



STATE OF
COLORADO

Reilley - DNR, Robin <robin.reilley@state.co.us>

Inspection Yoast Bond Release SL9

1 message

Reilley - DNR, Robin <robin.reilley@state.co.us>

Mon, Jun 30, 2025 at 11:36 AM

To: "Kawcak, Miranda" <MKawcak@peabodyenergy.com>, Daniel Mackinnon <dmackinnon@osmre.gov>, "Cummings, Thomas F" <tcummings@blm.gov>, "Ebert - DNR, Jared" <jared.ebert@state.co.us>, Robin Reilley - DNR <robin.reilley@state.co.us>

Dear colleagues,

as attached for your files DRMS's bond release inspection report for the above mentioned site. Thank you all for your participation, keen observations and assistance.

I'm available to answer any questions that you may have.

Robin Reilley, M.S. GISP
Environmental Protection Specialist II

image.png

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BondRelease_SL9_2025_06JUNE.pdf

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COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

5 June 2025

PERMIT INFORMATION

Permit Number: C-1994-082 Mine Name: Yoast Mine Operator: Seneca Property LLC Operator Address: Ms Miranda Kawcak 29515 Routt County Road No. 27 Oak Creek, CO 80467	County: Routt Operation Type: Surface Permit Status: Permanent Cessation Ownership: Private Operator Representative Present: Miranda Kawcak
Operator Representative Signature: (Field Issuance Only) This report was issued electronically from the Divisions' Denver Office.	

INSPECTION INFORMATION

Inspection Start Date: 5 June 2025 Inspection Start Time: 08:00 AM Inspection End Date: 5 June 2025 Inspection End Time: 4:30 PM		Inspection Type: Coal Partial Inspection Inspection Reason: Surety Release Req Weather: Clear	
Joint Inspection Agency: Jared Ebert, DRMS Dan Mackinnon, OSM Tom Cummings, BLM		Joint Inspection Contacts:	
Post Inspection Agency: N		Post Inspection Contacts:	
Inspector(s): Robin Reilley, M.S. GISP Jared Ebert Dan Mackinnon Tom	Inspector's Signature: 		Signature Date: 30 June 2025

Inspection Topic Summary

NOTE: Y=Inspected N=Not Inspected R=Comments Noted V=Violation Issued NA=Not Applicable

Y - Air Resource Protection

N - Availability of Records

NA - Backfill & Grading

NA - Excess Spoil and Dev. Waste

NA - Explosives

R - Fish & Wildlife

R - Hydrologic Balance

R - Gen. Compliance With Mine Plan

NA - Other

NA - Processing Waste

R -Roads

R - Reclamation Success

R - Revegetation

Y - Subsidence

R - Slides and Other Damage

NA - Support Facilities On-site

Y - Signs and Markers

NA - Support Facilities Not On-site

NA - Special Categories Of Mining

R – Topsoil

Number of Partial Inspection this Fiscal Year: 8

Number of Complete Inspections this Fiscal Year: 4

COMMENTS

This was a partial inspection of the Yoast Mine, C1994082, operated by Seneca Property LLC. The inspection comprised a partial phase I, II and III bond release (SL9) inspection for termination of jurisdiction. The weather was clear to partly cloudy with temperatures ranging from 60 to 75 degrees F. The ground was dry. Present at the inspection where:

- Miranda Kawcak of Seneca Coal Co
- Dan Mackinnon with the Office of Surface Mining (OSM)
- Tom Cummings BLM
- Jared Ebert DRMS
- and myself; Robin Reilley with the Colorado Division of Reclamation, Mining, and Safety (DRMS).

The inspection was conducted, the images and report prepared by me, Robin Reilley of the DRMS. The site was dry with verdant, established vegetation, that appeared lush and dense.

SL9 proposes a release of 162.7 acres of livestock grazing and wildlife habitat for termination of jurisdiction comprising 19.8 acres of Phase I, II and III release, 3.2 acres of Phase II and III release, and 139.7 of Phase III release of private, federal and state lands. Permanent features requested in the application include, haul and access road, a water well, power lines and substation, fenced shrub plots, sediment ponds, stock ponds roads, and miscellaneous fences. All stock tanks have received permanent status approval from the State Engineer. The five NPDES outfalls as indicated in Table I below will also be permanent. Their release is contingent upon State Engineer's determination and on achieving phase II release in the associated parcels.

INSPECTION:

GENERAL MINE PLAN COMPLIANCE:

Main haul roads were dry and in good repair. No offsite air quality issues or hydrologic impacts were observed at the time of inspection. Reclamation and vegetation appeared in good condition well established at the time of inspection with good cover and species diversity. No expanses of bare ground or significant weed infestations were noted over the course of the inspection. Ponds, flumes and drainage ways were functioning adequately. During the review of the vegetation data prior to the inspection, the vegetation sampling methodology was found to be in compliance with Rule 4.15.11(1) and the permit application.

No adequacy items were identified for resolution by any agency involved in the inspection, with the exception of some minor patches of weeds. There is an established weed mitigation program at the site and weed mitigation had been scheduled within a couple of weeks.

The following five NPDES outfalls and two stock tanks will also remain as permanent structures.

Table I: Permanent Pond Designation List

<i>Pond Names</i>	<i>Approved by DRMS/ State Engineer</i>
Pond 10	Yes
Pond 11	Awaiting approval
Pond 12	Awaiting approval
Pond 13	Yes
Pond 14	Yes
Stock Pond 1	Yes
Stock Pond 11A	Yes

Table I: Ponds approved and waiting approval for final bond release.

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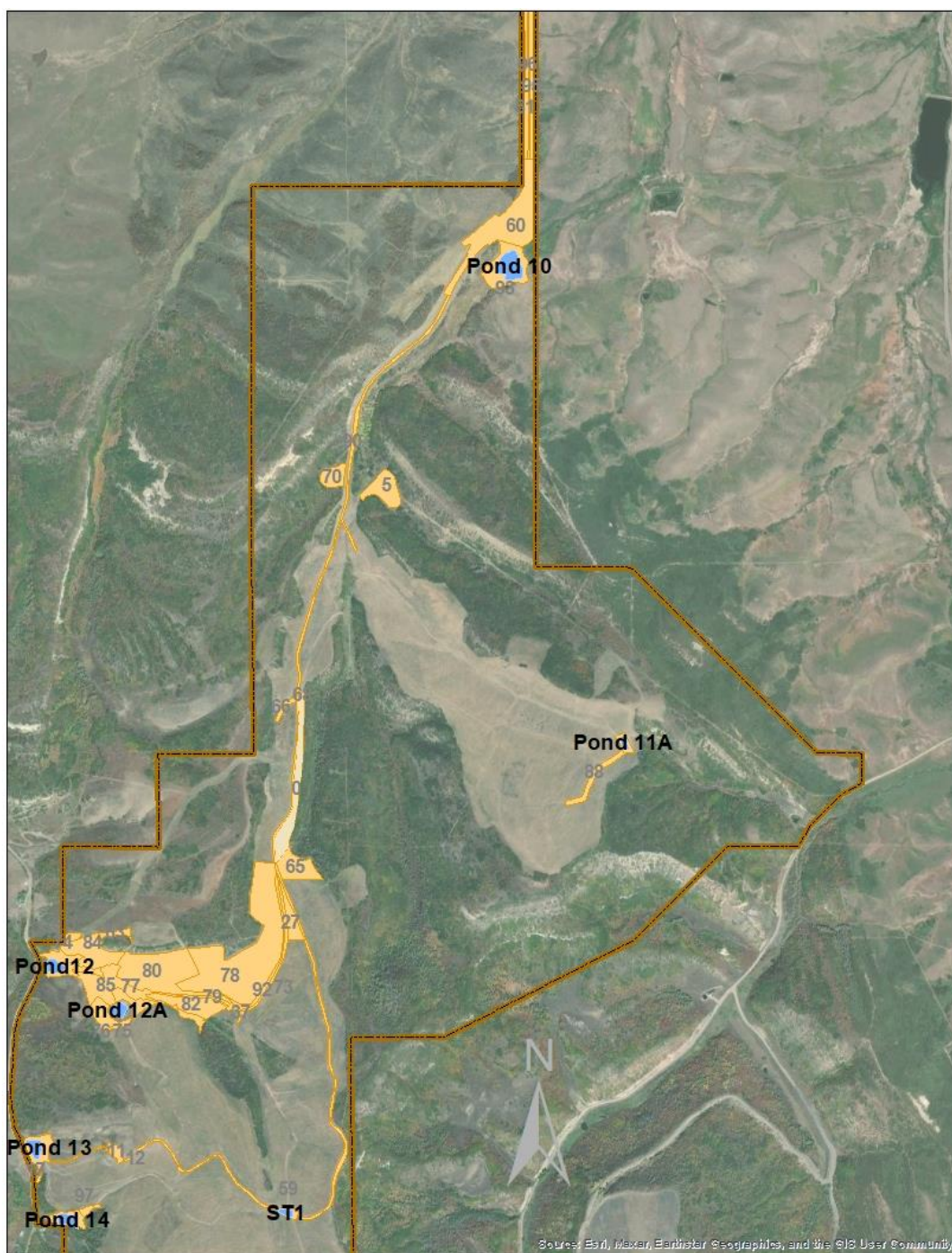
Number of Complete Inspections this Fiscal Year: 4

Pond release is contingent upon achieving phase II release in the associated parcels. As noted above certain ponds and stock ponds received permanent designation from the Division of Water Resources in August 2008. The requested release areas report surface runoff to the following sediment ponds:

Pond 10

Pond12A
Pond 13

Pond 12
Pond 14



Map 1: Phase III parcels shown in orange.

Parcels requested for released are located as shown on the map above. Both private and Federal surface areas are included in the proposed release.

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ROADS Rule 4.03 Construction 4.03.1(3), 4.03.2(3); Drainage 4.03.1(4), 4.03.2(4); Surfacing and Maintenance 4.03.1(5) and (6) 4.03.2(5) and (6).

- o Roads throughout the site were found to be in good repair and functioning adequately.
- o No standing water was noted on any roads or associated ditches at the time of inspection.
- o Ditches appeared to be functioning adequately at the time of inspection.

HYDROLOGIC BALANCE

Rule 4.05: Drainage Control 4.05.1, 4.05.2, 4.05.3; Siltation Structures 4.05.5, 4.05.6; Discharge Structures 4.05.7, 4.05.10; Diversions 4.05.4; Effluent Limits 4.05.2; Ground Water Monitoring 4.05.13; Surface Water Monitoring 4.05.13; Drainage-Acid and Toxic Materials 4.05.8; Impoundments 4.05.6, 4.05.9; Stream Buffer Zones 4.05.18.

Unless otherwise noted pond banks, dams, spillways and reconstructed drainage ways appeared stable, functioning adequately and exhibited well established vegetated at the time inspection with the exception of Ponds 10 and 14 where decant structures were replaced in autumn of 2024 and dams have recently been seeded.

Vegetation in these areas appeared to be emerging.

- o Pond 10 was discharging clear water at the time of inspection. The outslope of the dam was stable with no seeps or evidence of leakage observed at the time of inspection. Vegetation was beginning to establish on banks and emerging on the dam slope as the decant structure was replaced in autumn of 2025 and seeded at that time. A number of *Fulica Americana* (American coot), were present on the pond.
- o Pond 11 in parcel 6 held water and was stable at the time of inspection. An algal growth was evident on the surface of the pond.
- o Pond 12 in parcel 74 was discharging at the time of inspection.
- o Pond 13 in parcel 17 was not discharging. Banks and drainage way appeared stable at the time of inspection
- o Pond 14 in parcel 62 was not discharging at the time of inspection and banks were stable and well vegetated at the time of inspection.
- o Drainage YPM13, (parcel 88) above pond 11A was inspected and found to be in good repair, functioning adequately with well vegetated banks. Exposed landscape fabric was noted in a couple of areas.

TOPSOIL - Rule 4.06

Removal 4.06.2; Substitute Materials 4.06.4(4); Storage and Protection 4.06.3; Redistribution 4.06.4



Photo 1: Topsoil pile in parcel 5 exhibiting naturalized shrubs and seeded grasses.

The inspection began at the north entrance to the site where along the haul road, topsoil piles in parcels 60, 70 and 5, and were observed. These piles are associated with roads and are permanent features. Slopes appeared stable and well vegetated with desirable vegetation such as rye and orchard grasses and in some instances, trees and naturalizing sage. The parcels were seeded in 2007 and 2010.

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Photo 2: Topsoil pile #70, dense grasses, perennials and trees.



Photo 3: Topsoil pile #70, dense grasses, alder and snowberry are present.

SLIDES and OTHER DAMAGE- Rule 4.12

- The site, in the past, has experienced soil movement in the form of slumps and slides. At the time of inspection no evidence of recent new movement was observed, and historic slide areas appeared stable.
- Due to slope and aspect, slide and slumped areas tend to be sparsely vegetated.
- The slump above Pond 12 appeared stable at the time of inspection.

REVEGETATION - Rule 4.15 General Requirements 4.15.1

Next, the bulk of the parcels were walked down to pond 12. Parcels number in the 60's, 70's and 80's and included the former highwall area to the north of pond 12. Vegetation on these parcels exhibited diverse, healthy, and well established vegetation comprising *Elymus cinereus* (Great basin wild rye), *Agropyron smithii* (western wheatgrass), *Artemisia alnifolia* (silver sage), *Ericameria nauseosa* (Rubber rabbitbrush), *Acer negundo* (boxelder), *Achillea millefolium* (western yarrow), *Agastache*, *Medicago saliva* (alfalfa), *Linum lewisii* (lewis flax). Numerous other desirable species were noted throughout the inspection comprising a mix of forbs, native perennials grasses and shrubs. Small weedy patches comprised of *Bromus tectorum* (cheat grass) or white top were noted. Weed treatment was scheduled for the site. All parcels exhibited healthy and diverse vegetation supportive of the permitted land use.

- No extensive areas devoid of vegetation or expansive areas of weeds were noted at the time of inspection.
- Reclamation appeared stable with well established and diverse vegetation, with dense cover supportive of the post mining land use.

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Photo 4: Overview of reclamation looking northeast from Pond 12 toward parcels 78, 80, and 84.

RECLAMATION SUCCESS

Vegetation was well established comprising diverse species of grasses, forbs, perennials and shrubs indicative of the seed mix provided. Some weeds were noted as was evidence of past weed mitigation. Desirable rye, wheat and various bunch grasses comprised the primary cover material throughout the site. There was no evidence of erosion, overland flow or expansive areas of weeds.

From the main haulroad we moved east into a previously released phase III area to take note of drainage YPM13 above pond 11. Seeding took place in the associated parcel (88), in 2002. The drainage was stable with vegetation establishing itself among the cobbles and banks. Rejoining the main haul road we proceeded south to the parcels above pond 12 walking down slope to the pond. Parcels comprise:

74 rea around pond 12 and 27,78, 37, 73, 74, 75 77, 78, 80, 82, 85, 92.

From Pond 12 (discharging), we continued to Ponds 13 and 14 which were not discharging at the time of inspection. Vegetation continued to be mature and well established exhibiting a desirable species diversity. Ponds, spillways and decant structures were functioning as required. Pond 11 was the last pond visited at the end of the day.

POST MINING LAND USE - Rule 4.16

Post mining land use of livestock grazing and wildlife habitat is adequately achieved with the mix of shrubs, forbs, native perennials and grasses observed. Also observed throughout the bond release block was evidence of browsing activity from both livestock and wildlife.

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PROTECTION of FISH, WILDLIFE - Rule 4.17

Numerous waterfowl, a prairie chicken, as well as raptors and other birds were observed in addition to several elk.

ENFORCEMENT ACTIONS/COMPLIANCE

No enforcement actions were initiated as a result of this inspection, nor are any pending.

PHOTOGRAPHS



Photo 5: Pond looking east from above.



Photo 6: Pond 10 discharging clear water.

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Photo 7: Pond 11A and YPM13 drainage (midway up).



Photo 8: Top of YPM13 drainage. Photos 7 and 8 by Jared Ebert.



Photo 9: Pond 11A and lower YPM13 drainage

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Photo 10: Pond 12 looking east to release requested parcels.



Photo 11: Pond 13.

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Photo 12: Pond 14 from above, exhibiting some algal growth on the surface.



Photo 13: Pond 11, exhibiting an algal mat on the surface.

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Photo 14: West facing slopes or arrowhead balsam root.



Photo 15: Mine identification sign along the County Road entrance.

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