



STATE OF
COLORADO

Girardi - DNR, Chris <chris.girardi@state.co.us>

Viscount Passiflora Notice Mod Complete

1 message

Pike, James D <jpike@blm.gov>
To: Chris Girardi <chris.girardi@state.co.us>

Mon, Dec 30, 2024 at 3:21 PM

Hello Chris,

The BLM has determined the most recent Viscount Passiflora Notice Modification to be complete. Please reference the attached letter and bond calculation.

Please forward this to anyone at DRMS that you would like to see this. Thanks.

Daniel Pike
Geologist
Bureau of Land Management
[Royal Gorge Field Office](#)
jpike@blm.gov
719-269-8529

2 attachments



2024_12_30_Viscount_Notice_Complete.pdf
268K



Passiflora_Notice_Mod_2_Reclamation_Cost_Estimate.pdf
661K



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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

3809 LLCOF02000
COCO105863224

CERTIFIED MAIL –
RETURN RECEIPT REQUESTED

DECISION

Viscount Colorado Holdings	:	
Attn: Harald Hoegberg	:	
1805 Tunbridge Dr.	:	Surface Management
Richmond, VA 23238	:	

NOTICE COMPLETE AND DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT

A modification for the Viscount Passiflora Notice to conduct exploration activities north of Westcliffe, CO was received by this office on December 6, 2024. Additional information regarding the proposed Notice level operations was received on December 16, 2024. The Notice includes drilling one exploratory borehole from BLM managed lands.

The BLM has reviewed the Notice and determined it is complete, containing all the information required by the surface management regulations at 43 CFR 3809.301. The BLM has reviewed the proposed operation and determined it is adequate to prevent unnecessary or undue degradation as defined by 43 CFR 3809.5.

Amount of Financial Guarantee - This office has reviewed Viscount's reclamation cost estimate provided by Viscount for this project and determined that the amount of \$9,738 is not sufficient to meet all anticipated reclamation requirements. The reclamation cost for this project has been calculated to be \$13,293. This estimate is based on the operator complying with all applicable operating and reclamation requirements as outlined in the Notice and the regulations at 43 CFR 3809.420.

Required Financial Guarantee - The financial guarantee in the amount of \$13,293 must be submitted to and accepted by the Royal Gorge Field Office, 3028 E Main Street, Canon City, CO 81212. You must receive written notification from that office accepting and obligating your financial guarantee before you begin any surface-disturbing operations. The types of instruments that are acceptable to the BLM, including bonds held by state agencies, are found at 43 CFR 3809.555.

Please contact Daniel Pike at 719-269-8529 for forms and further information regarding acceptable financial guarantees. The BLM's review of your proposed operations, determination that your Notice is complete, finding that the activity will not cause unnecessary or undue degradation, and decision concerning the amount of the required financial guarantee does not relieve you, the operator, of the responsibility to comply with all applicable Federal, state, and local laws, regulations, and permit requirements. You are responsible for preventing any unnecessary or undue degradation and for reclaiming all lands disturbed by your operations.

The BLM's review of your proposed operations, determination that your Notice is complete, finding that the activity will not cause unnecessary or undue degradation, and decision concerning the amount of the required financial guarantee does not relieve you, the operator, of the responsibility to comply with all applicable Federal, state, and local laws, regulations, and permit requirements. You are responsible for preventing any unnecessary or undue degradation and for reclaiming all lands disturbed by your operations.

This review and determination does not constitute certification of ownership to any entity named in the Notice, recognition of the validity of any associated mining claims, or recognition of the economic feasibility of the proposed operations.

This decision does not constitute certification of ownership to any entity named in the Notice, recognition of the validity of any associated mining claims, or recognition of the economic feasibility of the proposed operations.

Term of Notice – Your Notice will remain in effect for 2 years from the date of this decision, unless you notify this office beforehand that operations have ceased and reclamation is complete. If you wish to conduct operations for another 2 years after the expiration date of your Notice, you must notify this office in writing on or before the expiration date as required by 43 CFR 3809.333. You will also have to submit an updated reclamation cost estimate at that time

Appeal of the Decision Determining the Required Financial Guarantee Amount

If you are adversely affected by this decision, you may request that the BLM Colorado State Director review this decision. If you request a State Director Review, the request must be received in the BLM Colorado State Office at the address listed in form 1842-1, no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Colorado State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with this office at the address listed in form 1842-1, which we will forward to IBLA. If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal

must be filed in this office at [insert address of field office issuing the decision] within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA. This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by Interior Board of Land Appeals (IBLA), the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this notice of appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay

If you have any questions, please contact Daniel Pike at 719-269-8529, or jpike@blm.gov.

Sincerely,

Doug Mayes
Field Manager
Royal Gorge Field Office

Enclosures

- 1 – Form 1842-1, Information on Taking Appeals to the Interior Board of Land Appeals
- 2- Viscount Passiflora Notice Mod #2 Reclamation Cost Estimate

ecc: Mark Abrams, Viscount Colorado Holdings Director
Chris Garardi, CDRMS

PRINT

SAVE

Report:
Passiflora
Drilling Notice
Mod

Required Bond Value

\$13,293

Bonds Estimate

Project Costs	Costs
Earth Moving	\$0
Site Work	\$0
Planting and Seeding	\$1,264
Closures	\$3,932
Demolition	\$0
Disposal	\$933
Monitoring	\$0
ISL Remediation	\$0

Project Costs**Costs**

Mobilization	\$3,348
Administration	\$3,816
Required Bond Value	\$13,293

Fleet Requirements**Project Machinery****Machine Size**

Bulldozer	215 horsepower
Flatbed Truck	15,000 pound gvw
Rear-Dump Hauler	10 ton
Wheel Loader	3 cubic yard
Lowboy Tractor/Trailer	100,000 pound gvw
Tow Truck	15,000 pound gvw
Tow Truck	45,000 pound gvw
Crawler Tractor	75 horsepower
Concrete Pump	5.20 cubic yard/hour

Crew Requirements

Project Crew	Requirements
Tractor Operators	14.91 hours
Service Truck Drivers	12.31 hours
Laborers	64.99 hours
Project Foremen	0.02 hours
Loader Operators	0.03 hours
Haul Truck Drivers	0.02 hours

Mobilization

Machine	Unit Cost	Trips	Total Cost
	(dollars/mile)	(each)	(dollars)
Bulldozer	\$8.97	2	\$807
Rear-Dump Hauler	\$6.12	2	\$551
Wheel Loader	\$7.37	2	\$663
Crawler Tractor	\$7.37	2	\$663
Concrete Pump	\$7.37	2	\$663
TOTAL			\$3,348

Project Cost Summary

Unit Processes	Costs
Seeding #1	\$215
Seeding #2	\$221
Seeding #3	\$205
Seeding #4	\$206
Seeding #5	\$200
Seeding #6	\$218
Water Truck Tow	\$193
Tracked Tow	\$740
Drill Hole Plugging	\$3,926
Sump Closure	\$6
Equipment Mobilization	\$3,348
TOTAL	\$9,477

Project Overhead Costs

Project Cost

Project Operation and Maintenance Costs	\$9,477
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Overhead Costs	Percentage		Costs
Project Contingency ⓘ	<u>7.00</u>	%	\$663
Contractor's Profit ⓘ	<u>10.00</u>	%	\$948
Liability Insurance ⓘ	<u>1.50</u>	%	\$31
Bond Premium ⓘ	<u>0.00</u>	%	\$0
Engineering and Design ⓘ	<u>6.00</u>	%	\$569
Agency Contract Administration ⓘ	<u>14.00</u>	%	\$1,327
Agency's Indirect Costs ⓘ	<u>21.00</u>	%	\$279
Project Overhead Cost			\$3,816