

The California State Gem Mine  
48242 Los Gatos Rd.  
Coalinga, CA 93210

2/19/10

Bureau of Land Management  
Attn: Rick Cooper - CCMA RMP/EIS  
20 Hamilton Court  
Hollister, CA 95023

Re: CCMA RMP/EIS Comments

Dear Mr. Cooper:

As the owner and operator of the California State Gem Mine ("Mine"), which is located within the Clear Creek Management Area, my interests will be particularly affected by the Clear Creek Management Area Draft Resource Management Plan & Draft Environmental Impact Statement ("Draft RMP"). The Mine property contains considerable quantities of Benitoite, an extremely rare and valuable mineral. Adoption of a Resource Management Plan that restricts mine employee or customer access would significantly impact the development of an important mineral resource and would be a loss to the local economy. Accordingly, I request that the BLM reject all alternatives that impede the operations or restrict customer/employee access to the Mine.

The California State Gem Mine property has been in continuous operation since approximately 1907 under various owners and operators. Despite having a CUP for the operation, the Mine is a vested use. Through the continuous use of the four access roads to the Mine, and pursuant to the General Mining Law, I have an established right to access the Mine property. While reasonable regulations can be placed on use of the roads for the protection of public lands, my right to use the roads is not subject to the BLM's discretion. The two routes most commonly used for mine access are R19-T171-R16-R15-T232 and Jackass Road-R15-T232. The latter route is necessary for heavier vehicles used in my mining operation, while the former is sufficient for pickup truck sized vehicles. BLM employees at the Hollister Field office have assured me that access restrictions contained in the proposed Resource Management Plan will not affect my right to access the Mine. I appreciate the BLM's understanding of my situation, and hope to cooperate with the BLM to ensure that the Final Resource Management Plan considers protection of public lands, public health and impacts to mineral resource development.

Benitoite, the California State Gem, is the one of the rarest gems in the world. In fact, the Mine is the only source in the world that produces gem-grade Benitoite. We receive inquiries about our gems from customers all over the globe, and demand for this gem is growing every year. The loss of access to the Mine would result in the unfortunate loss of a truly unique mineral resource.

Before the temporary closure of the ACEC, the Mine offered an innovative experience whereby customers could visit the Mine and enjoy the adventure of prospecting for Benitoite. Unfortunately, due to the temporary closure, we have had to re-invent our operations at great expense. Customers now visit an offsite location where they can screen alluvium in the hope of finding the precious mineral. The need to move our customer interface offsite has drastically affected the Mine's revenue. Moreover, the publicity we received after being featured on a Television program about the mining of Benitoite was largely wasted after the temporary closure caused the cessation of our previous on-site customer access. Since the Mine has recently yielded gems of substantial size and value, the gemstone resources present at the Mine-site appear to be largely untapped. The financial damage that has already occurred as a result of the temporary closure is considerable. However, the damage that would result from further restriction of access to the mine would threaten the viability of my business and impact access to an important resource.

The Draft RMP proposes several alternatives that place varying levels of restriction on public access to the management area. Seasonal restrictions to public access would be harmful to development of the Mine's mineral resources and the Mine's beneficial impact on the local economy. Nonetheless, I would be supportive of the RMP, including seasonal restrictions on public access, if the RMP clarified that I had the right to the following types of access: i) Year-round unrestricted access for all Mine employees and agents on all four routes to the Mine property; and, ii) Year-round unrestricted access for customers who are transported to the Mine site in a Mine-operated vehicle without tolls or additional fees. Clarifying the Mine's access rights under the various alternatives, as suggested above, would remedy the Draft RMP's inadequacy regarding analysis of impacts to a unique and valuable mineral resource.

One feature proposed in the Draft RMP that I support is the route from Condon Peak to R11. This proposed road would improve access to the Mine, provided that it will be open for Mine use.

Thank you for the opportunity to comment regarding the Clear Creek Management Area Draft Resource Management Plan & Draft Environmental Impact Statement. Please contact me if you have any questions regarding my comments.

Sincerely,



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The California State Gem Mine - Owner  
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