



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
Lakeview Resource Area  
1301 South G Street  
Lakeview, Oregon 97630  
[www.or.blm.gov/lakeview](http://www.or.blm.gov/lakeview)



In Reply Refer To:  
~~3809 (015)~~  
OR- 55335

January 25, 2006

Cornerstone Minerals  
Attn: Gregory McN. French  
P.O. Box 1287  
Lakeview, OR 97630

**MINING PLAN OF OPERATIONS MODIFICATION APPROVAL**  
**AND CONDITIONS OF APPROVAL**

Dear Mr. French:

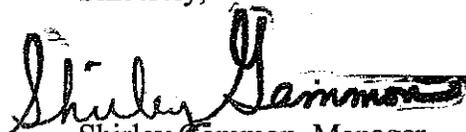
We have completed review of the January 10, 2006 request for the Tucker Hill Quarry operation haul road modification.

The modifications you proposed are within the scope of the existing mining plan of operations and environmental analysis completed in 1996. Therefore, no additional environmental analysis is necessary. However, two operating conditions will be required in order for you to proceed as you propose.

- 1) You must stay within the area of existing previous disturbance. Remind employees that it is a violation of the Archaeological Resources Protection Act if they go outside existing disturbance.
- 2) Sediment catcher rolls or hay bales must be certified weed free.

If you have any questions, please contact Ken Tillman, at this office at (541) 947-6112.

Sincerely,

  
Shirley Gammon, Manager  
Lakeview District

cc: Michael Stanley, Cornerstone Minerals  
Dave Hadley, Cornerstone Minerals  
RL.dpCornerMineralsModrequestApprove.doc

LAKEVIEW RESOURCE AREA  
PROJECT PROPOSAL  
INTERNAL SCOPING REVIEW

PROJECT NAME: Tucker Hill road work (culverts)

EA or CX# OR-010-2006-10

TITLE OR RESOURCE/NAME OF PERSON RESPONSIBLE	SCOPING or DNA/CX REVIEW (Initials)	DATE	TEAM MEMBER for EA, if applicable (Y/N)	REVIEW EA, if applicable (Y/N)
Field Manager/Tom Rasmussen	TER	1/17/06	N	Y
Supervisory Natural Resource Specialist/ Ken Kestner	KK	1/17/06	N	Y
Lands/ Dan Stewardson	DS	1/10/06	N	N
Forest/Soils/Water & Air Quality/ Minerals/Haz Mat/ Ken Tillman (last)	KT	1/12/06	Y	Y
Archeology/Native Amer. Consultation/ Paleontology/ Bill Cannon	BC	1/11/06	Y	Y
Recreation/Wilderness/Visual/ Gretchen Burris	GB	1/17/06	Y	Y
Wild & Scenic Rivers/ Trish Lindaman				
Aquatic/Riparian/Sensitive Aquatic Species/ Alan Munhall	AM	1/19/06	N	N
<del>Wildlife/Sensitive Species/ Vern Stofleth</del>				
Wildlife/Sensitive Species/ Todd Forbes	TF	1/16/06	Y	Y
Fire/Fuels Mgmt./ Philip Blythe				
Noxious Weeds/ Erin McConnell	EM	1/11/06	N	N
Supervisory <del>Range</del> <sup>NRS</sup> Conservationist/ Bob Hopper	BH	1/17/06	Y	Y
Range/Prime Farmlands/ Les Boothe				
Range/Prime Farmlands/ Lance Okeson				
Range/Prime Farmlands/Wild Horses/ Theresa Romasko				
Botany/Sensitive & Cultural Plants/ Lucile Housley	PAH	1/12/06	Y	Y
Engineering/				
Plan. & Environmental Coord./Minority & Low Income Populations/ Paul Whitman	PW	1/17/2006	NA	NA
Hydrology/Watershed/ Barbara Machado	BH	1/12/06	Y	Y
Safety Issues/Dave Hall				
Major Mineral Issues/Bonding Rebecca Lange	BSL	1/10/06	Y	Y

see note  
on back

Review of ACEC impacts must be performed by the specialist(s) with expertise in the relevant and important value(s) for which the ACEC was created.

## RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION DETERMINATION

Lease or CX Log #: OR-010-2006-10 Serial #: OR 51500  
Project Name: Tucker Hill Road emergency upgrade  
applicant: Cornerstone-Minerals USA  
Location: T34SR19E sec.26&35  
Address: 1301 South "G" st. Lakeview, Oregon 97630 County: Lake  
BLM Office: Lakeview District Phone #: 541-947-2177  
Categorical Exclusion Number from DOI or BLM List: 516 DM2, App.1,1.7; 516 DM6, App.5,5.4, G(2)

**DESCRIPTION OF THE PROPOSED ACTION:** Cornerstone Minerals, on 10 January 2006 sent a letter requesting modifications to there haul road to the mine. The haul road upgrade is covered as part FEIS for their Plan of Operation. The FEIS does not specifically state that water barring and culverts are part of road construction. However, these modification should be considered as normal road maintenance, as stated in the POO. These modification are needed due too wetter the normal weather conditions. (see complete Haul Road Modification Plan attached).

### PLAN CONFORMANCE

The proposed project has been reviewed and found to be in conformance with one or more of the following BLM plans or programmatic environmental analyses:

Tucker Hill Plan of Operation (1996)  
Tucker Hill perlite mining plan of operation FEIS (February 1996)  
Amended Plan of Operation and Reclamation Plan for Tucker Hill perlite project (April 1996)  
Record of Decision and Plan of Operation Final Environmental Impact Statement (April 1996)  
Lakeview Resource Management Plan/Record of Decision (2003)  
Proposed Jurisdictional Land Exchange Between Hart Mountain National Antelope Refuge, Fish and Wildlife Service, and Lakeview District, Bureau of Land Management - Warner Lakes Management Framework Plan Amendment/EA (1998)  
High Desert Management Framework Plan Amendment and Record of Decision for the Lake Abert Area of Critical Environmental Concern (ACEC) in Lake County, Oregon (1996)  
Warner Lakes Plan Amendment for Wetlands and Associated Uplands (EA and DR 1989)  
Oregon Wilderness FEIS and ROD (1989 and 1991)  
Wilderness Interim Management Policy (1995)  
Vegetation Treatment on BLM Lands in Thirteen Western States FEIS and ROD (1991)  
Supplement to the Northwest Area Noxious Weed Control Program FEIS and ROD (1987)  
Integrated Noxious Weed Control Program (2004)  
Lakeview District Fire Management Plan - Phase 1 (1998)  
Wildland and Prescribed Fire Management Policy (1998)  
Emergency Fire Rehabilitation Handbook (1998)  
Rangeland Reform '94 EIS Record of Decision (1995)  
Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1997)  
Standards for Land Health for Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1998)  
The Great Basin: Healing the Land (restoration initiative; 2000)  
Interior Columbia Basin Strategy (2004)  
Greater Sage-Grouse and Sagebrush-Steppe Ecosystems - Management Guidelines (2000)  
National Sage-Grouse Habitat Conservation Strategy (2004)

**DOCUMENTATION OF CATEGORICAL EXCLUSION EXCEPTIONS**

The proposed action would not create adverse environmental effects or trigger an exception, unless as noted. The proposed action will:

- | <u>Yes</u> | <u>No</u> | <u>Exception</u>   |
|------------|-----------|--|
| ( )        | ( X )     | 1. Have significant adverse effects on public health or safety.  |
| ( )        | ( X )     | 2. Have significant, adverse effects on unique geographic characteristics or features, or on special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principal drinking water aquifers; or prime farmlands. This also includes ecologically significant or critical areas, such as significant caves, ACECs, National Monuments, WSAs, RNAs, and those listed on the National Register of Natural Landmarks.   |
| ( )        | ( X )     | 3. Have highly controversial environmental effects (40 CFR 1508.14).   |
| ( )        | ( X )     | 4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.   |
| ( )        | ( X )     | 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.   |
| ( )        | ( X )     | 6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects. This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).  |
| ( )        | ( X )     | 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. This includes Native American religious or cultural sites, archaeological sites, or historic properties.   |
| ( )        | ( X )     | 8. Have adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species. This includes impacts on BLM-designated sensitive species or their habitat. When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species. The responsible official may proceed with the proposed action without preparing a NEPA document when the BE demonstrates either 1) a "no effect" determination or 2) a "may effect, not likely to adversely effect" determination. |
| ( )        | ( X )     | 9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only).  |
| ( )        | ( X )     | 10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements.   |
| ( )        | ( X )     | 11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan.   |
| ( )        | ( X )     | 12. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).  |
| ( )        | ( X )     | 13. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious   |

practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites).

( ) ( X ) 14. Have significant adverse effect on Indian Trust Resources.

( ) ( X ) 15. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species).

( ) ( X ) 16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects).

**RECOMMENDED MITIGATION**

For any item checked "Yes" identify the mitigating measures proposed. If not, the conditions for a categorical exclusion cannot be met.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures
7&14	yes		Must stay within area of pervious disturbance. Remind them it is a ARPA violation if they go side of existing disturbance.
15	yes		Sediment catcher or hay bales must be certified weed free. Cornerstone Minerals are currently a partner with BLM in the "seed grow out" contract that will provide weed free hay bales. In the (Fall 07).

**SUMMARY OF FINDINGS**

The proposed action would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS) under 516 DM 6, Appendix 2 or Appendix 5. The proposed action has been reviewed against the sixteen criteria for an exception to a categorical exclusion (listed above) as identified in 516 DM 2.3 A(3) and other guidance, does not fall under any exception, and is, therefore, categorically excluded from further NEPA documentation. The proposed action and any specified mitigation measure(s) has been determined to be in conformance with existing land use plans and meets the criteria for a categorical exclusion.

<i>Ken Tillman</i> Ken Tillman	Environmental Protection Specialist	18 January 2006
<i>Ken Kestner</i> Reviewed By	JNRS Title	20 Jan 06 Date
<i>Shirley E. Korman</i> Approved By	Field Manager Title	1/20/06 Date

Ket  
RSC

1/10/05

Ken Tillman  
Lakeview Resource Area  
Bureau of Land Management  
HC10 Box 337  
Lakeview, Oregon 97630

RE: MODIFICATION TO THE TUCKER HILL HAUL ROAD, Lake County, Oregon

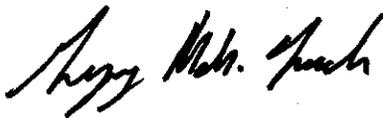
Dear Tillman,

Attached is a Haul Road modification description for the Tucker Hill Quarry operation. The modification transmits information describing the changes proposed by Cornerstone Industrial Minerals Corp., at the Quarry Site, Sections 26 and 35, T34N, R19E, Lake County, Oregon.

The proposed modification to the Haul Road includes minor changes to road surface and drainage. Little or no changes in the permitted disturbance are proposed in the amendment.

If you or your staff, have any questions regarding information presented in the modification, please do not hesitate to contact Dave Hadley or myself.

Sincerely,



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Gregory McN. French  
Consultant

Enclosures

cc: Michael Stanley

RECEIVED

JAN 10 REC'D

**HAUL ROAD MODIFICATION**

**TO**

**TUCKER HILL PERLITE PROJECT  
PLAN OF OPERATIONS AND  
RECLAMATION PLAN, JUNE 1996**

Prepared for:

**Bureau of Land Management  
Lakeview District  
Lakeview, Oregon 97630**

**Cornerstone Industrial Minerals Corp.  
P.O. Box 1287  
Lakeview, Oregon 97630**

January 2005

## General Overview

Cornerstone Industrial Minerals Corporation is a privately held industrial minerals company engaged in the quarrying, processing, and marketing of perlite. The primary asset of company is the Tucker Hill operation located in south central Oregon (Fig. 1).

The company's assets in Oregon consist of the quarry, which contains the Tucker Hill perlite deposit, the processing facility in Lakeview, and the trans-loading terminal near Klamath Falls.

The quarry property consists of approximately 800 acres of unpatented mining claims located on land administered by the Bureau of Land Management (BLM). Within the mining claims, drilling and sampling have delineated a perlite reserve of 4.9 million tons

The processing facility is located on an industrial park in Lakeview; it is served by good highway and rail connections. Lakeview and the mill are located on a rail spur operated by a short line carrier that is linked to the Union Pacific Railroad (UP) System.

The company produced approximately 100,000 tons of product last year. Cornerstone presently ships to customers throughout the United States, Canada and the Pacific Rim via rail, truck and ship.

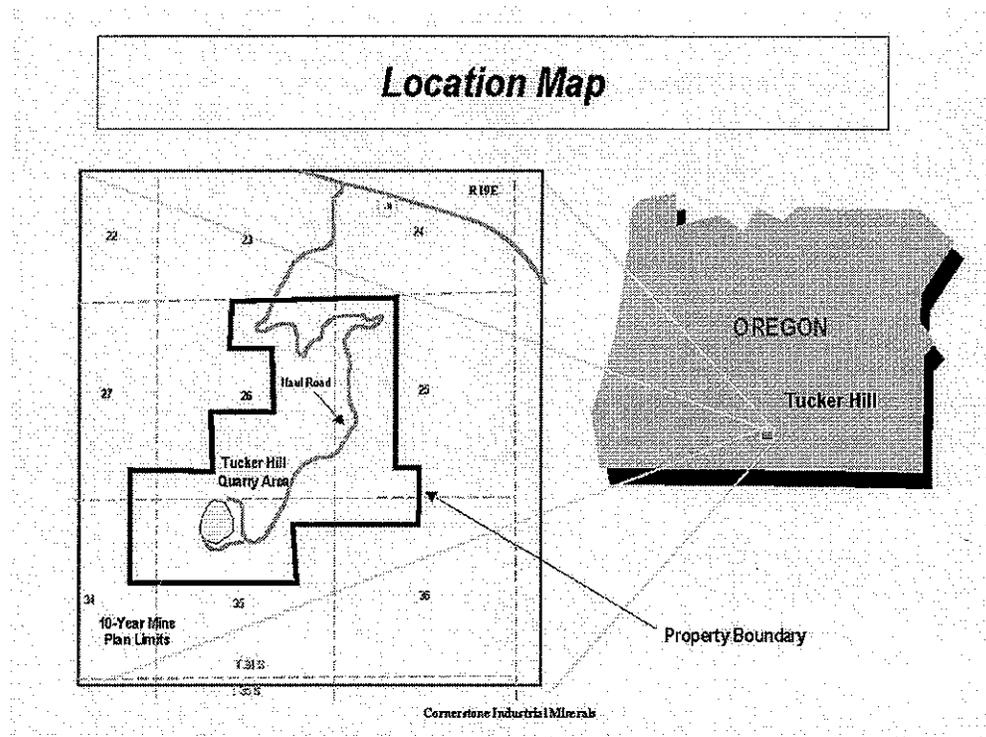


Fig 1

## Legal Description

The Tucker Hill Project site and haul road is located in Lake County, Oregon within sections 23-26,35, Township 34 South, Range 19 East. A list of claims and corresponding serial numbers is provided in Exhibit A. See land status map Figure 2.

## Claim Owner and Operator Information

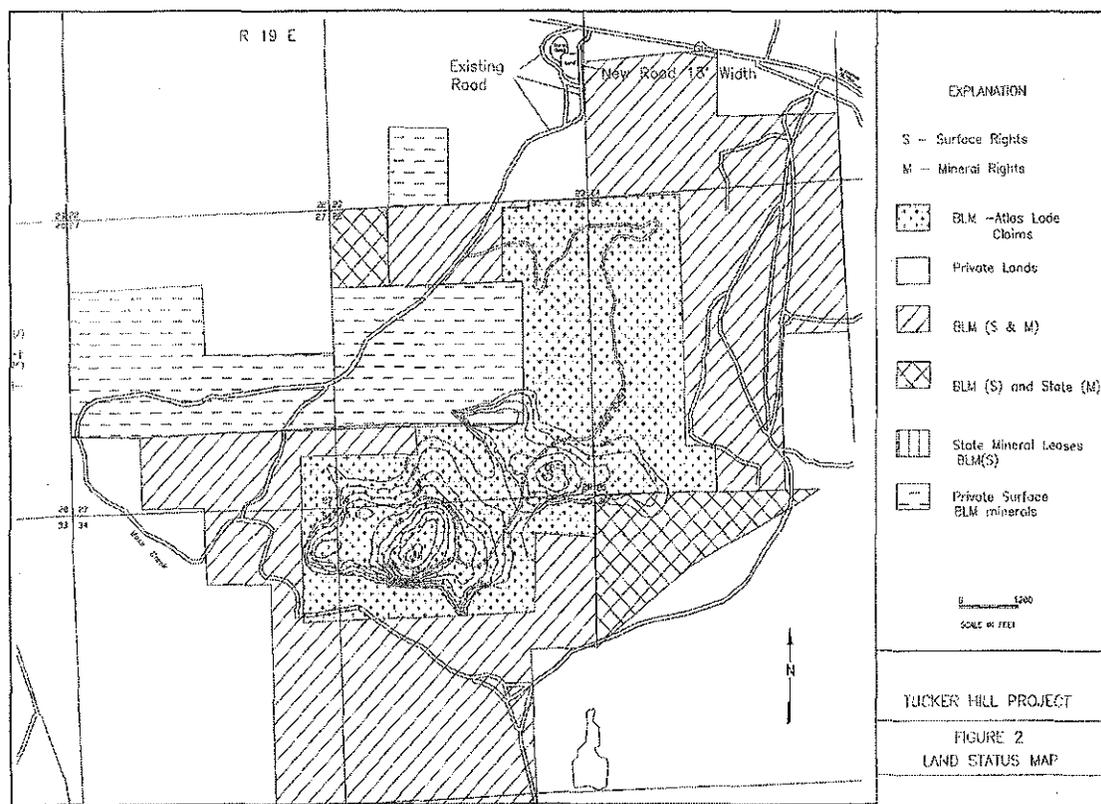
The claim owner and operational offices are located at:

Cornerstone Industrial Minerals Corp.  
P.O. Box 1287  
Lakeview, Oregon 97630

Tel. (541) 947-5755  
Fax (541) 947-5770

The contact personnel:

Dave Hadley, Plant Manager  
Mick Stanley, President



## Proposed Modifications

Cornerstone is proposing to make minor modifications to the present Tucker Hill Haul road. The proposed modifications are necessary in order to address water runoff problems during periods of abnormally high precipitation.

The company proposes two changes to the haul road at the Tucker Hill quarrying operation.

- 1) **Water Bars**
- 2) **Additional Culverts**

**Original Plan:** The total disturbed width for the all weather haul road approved in the Plan of Operations (POO) and the Environmental Impact Statement (EIS) is 30 to 32 feet. There are currently two culverts in the existing road.

### **Proposed Plan:**

**Water Bars** are proposed for several locations along the haul road as necessary. A total of 22 could be constructed depending on ongoing monitoring of road drainage during excessive precipitation events.

Construction tube type sediment catchers or hay bales will be used to slow runoff. The locations are marked on figure 3 as mile markers taken from the Highway 31 turnoff.

**All changes are considered within the permitted road width disturbance. No new disturbance is expected.**

**Culverts** are proposed for several locations along the haul road as necessary. Up to 5 culverts might be constructed over the next several years depending drainage backup during excessive precipitation events. The culverts will extend out from the existing road base by several feet.

Construction tube type sediment catchers or hay bales will be used to slow runoff. The locations are marked on figure 3 as mile markers taken from the Highway 31 turnoff.

**All changes are thought to be within the permitted road width disturbance. Little or no new disturbance is expected.**

The proposed changes to the Plan of Operations and Reclamation are being submitted in compliance with 43 CFR 3809 BLM regulations for the surface mining of public lands and the State of Oregon Revised Statutes (ORS) 517.

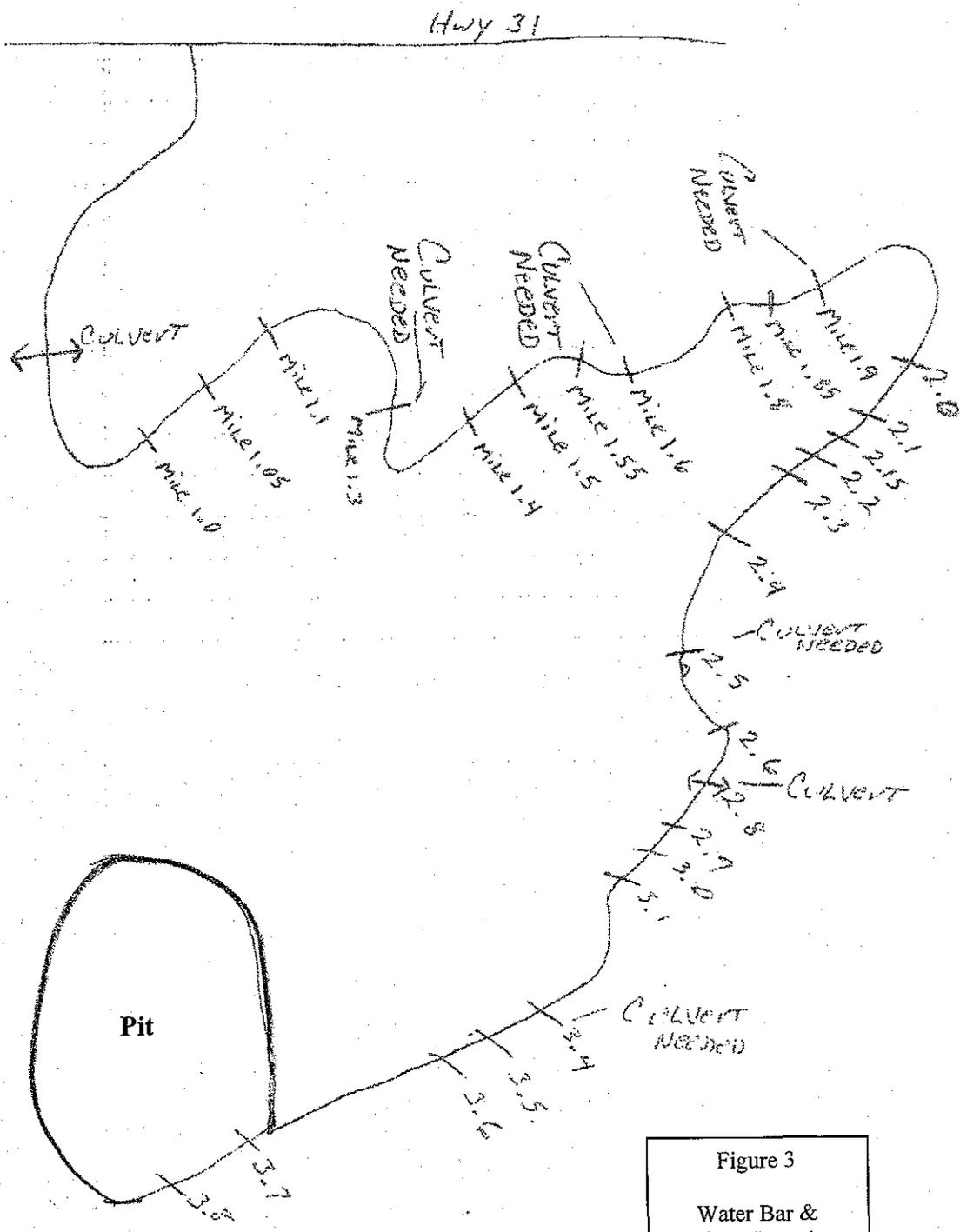


Figure 3  
Water Bar & Culvert Location

**EXHIBIT A**

The following unpatented lode mining claims located in Sections 25 - 27, & 34 - 35, T 34 S - R 19 E, WM, Lake County, Oregon:

<u>CLAIM NAME</u>	<u>BLM OMC #</u>	<u>BOOK</u>	<u>PAGE</u>
ED 11	47556	23	393
ED 12	47557	23	394
ED 13	47558	23	395
ED 14	47559	23	396
ED 15	47560	23	397
ED 25	47570	23	407
ED 26	47571	23	408
ED 27	47572	23	409
ED 28	47573	23	410
ED 29	47574	23	411
ED 37	47582	23	419
ED 38	47583	23	420
ED 39	47584	23	421
ED 40	47585	23	422
ED 41	47586	23	423
ED 42	47587	23	424
ED 43	47588	23	425
ED 46	47591	23	428
ED 47	47592	23	429
ED 48	47593	23	430
ED 49	47594	23	431
ED 50	47595	23	432
ED 51	47596	23	433
ED 52	47597	23	434
ED 53	47598	23	435
ED 54	47599	23	436
ED 55	47600	23	437
ED 56	47601	23	438
ED 57	47602	23	439
ED 58	47603	23	440
ED 59	47604	23	441

ED 62	47607	23	444
ED 63	47608	23	445
ED 64	47609	23	446
ED 65	47610	23	447
ED 66	47611	23	448
ED 67	47612	23	449
ED 68	47613	23	450
ED 69	47614	23	451
EDR 8	148286	32	99
EDR 9	148287	32	100
EDR 10, as amended	147400	32	78
EDRL 24	147864	32	77
EDR 35, as amended	147402	32	79
EDR 36, as amended	147403	32	80