

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[WO-350-1430-00-24-1A]

RIN 1004-AC12

Notice of Proposed Information Collection**AGENCY:** Bureau of Land Management, Interior.**ACTION:** Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, BLM is announcing its intention to request approval for the collection of information annually from communications right-of-way holders concerning their tenants and the category of use for each tenant.

DATES: Comments on the proposed information collection must be received by January 12, 1996 to be assured of consideration.

ADDRESSES: All comments regarding this proposed information collection should be sent to Director (420), Bureau of Land Management, Room 401, 1620 L Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Patrick W. Boyd, (202) 452-5030.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 1320.8(d), the Bureau of Land Management (BLM) is required to provide 60-day notice in the Federal Register concerning a proposed collection of information to solicit comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Accordingly, none of the

information proposed to be collected as described below will be required until comments have been received and analyzed and approval has been obtained from OMB under 44 U.S.C. 3501 *et seq.* and a clearance number assigned.

In the final rule published elsewhere in this issue of the Federal Register, BLM is establishing procedures for setting rent for communication uses located on lands administered by BLM as required by the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)). Generally, multiple-user facilities located on public lands involve tenants, and under this rule the holder will be assessed an additional amount for certain categories of tenants. Ignoring tenant use of the facility when setting rent, while allowing the holder nearly exclusive use of the site, prevents recovery of fair market value. Thus, BLM's statutory responsibility to obtain fair market value for the use of public lands includes obtaining a rent for tenant uses in the facility.

In response to comments on the proposed rule, BLM changed the original proposal (at § 2803.1-2(d)(6) in the final rule) from charging 25 percent of the gross rent received from tenants in the facility because it would be too intrusive and difficult to implement. The final rule has been amended to charge the holder of the right-of-way the full schedule rent for the highest valued use in the facility, plus 25 percent of the schedule rent for the other uses. To implement this provision, BLM must obtain from the holder a listing of tenants by category of use on an annual basis. The information collected will allow BLM to calculate the rent for the communications facility. The information is mandatory to obtain a benefit, use of public lands for communications facilities.

The public reporting burden for this collection of information is estimated to average one hour per response. The respondents are holders of right-of-way grants or temporary use permits. The estimated number of respondents is 1,500. The estimated number of responses per respondent is one per year. The estimated total annual burden on respondents is 1,500 hours.

All responses to this notice will be summarized and included in the request

for Office of Management and Budget approval. All comments will also become a matter of public record.

Dated: November 6, 1995.

Annetta Cheek,

Regulatory Management.

[FR Doc. 95-27785 Filed 11-9-95; 8:45 am]

BILLING CODE 4310-84-P

[WO-350-1430-00-24-1A]

Rights-of-Way, Rental Schedule for Communication Uses for 1996**AGENCY:** Bureau of Land Management, Interior.**ACTION:** Notice of establishment of rental fee schedule for communication site rights-of-way on public lands for 1996.

SUMMARY: The Director, Bureau of Land Management (BLM), hereby publishes the schedule for the rental fees for communication site rights-of-way on public lands administered by BLM.

EFFECTIVE DATE: January 1, 1996, through December 31, 1996.

ADDRESSES: Any inquiries should be sent to Director (420), Bureau of Land Management, Main Interior Building, Room 5650, 1849 C Street, NW, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: David Cavanaugh (202) 452-7793.

SUPPLEMENTARY INFORMATION: Rental fees for the use of public lands for right-of-way purposes are established and collected under the authority of Section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), and in accordance with the procedures provided in the regulations at 43 CFR subpart 2803. Elsewhere in this issue of the Federal Register (*insert FR citation of schedule notice*), BLM is publishing a final rule that establishes procedures for determining rent for nine categories of communication uses for which fair market value is required for the use of the public lands. This final rule authorizes a rental schedule for non-linear communication site rights-of-way. Annual rental payments will be calculated and provided to the holder by December 31 for each ensuing calendar year based on the following schedule: