



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oregon State Office

P.O. Box 2965

Portland, Oregon 97208



**In Reply Refer to:**

9100/2812 (OR-959/936) P

September 18, 2008

EMS TRANSMISSION 09/24/2008

Instruction Memorandum No. OR-2008-094

Expires: 9/30/20

To: District Managers: Lakeview, Salem, Eugene, Roseburg, Medford, and Coos Bay

From: State Director, Oregon/Washington

Subject: Issuance of new Form OR-2812-20, BLM Report of Mineral Haul Over Permittee Roads

**Program Area:** Engineering and Oregon and California (O&C) Logging Road Rights-of-Way (43 CFR 2812)

**Purpose:** The purpose of this Instruction Memorandum is to issue new Form OR-2812-20, "BLM Report of Mineral Haul Over Permittee Roads" and instructions for use when reporting Bureau of Land Management (BLM) mineral hauling over permittee road(s) for other than BLM timber sales.

**Policy/Action:** Instruction Memorandum No. OR-2008-075, dated July 17, 2008, entitled "Reissuance of Mineral Hauling Policy under Reciprocal Right-of-Way Agreements and Permits," established a policy which requires the BLM Authorized Officer to provide the permittee with semi-annual reports of any BLM mineral haul over permittee roads where access is provided under the O&C right-of-way regulations (43 CFR 2812). The attached Form OR-2812-20, entitled "BLM Report of Mineral Haul Over Permittee Roads", has been developed for use in reporting BLM mineral hauling over permittee road(s) for hauling other than BLM timber sales.

Form OR-2812-20 should be used only for purposes of reporting BLM mineral hauling activities for other than BLM timber sales, i.e., BLM maintenance operations, service or construction contracts. These reports should be submitted to the permittees within 15 days of the end of the required reporting periods (January 1 - June 30 and July 1 - December 31). The reporting policy also requires "negative" reporting and certification by the BLM Authorized Officer and the BLM Maintenance Operations Manager. Permittee notification for mineral haul under a BLM timber

sale will be provided through the timber sale contract license agreement(s), and no additional reporting by the BLM is required.

**Timeframe:** Immediate upon release.

**Budget Impact:** Implementation of this policy will not impact agency budget allocations or annual work plan directives.

**Background:** The BLM Oregon State Office initiated a policy of reporting and charging road maintenance fees for mineral hauling in Instruction Memorandum No. OR-2006-034, dated March 16, 2006, "Mineral Hauling Under Reciprocal Right-of-Way Agreements and Permits." This policy was reissued in Instruction Memorandum No. OR-2008-075, dated July 17, 2008, "Reissuance of Mineral Hauling Policy under Reciprocal Right-of-Way Agreements and Permits." The policy requires BLM Authorized Officers to report to each permittee any mineral haul over permittee roads on a semi-annual basis, including mineral haul not associated with a BLM timber sale. The policy also requires filing "no mineral haul" reports. The non-timber sale haul of mineral materials could include hauling done by the Maintenance Operations organization as well as under any service or construction contract (such as with Title II funds, Emergency Relief for Federally Owned Roads (ERFO) projects, etc.).

**Manual/Handbook Sections Affected:** This policy guidance will be included in the pending revisions to O&C Logging Road Right-of-Way Handbook H-2812-1, Release 2-165.

**Coordination:** Coordinated with Branch of Engineering, Branch of Lands and Mineral Resources, Branch of Forest Resources and Special Status Species, and the BLM Western Oregon Transportation Team.

**Contact:** For questions or additional information, contact Phyllis Gregory, BLM Realty Specialist, Oregon State Office, at 503-808-6462.

**Districts with Unions** are reminded to notify their unions of this Instruction Memorandum and satisfy any bargaining obligations before implementation. Your servicing Human Resources Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by  
James G. Kenna  
Associate State Director

Authenticated by  
Paj Shua Cha  
Records Section

1 Attachment

1 – [Form OR-2812-20, BLM Report of Mineral Haul Over Permittee Roads](#) (2p)

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