

**Free Use Permits & Community Pits**  
**Frequently Asked Questions (FAQ Sheet)**  
*Last Updated 10/18/2013*

**What is a Free Use Permit (FUP)?**

This is a permit under CFR 43-3604 for free use of mineral materials by any Federal, State or territorial agency, unit or subdivision, including municipalities, or any non-profit organization to extract and use mineral materials.

**Mineral Materials** - Common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay and petrified wood.

**Government Agency** - A FUP for a government entity may be issued without limitation to the number of permits or to the value of the minerals provided that the government entity shows that it will not use these materials for commercial or industrial purposes. A FUP may be issued to a government entity for up to 10 years.

**Non-profit Organization** - A FUP for a non-profit organization may be issued for not more than 5,000 cubic yards (CY), or weight equivalent, in any 12 consecutive months, provided the organization shows it will not use these materials for commercial or industrial purposes. A FUP may be issued to a non-Profit organization for up to one year.

**What is a Community Pit?**

This is a permit under CFR 43-3603 for disposal of mineral materials from designated community pits and common use areas. Mineral materials may be removed from a designated community pit once you have a permit or sales contract from the BLM. Mineral materials are sold from a community pit at fair market value. Community Pit customers are not required to perform reclamation after extracting mineral materials; however, they must pay a reclamation fee per unit of material removed. The active lifespan of a Community Pit is determined by the BLM and is based on the mineral material available at each pit location.

**When is a FUP issued and when is a Community Pit contract issued?**

A FUP will be issued to the San Juan Roads Committee or their agent for repairing the collector roads in their area. A Community Pit contract will be issued to an oil/gas company that will be used for access roads and pad development. These permits will be issued for a period of up to 30 days with extension as needed.

**What are the royalty and reclamation fees for a community pit?**

Current (2013) prices used by the BLM are \$1.50/CY for the material plus a \$1.50/CY reclamation fee for a total cost of \$3.00/CY.

**How are Community Pits designated (permitted)?**

The BLM designates a Community Pit under the authority of 43 CFR 3600 and evaluates the environmental impacts based on the individual site conditions using the National Environmental Policy Act of 1969 (NEPA).

**Are there special stipulations required for a Community Pit?**

The standard Conditions of Approval relative to active operations will apply. One stipulation will be to limit active removal of mineral materials from the pit to one operator at a time. Only one operator will be allowed to mine and crush sandstone in the pit at a time. This will require coordination and scheduling with the BLM Farmington Field Office in advance of the proposed removal actions.

Other special stipulations may apply if the NEPA process identifies issues or site conditions of concern.

**Why is the BLM making these changes?**

In 2012 the BLM Washington Office Minerals and Realty Management Group conducted a national review of mineral materials production reporting. The review identified deficiencies and irregularities in the BLM Farmington District Office's permitting for mineral materials free use permits. The current proposed changes to permitting Minerals Materials are being made to remedy those deficiencies.

**What do I need to be able to remove material from a designated Community Pit?**

You will need to complete a contract for the sale of mineral materials (Form 3600-9) and submit the contract and appropriate payment to the Farmington BLM Field Office. The Farmington BLM office will then assign you a limited timeframe for removal of the mineral materials you have purchased from the designated Community Pit.

**For additional information contact:**

Bureau of Land Management  
Farmington Field Office  
6251 College Blvd., Suite A  
Farmington, NM 87402  
(505) 564-7600

[www.blm.gov/nm/farmington](http://www.blm.gov/nm/farmington)

**For resource evaluation and on-site examination:**

Renewable Resources  
Ron Chavez (505) 564-7757 [rcchavez@blm.gov](mailto:rcchavez@blm.gov)

**For administrative oversight (contract issuance, stipulations):**

Farmington Solid Minerals Team  
Shannon Hoefeler (505) 564-7732 [shoefele@blm.gov](mailto:shoefele@blm.gov)  
Anthony Gallegos (505) 564-7723 [agallegos@blm.gov](mailto:agallegos@blm.gov)