



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Royal Gorge Field Office  
3028 East Main Street  
Cañon City, Colorado 81212



In Reply Refer To:  
3809 (LLCOF02000, SSC)  
COC-078456

MAY 29 2019

CERTIFIED MAIL – 7017 1000 0001 0750 7224  
RETURN RECEIPT REQUESTED

### DECISION

Blue Bee Diggings	:	
Attn: David Harvey	:	
P.O. Box 430	:	Surface Management
Hartsel, CO 80449	:	

### PLAN OF OPERATIONS APPROVED

#### DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT

Dear Mr. Harvey,

Your Plan of Operations to conduct mining activities at the Blue Bee Diggings lode claim (CMC 252689) located in Park County, CO. T. 12 S., R. 75 W., section 18 was received by this office on August 09, 2018. The Plan of Operations proposed using motorized equipment to extract barite crystals and subsequently, sell the mined minerals from these operations. BLM determined the Plan of Operations was complete and the reclamation cost estimate adequate on September 06, 2018.

Per 43 CFR 3809 regulations, the Plan of Operations was analyzed under NEPA and allowed for a public comment period. An Environmental Analysis (EA) was conducted to meet this requirement, which constitutes an in-depth review of the mining proposal. In accordance with 43 CFR 3809.411(c), the NEPA EA and Proposed Plan of Operations (Enclosure 1) was available for public comment from February 25, 2019 to March 27, 2019 on the BLM e-planning website. At the conclusion of this analysis and public review period, a finding of no significant impact (FONSI) was reached and the Record of Decision (ROD) was signed on May 24, 2019 (Enclosure 1).

Subsequently, your Plan of Operations is approved with the understanding that the BLM project design features outlined in the NEPA EA ROD will be implemented. BLM has determined that undue and

unnecessary degradation will be prevented, based, in part, on the analysis in the NEPA EA document. Regulations outlined in 43 CFR 3809.420 provide further details on performance standards that apply to your operations.

Approval of a Plan of Operations by the BLM does not constitute a determination regarding the validity or ownership of any unpatented mining claim involved in the mining operation. The operator, David Harvey is responsible for obtaining any use rights or local, State, and/or Federal permits, variances, easements or reviews that may be required for the operation.

**Financial Guarantee** – In accordance with 43 CFR 3809.412, a financial guarantee must be posted prior to the operations associated with the Plan of Operations. Currently, a financial guarantee in the amount of \$1,816.00 is held by BLM for the existing Notice level of operations. BLM has determined the reclamation bond on file is still sufficient to meet all anticipated reclamation requirements for the Plan of Operations. BLM will transfer your financial guarantee of \$1,816.00 and all the required reclamation outlined in your Notice (COC-076576) to your Plan of Operations (COC-078456). Upon this transfer, your Notice will be closed and all operations and reclamation requirements will be conducted solely under the approved Plan of Operations.

A new bond form (Enclosure 2) must be submitted to the BLM Royal Gorge Field Office, 3028 East Main Street, Canon City, Colorado 81212, in order to reflect the new case number associated with the Plan of Operations.

**Appeal of the Decision** – If you are adversely affected by this decision, a request may be made to the Colorado BLM State Director to review the decision or the decision may be directly appealed to the Interior Board of Land Appeals (IBLA), refer to Enclosures 3 and 4.

If you have any questions, please contact Stephanie Carter at 719-269-8551.

Sincerely,



Keith E. Berger  
Field Manager  
Royal Gorge Field Office

**Enclosures:**

- 1 – Blue Bee Diggins EA, FONSI and ROD and approved Plan of Operations
- 2 – Blue Bee Diggins Plan of Operations Bond Form (COC-078456)
- 3 – 43 CFR 3809 Decision Appeal Process
- 4 – BLM Appeals Form, 1841-1