

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Oregon State Office
P.O. Box 2965
Portland, OR 97208

In Reply Refer to:
3600 (OR-932) P

March 06, 2003

EMS TRANSMISSION 03/10/2003
Instruction Memorandum No. OR-2003-051
Expires: 9/30/2004

To: All District Managers

From: State Director

Subject: Washington Office Instruction Memorandum No. 2003-084: Free Use DD: 3/21/2003
Permits for the Bureau of Land Management Minerals Material Production
and Use

Program Area: Mineral Materials Management, Timber Resources, Road Maintenance, Engineering

Purpose: The purpose of this Instruction Memorandum (IM) is to identify the budget and workload impacts expected from implementing the subject IM.

Policy/Action: The subject policy will likely impact several Bureau of Land Management (BLM) program areas that involve the use of BLM rock pits. These programs include Minerals, Forestry, Engineering, and Road Maintenance. All offices need to identify the impacts of implementing the subject policy and provide information about the estimated additional workload involved and the additional funding that will be needed. Each office needs to provide the following specific information to the Oregon State Office, Attn.: John Kalvels, Mining Engineer (OR-932):

1. The number of additional workmonths needed.
2. The amount of additional funding needed.
3. The estimated number of new and/or additional free use permits to be processed.

Also, please provide any additional information or comments about the feasibility of implementing this policy.

Timeframe: Responses are needed by March 21, 2003.

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Background: In the past, mineral material free use permits were obtained by other Federal, state, and county agencies that wanted rock from BLM-managed rock pits. Whenever BLM staff needed to use one of these same rock pits, such as for the maintenance of logging roads, no permitting was required.

Manual/Handbook Sections Affected: H-3600-1 Mineral Material Disposal.

Contact: John Kalvels, Mining Engineer, Oregon State Office, (OR-932), 503 808-6040; e-mail jkalvels@or.blm.gov.

Districts with Unions are reminded to notify their unions of this IM 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
Charles E. Wassinger
Associate State Director

Authenticated by
Mary O'Leary
Management Assistant

1 Attachment

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Distribution

WO-320 (501 LS) - 1

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

February 7, 2003

In Reply Refer To:
3600 (320) N

EMS TRANSMISSION 02/13/2003
Instruction Memorandum No. 2003-084
Expires: 09/30/2004

To: All Washington Office and Field Officials
From: Assistant Director, Minerals, Realty, and Resource Protection
Subject: Free Use Permits for the Bureau of Land Management (BLM) Mineral Materials Production and Use

Program Area: Mineral Materials Management

Purpose: To ensure that BLM issues free use authorizations in a consistent manner.

Policy/Action: 43 CFR § 3604.12 provides that “Any Federal, ... agency ... may apply for a free use permit to extract and use mineral materials.” The BLM is a Federal agency and should follow the same procedures and standards that are used by other free use permittees to issue a free use permit to itself, and conduct, monitor and track its operations and work by any agents it designates. Permit duration should be appropriate for the proposed use. As with any free use permit application, a decision not to issue a permit would result in not developing the materials source. Detailed guidance is provided in Bureau handbook H-3600-1. All permits and inspections should be properly documented in the case records, and the LR2000 and MIS/ABC systems. Both special projects and base programs should also be identified in the BPS to the extent feasible.

Generally, any action that requires excavation and/or maintenance of a pit or quarry for source material for construction- or project-related uses would be a reason for issuing a free use permit, as well as use of rock stockpiles (e.g., mine waste rock dumps, abandoned placer tailings) and boulders. The level of review under the National Environmental Policy Act (categorical exclusion, EA, EIS) should be appropriate to the action proposed for the pit and the overall project.

Simple earthwork involving cut and fill and re-contouring of mineral materials on public lands for mine site or stream channel reclamation do not require a permit.

Attachment 1-1

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Time Frame: These procedures become effective upon the date of issuance.

Budget Impact: Minimal.

Background: The BLM uses mineral materials for a wide variety of construction and maintenance projects in support of other programs and should follow consistent business practices for such activities bureauwide. Those projects may

be funded by the benefiting subactivities that initiate the project, as well as cooperators. The mineral materials removal work may be conducted by a variety of parties, such as BLM operations crews, contractors, cooperating agencies, companies, or project volunteers.

Gravel and rock materials are routinely used for fill and base for construction of BLM roads, as well as for top surfacing and road maintenance. Other common materials uses by BLM include abandoned mine reclamation (e.g., cover materials for repositories), dam construction, and wildlife/fisheries habitat improvement projects (e.g., check dams, boulders).

Contact: George Brown, Geologist, WO-320 at 202-452-7765, E-mail George_Brown@blm.gov

Signed by:
John W. Broderick
Acting, Assistant Director
Minerals, Realty, and Resource Protection

Authenticated by:
Robert M. Williams
Policy and Records Group,WO-560

Attachment 1-2