

Bureau of Land Management

For: Thursday, April 27, 2006

Contact: Heather Feeny at (202) 452-5031 or Maxine Shane at (775) 861-6586

**BLM Seeks Public Input on Regulatory Efforts
to Update Linear Rights-of-Way Rental Payment Schedule**

In an Advance Notice of Proposed Rulemaking published in today's *Federal Register*, the Bureau of Land Management (BLM) announced that it is seeking public input on proposed regulations relating to the fee schedule for linear rights-of-way (ROW) across public lands managed by the agency.

"We invite the public to comment on this important issue so that proposed future rental fees accurately reflect fair market value, as required by law," said Thomas Lonnie, BLM Assistant Director for Minerals, Realty and Resource Protection.

The rental schedule enables the BLM to use a formula to calculate the annual fair market rental for more than 48,000 ROWs crossing public lands, including pipelines; systems for generation or transmission of electrical energy; roads; and other linear facilities. The current rental schedule, which was first implemented in 1987, covers most linear rights-of-way granted under both the Mineral Leasing Act of 1920 and the Federal Land Policy and Management Act of 1976. Changes in land values since 1987 could result in changes to the current rental schedule and affect rental fees of individual ROW holders.

Specifically, the BLM is seeking comments from the public on:

- what available information the BLM should use to update the rental schedule's zone values;
- which components of the rental schedule formula should be changed;
- what provisions the new schedule should have for relief from large, unexpected increases in individual rental payments; and
- whether the new regulations should apply to BLM lands in Alaska.

(More information about the BLM's ROW program can be found at:

<http://www.blm.gov/nhp/what/lands/realty/rowcr/general.htm>)

The Advance Notice of Proposed Rulemaking is based on direction from Congress, as set forth in the Energy Policy Act of 2005. Section 367 of this law, which applies to both the BLM and the Forest Service (which manages National Forest System lands), requires an update of the existing per-acre rental fee-zone values by state, county, and type of linear right-of-way use to reflect current land values in each zone. Any new BLM regulations would likely be phased in and would ensure a fair, consistent, and cost-effective mechanism for determining annual ROW rental payments. Comments provided in response to the Advance Notice will be considered in the development of a future proposed rule for additional public comment, and ultimately in the completion of a final rule.

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Written comments on the Advance Notice may be submitted by any of the following methods: regular mail to Director (630), Bureau of Land Management, Administrative Record, Room 401 LS, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153; personal or messenger delivery to Room 401, 1620 L Street, NW, Washington, DC 20036; e-mail to the Federal eRulemaking Portal at <http://www.regulations.gov>; or e-mail to comments_washington@blm.gov (include “Attn: RIN 1004-AD87”).

The BLM manages more land – 261 million surface acres – than any other Federal agency. With a budget of about \$1.8 billion, the Bureau also administers 700 million acres of sub-surface mineral estate throughout the United States. As the steward of numerous energy resources, the BLM carries out a multiple-use mission, one that sustains the health and productivity of the public lands for present and future generations.

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