



United States Department of the Interior

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Washington, D.C. 20240

APR - 1 2013



Memorandum

To: Tommy P. Beaudreau
Acting Assistant Secretary, Land and Minerals Management

From: Joseph G. Pizarchik
Director

Subject: Recommendation for Approval of the Proposed Mining Plan Modification for Federal Lease COC-70615 at Oxbow Mining, LLC's Elk Creek and Sanborn Creek Mine Located in Delta and Gunnison Counties, Colorado

I recommend approval, without special conditions, of the mining plan modification for Federal Lease COC-70615 at Oxbow Mining, LLC's Elk Creek and Sanborn Creek Mine under the Mineral Leasing Act of 1920, as amended. This mining plan approval supplements all previous mining plan approvals for the Elk Creek and Sanborn Creek Mine.

My recommendation to approve the mining plan modification for the Elk Creek and Sanborn Creek Mine is based on:

- (1) Oxbow Mining, LLC's complete permit application package (PAP);
- (2) Compliance with the National Environmental Policy Act of 1969;
- (3) Documentation assuring compliance with applicable requirements of other Federal laws, regulations, and executive orders;
- (4) Comments and recommendations or concurrence of other Federal agencies, and the public;
- (5) The findings and recommendations of the Bureau of Land Management regarding the Resource Recovery and Protection Plan, the Federal lease requirements, and the Mineral Leasing Act; and,
- (6) The findings and recommendations of the Colorado Division of Reclamation, Mining and Safety regarding the permit application and the Colorado State program.

The Secretary may approve a mining plan for Federal leases under 30 U.S.C. 207(c) and 1273(c). In accordance with 30 CFR Chapter VII, Subchapter D, I find that the proposed mining plan modification is in compliance with all applicable laws and regulations. The decision document for the proposed mining plan action is attached.

Attachment

