile (Figure 1), A Gulch (Figure 2), and Gob Vent Boreholes (and their associated roads and some adjacent disturbed lands) LW3-01, LW3-02, LW4-01, LW4-02, LW4-03, LW6-02, LW6-03, LW7-02, LW7-03, LW8-01, LW8-02, LW9-01B, LW9-02, LW9-03, LW9-04, LW10-01, LW10-02, LW10-03B, LW10-03C, LW10-04, LW11-01A, LW11-01B, LW11-02, LW12-01. Unless otherwise noted below, these sites were stable, well vegetated with appropriate species, had evidence of wildlife use, and functioning as designed without the need for any maintenance.

The following maintenance items were discussed during the inspection (DRMS has the locations):

- Treating the population(s) of white top in A Gulch;
- Treating the houndstongue at LW3-01 and LW4-03;
- Sowing an appropriate seed mix on the bare spots at LW9-02; and
- Treating the patches of houndstongue and musk thistle along the road to LW10-04 (Figure 3).

The U.S. Forest Service's Upper Hubbard Creek was part of this inspection; however, it requires two permit updates (modifications to the post mining land use and water monitoring plan) and the decommissioning of a well. Removing this site from the bond release was discussed.



Figure 1 - Example vegetation (foreground) at the East Yard Refuse Pile. Overall this site was well vegetated, stable, and no issues were noted at the time of inspection.





Figure 2 - The top of A Gulch reclamation. We walked its entire length and found it to be well vegetated and stable. A population of whitetop (a noxious weed) requires treatment.





Figure 3 - A robust musk thistle population requires treatment along the road to LW10-04 (DRMS has the location). This is last year's growth; note the large amount of seed heads.