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(May 2022)

UNITED STATES
DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

MANUAL **TRANSMITTAL SHEET**

Release	2-307
Date	05/26/2022
Office Code	HQ-330

Subject: MS 2806 - Rent

FOIA Designation Letter: P

1. Updates, supersedes, or rescinds:

This release updates BLM Manual Section 2806 to add Chapter 6.
The acreage rent rates and MW capacity fee for wind and solar rates described in this manual section supersede those rates identified in BLM Headquarters' Instruction Memorandum (IM) IM 2021-005, as well as the rates in BLM CA IM 2021-008.

2. Explanation of Materials Transmitted:

Manual Section 2806 adds Chapter 6 to implement reduced acreage rents and megawatt fees for wind and solar energy development projects pursuant to the Energy Act of 2020 [43 U.S.C. 3003].

3. Reports Required:

Include any internal or external reports required or state, "None."

4. Delegations of Authority Updated:

Identify any changes to the delegation of authority made in the manual or handbook. Proposed changes to MS 1203, Appendices 1-20, must be provided to WO Directives, WO-830 and surnaming officials. Be specific on what appendix or appendices are affected by the change.

5. Filing Instructions: File as directed below.

REMOVE	INSERT
None	6-1 thru 6-8 (Rel. 2-307) (Total: 8 Pages)

S:/ Nicholas Douglas
Assistant Director
Energy, Minerals, and Realty Management

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.10 Rent.

A. General. ROW rent payments are required from most holders of ROW grants and must be paid in advance, unless the rent is based in whole or in part on a percentage of production or similar terms. The rent is equivalent to the fair market rental value, which the BLM establishes based on sound business management principles.

1. Billing. When the initial rent is determined, issue a bill for that amount and include it with the offer to issue. Subsequent rent is normally determined and billed as accounts receivable through an automated system.

2. Refunds. Once paid, the rent is not subject to refund except for error.

3. Linear or Areal. The distinction between a linear and an areal ROW designation rests on the principal purpose of the individually serialized grant. A ROW grant is areal if the specifically authorized activity requires the use and occupancy of a site, station, location, tract, etc., as opposed to a route, corridor, or path.

a. Example 1. The BLM frequently receives applications for metering stations along pipelines, substations for transmission lines, regenerating sites for fiber optic lines, etc. These are sometimes included with the original application and/or sometimes requested later after construction.

(1) Preferably, these are authorized as part of or as an amendment to the existing grant, and the rent is determined as though for a linear ROW. The acreage is included in that of the linear ROW and the rent is determined from the schedule.

(2) If for any reason, the new facility receives its own separate serial number, the principal purpose of the grant must be considered. A pipeline metering station is to measure the fluid going through the pipe, and while it involves the movement of fluid through the site, the principal activity of that grant is conducted on the site. On the other hand, the pipeline ROW has as its principal purpose the movement of fluid between two points along a route or path. The metering station, if serialized separately, is an areal ROW; rent is determined by appraisal (see .50 below). The pipeline is a linear ROW; rent is determined by the linear schedule (see .20 below).

b. Example 2. Another example is an authorization for a road and powerline serving a communication site.

(1) If all the facilities are authorized under one grant, the principal purpose of the grant is to communicate from the site; the road and/or powerline are ancillary to that purpose. They are considered part of the areal grant and the rent is determined by the communication site schedule (see .30 below).

(2) If, however the road and/or powerline are individual grants with separate serial numbers, the rent for the road and/or powerline is determined from the linear schedule; the principal purpose of the road and powerline ROW grant(s) being to provide a route or pathway to the site.

B. Charging Rent for pre-FLPMA Grants.

1. Change in Rent Amount. When the BLM initiates a change in the rent amount, a hearing is required if:

a. The ROW was issued prior to October 22, 1976, pursuant to a Pre-FLPMA law, and

b. The rent is determined by other than a rent schedule, or

c. The rent decision is to require the holder to start paying rent pursuant to a rent schedule, or

d. The rent decision is to remove the holder from paying rent pursuant to a rent schedule and determine rent by another method.

2. Hearing.

a. A formal hearing is not required but must, at least, be before the AO who will make the rent decision.

b. The applicant/holder must have reasonable prior access to the BLM's proposed determination of rent and supporting documents, including appraisals or other documents obtained from Departmental appraisers or outside contractors.

c. A verbatim transcript is not required so long as sufficient notes are taken. It is suggested that any hearing be recorded.

3. Decision. Upon conclusion of the hearing, the AO shall review the hearing notes, comments submitted by the applicant/holder, confer with staff/appraisers as appropriate, and issue a decision determining the appropriate rent.

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.11 Charging Rent.

A. Rent Year. Unless there is good reason to establish a different rent period (seasonal use of a wind farm or an in-stream mini hydro for example) the first rent year will begin on the first of the month following the issuance of the grant and end at midnight on December 31st of that year. Ensuing years correspond with the calendar year unless the grant terminates before December 31st of the final year. The rent for partial years is prorated based on 12 months.

1. Example: A grant issued in June will have 6 months (July to December) of rent for the first year. If the annual rent is $100, the rent will be 6/12 (50%) or $50.

2. Existing Grants with a different rent year will, all else being equal, be converted to calendar year rent at the earliest possible time.

3. Grants Issued for 12 Months or Less are charged the fractional monthly portion of the annual rent.

B. Appeal. All rent decisions are subject to appeal.

.12 Payment.

A. Initial payment must be made before the BLM will issue the ROW grant.

B. Subsequent Payments.

1. Payment Due Date. Unless the existing grant provides otherwise and has not been converted to the calendar year, all subsequent payments are due on January 1 of the first year of the succeeding rent period.

2. Linear ROW Grants. Payments for all linear grants are made in accordance with the plan given in 2806.23 below regardless of whether the annual rent is determined by the schedule or by other means.

3. Areal or Site ROW Grants. Payments for all areal or site grants are made annually.

.13 Late or Non-Payment of Rent. Rent is late if it is not received within 15 calendar days after the due date.

A. A Late Payment Fee of $25.00 or 10% of the owed rent, whichever is greater, is charged for late payments. The fee may not exceed $500.00 per authorization.

1. The late fee is automatically added and the holder notified through the CBS program.

2. The late payment fee is deposited in the '5102 LATE' account.

B. Other Administrative Fees. If the rent payment, including the late fee, is not received within 30 calendar days of the date due, other administrative fees will be charged.

1. The AO determines the amount of the administrative late fee and reports this to CBS, where it is included as part of the demand letters sent to the holder.

C. Suspension. If the rent remains unpaid for 90 days a Notice of Suspension requiring the cessation of all activity on the ROW may be issued.

D. Grant Termination. If the rent still has not been paid:

1. No later than the 120th day following the rent due date, the AO shall issue an appealable decision terminating the grant (see Manual 2807),

2. Advise the holder that facilities or equipment on the ROW may not be operated, removed or sold without written permission from the AO, and

3. Any bond surety shall be notified of the termination decision and that the bond is attached for necessary termination restoration.

E. Debt. Regardless of the termination of the grant, the rent and associated fees remain a debt due the United States. This debt is reported to NBC/CBS for appropriate action.

F. Subsequent Payment does not automatically reinstate the grant. The prior holder will be required to file a new ROW application.

G. Waiver of Late Payment Fee.

1. The AO may waive the Late Payment Fee when (use the Late Payment Fee Waiver request form, Illustration 1):

a. The bill was not mailed to the holder in a timely manner. Generally, bills mailed after December 1 would not be considered mailed in a timely manner for payments due January 1;

b. Payment was not receipted timely, i.e., placed in safe for processing the next day;

c. Collection error occurred – failure to properly endorse, payment applied incorrectly, etc; and

d. Other reasons acceptable to the AO.

2. The waiver request is submitted to the AO for approval or disapproval.

3. If approved, the request is submitted to CBS with copy to the BLM requestor for filing in appropriate case files.

4. If disapproved, the request is returned to the BLM requestor for filing in the appropriate case file and providing notice of the disapproval to the holder.

.14 Exemptions to Paying Rent.

A. Statutory. Some grants have been issued pursuant to authorities that do not provide for the collection of rent. Among these is the Act of March 3, 1891, 43 U.S.C. 946 et seq. The authority to issue new grants was repealed as to Public Lands and National Forests (1976) (case type 287100). However, existing grants in good standing remain exempt from payment of rent.

B. Rural Electrification Act of 1936 (RE Act) Eligible. Section 504(g) of FLPMA provides that facilities that are eligible for RE Act financing are excluded from paying rent. Certification will be obtained from the Rural Utilities Service (RUS) when the holder or applicant requests a RE Act waiver of rent.

1. Existing RE Act Financing. If the applicant/holder of the facility has received financing or approval for financing from the RUS, the applicant/holder should furnish:

a. A request for waiver.

b. The RUS Program Project Number, if any.

c. The date and specifics of the RE Act financing or approval.

d. All other information requested on the RUS Certification Form (see Illustration 2 (Telephone Facility) or Illustration 3 (Electric Facility).

2. Existing Grant Holder. In a request for RE Act rent waiver by an existing grant holder, the holder must provide a statement why the granted facilities would be eligible for RE Act financing.

a. The statement should also include:

i. The RUS Program Project Number, if any.

ii. All other information requested on the RUS Certification Form (see Illustration 2 (Telephone Facility) or Illustration 3 (Electric Facility).

b. The holder will be required to continue paying rent (which is not refundable) until a certification is received from RUS and the BLM issues a decision waiving the rent.

3. New Applications. In a request for RE Act rent waiver for a new ROW the applicant must provide a statement why the proposed facilities would be eligible for RE Act financing.

a. The statement should also include:

i. The RUS Program Project Number, Code, or other identification for the project if any.

ii. All other information requested on the RUS Certification Form (see Illustration 2 (Telephone Facility) or Illustration 3 (Electric Facility).

b. The ROW grant will not be issued until the certification is received from RUS.

4. Obtaining RUS Certification. Use Illustration 2, Telephone Facility, or Illustration 3, Electric Facility, as appropriate to request certification from the RUS.

a. Complete parts A, B, and C and submit the form to the Headquarters' Office of the BLM (WO350D) as provided on the form instructions. WO350D will review the form for completeness and forward it on to the RUS as noted on the form instructions.

b. Based on the certification received from RUS, the ROW is either exempt from rent (facility is financed or eligible for financing pursuant to the RE Act) or is otherwise subject to rent (facility is not financed or eligible for financing pursuant to the RE Act).

5. Ancillary Facilities. Any equipment/improvements ancillary to the primary purpose of the telephone or electric facility right-of-way, such as an access road, generator, or fuel tank, etc. are exempt from rent under the RE Act provision **only** if they are included and authorized under the primary ROW grant for the telephone or electric facility. If ancillary facilities are authorized with a separate ROW grant and if the ancillary facility, itself, can not be considered a "telephone" or "electric" facility (such as a road), the ancillary facility would not qualify for the RE Act rent exemption, regardless of whether the RUS finances such facilities. Only telephone and/or electric facilities included under the same authorization financed, or eligible for financing, under the RE Act, qualify for an exemption of rent.

a. A Serialized Case File will constitute the smallest unit for RE Act eligibility. As such, all facilities authorized within the case file must qualify as eligible for exclusion from paying rent.

b. Separation of facilities within a serialized case file may be requested by the holder by filing for an amendment. In this manner an ineligible facility may be removed from the serialized case file and allow the remaining facilities to be eligible.

c. Consolidation of separate case files may also be requested by the holder by filing for an amendment.

d. Example. Holder has both a communications site grant (serial number 1) and a grant for a road to the communication site (serial number 2). The communication site is eligible under the RE Act. The road standing alone is neither an electric or telephone facility, therefore it is not eligible. Combining the two into the one communications file (serial number 1) allows the road to be considered ancillary to the communications site and becomes eligible.

6. Commercial Use of an RE Act certified facility may require the holder to pay rent. Commercial use is allowing others to use the RE Act certified facility for other commercial purposes such as having tenants in a communication site. The holder must either

a. Seek RUS certification of the other uses/facilities, or

b. Pay rent for these other uses/facilities in accordance with 43 CFR 2806.

C. Government Other Than "Municipal Utility". Federal, state, or local government or their agent or instrumentality, are excluded from paying rent, unless:

1. The agency is a municipal utility or cooperative whose principal source of revenue is customer charges; or

2. The facility, system, space, or any part of the ROW area is being used for commercial purposes.

D. Other Charges. Exemption from rent does not apply to rent penalties, fines, or similar charges for unauthorized uses.

.15 Waiver or Reduction in Rent Amount. Rents may be waived in their entirety or reduced. Illustration 4 is a sample decision waiving rent.

A. Conditions.

1. Non-Profit. The holder must demonstrate:

a. That it is a non-profit entity which is not controlled by, nor a subsidiary of, a profit-making corporation or business enterprise, and

b. The facility or project will provide a benefit or special service to the general public or to a program of the Secretary.

EXAMPLE: The holder is a private University conducting rainfall and runoff studies for a watershed with mixed ownership, including public lands, and needs a ROW for one or two stream gauges.

2. Valuable Benefit. The ROW holder is providing without charge, or at reduced rates, a valuable benefit to the public at large or to the programs of the Secretary.

EXAMPLE: The facility is a reservoir on which the holder allows recreational use at no or minimal charges.

3. Existing Federal Authorization.

a. The holder has a valid Federal authorization for which fair market value is being paid, and

(1) Needs a ROW for proper access to the area, and/or

(2) Needs a ROW to operate under the Federal authorization.

b. Exception. A valid Federal authorization does not include oil and gas leases issued under 43 CFR Part 3100.

4. Cost share. The ROW grant involves a cost share road or a reciprocal ROW agreement not subject to 43 CFR Subpart 2812. The BLM will determine the rent based on the proportion of use.

5. Hardship. The BLM State Director may waive or reduce the rent payment if it is determined that paying the full rent will cause undue hardship and it is in the public interest.

a. An Alternative Rent payment plan must be submitted with any hardship request.

b. Resumption of full rent payments should occur at the earliest reasonable opportunity.

B. Decision. Any waiver or reduction is to be made by formal decision, signed by the State Director, with the right of appeal.

C. Review. Any decision to reduce or waive rent must be periodically reviewed. The conditions for reduction or waiver should indicate how often reviews should be made; however, in no case shall a review period exceed 10 years.

D. Rent Payment Period. Where a rent reduction is made, the rent payment period may not exceed 10 years.

E. Commercial Solar Energy Development. Solar power ROW rent payments will be phased in over a 3-year period to permit additional data collection that may be required after the approval of the grant, preparation and approval of a POD, and construction of the facility. The rent for the first year will be 25 percent of the BLM approved rent, 50 percent the second year and 100 percent the third year.

F. Commercial Wind Energy Development. Wind energy development rent payments will be phased in over a three year period to permit approval of a POD and construction of the facility. The rent for the first year will be 25 percent of the BLM approved rent, 50 percent the second year and 100 percent the third year.

.16 Using Estimated Rents. Estimated rents are only used where the rent is to be determined by appraisal or a method other than a rent schedule.

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A. Consultation. Before setting an estimated rent consult with the Departmental Appraisal Staff or other entity that will be making the actual rent determination.

B. Urgency. Unless the applicant expresses urgency in issuing the grant, estimated rent will normally not be used when actual rent is expected to be determined within 60 days.

C. Actual rent must be determined and obtained within the first year of the grant.

D. Overage. Where the estimated rent is greater than the actual rent, the overage is to be refunded to the holder.

.20 Linear ROWs. ROW grants that are linear in character are covered by the linear rent schedule.

Note: The linear rent schedule does not apply to Alaska.

The schedule consists of 8 value or price zones with the $-per-acre rent for two categories of ROW uses. Except for two counties in northwest Arizona, the county is the smallest unit within a zone. (See Illustration 5).

A. Exceptions to Rent Schedule. If the rent determined by comparable commercial practices or an appraisal would be 10 or more times the rent from the schedule, an alternative means to compute the rent may be used.

1. High value areas within the State(s) should be identified by State Directors and provided to the appraiser. These are areas most likely to meet this exception criterion. Early identification helps not only BLM employees but prospective applicants/holders.

2. Unit Pricing. Areas where sound business practices indicate the ROW market uses unit pricing, dollars per rod and the like, should also be identified.

3. Other. There will be few areas not covered in 1 or 2 that would qualify for exception to the linear schedule.

B. Removal from Schedule. Once rent is officially determined by the schedule, alternative methods of determining rent may only be used when:

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1. The State Director determines that an alternative method would produce a rent in excess of ten times the rent from the schedule, or

Note: Removal of a pre-FLPMA authorization from the schedule requires a hearing. (See .14 above).

2. An Amendment is filed, in which case it is treated as filing a new application.

.21 Schedule Update. The Director updates the linear rent schedule each calendar year based on the previous year's change in the IPD-GDP, as measured second quarter to second quarter.

.22 Calculation of Rent. Annual rent is determined by calculating the acreage of the ROW in each price zone and multiplying that acreage by the $-per-acre figure for the appropriate ROW use. Totaling the results for each price zone provides the annual rent for the ROW.

A. Acreage includes all areas within the ROW grant. For an electric transmission line it includes the acreage of a substation or similar spatial facility.

B. ROW use is one of two categories. Roads, major ditches, pipelines, etc., which have a high impact on the surface of land are in one use category. Pole lines, minor ditches, etc., which have less impact on the surface of land are in the other use category.

C. Illustrations 6, Sample Linear Rent Schedule by State and County; and 7, Sample Linear Rent Schedule Zone Work Sheet, may be used in calculating rent. Since the schedule changes each calendar year, new worksheets have to be used annually.

.23 Rent Payment Periods vary from a portion of a year for temporary grants to annual, periodic, or term of grant (not to exceed 30 years) for all other linear ROW grants. (See Illustration 8, Linear Rent Payment Options). See .15D when a rent reduction is applied.
(all of .23 revised: 10/12/07)

A. Term Grants. For linear grants, except those issued in perpetuity, nonrefundable payments may be made as follows:

1. Balance of Term. The applicant/holder may elect to make a one-time payment for the balance of the grant term.

a. Except as provided in paragraph b. below, the election to make a one-time payment may be made any time during the term of the grant.

b. If rent has already been paid for a multi-year term, the election to make a one-time payment may be effected only at the start of the next multi-year period.

c. Rent is determined by multiplying the annual rent times the number of years, not to exceed 30, remaining in the grant term.

2. Multiple Payments. Options of rent payment other than balance of term are:

a. Payment by Individuals. Payment periods for individuals are based on the amount of annual rent:

i. Annual Rent $100 or Less. Minimum period is 10 years or may pay in units of 10 years, i.e., 10, 20, or 30 years, not to exceed the term of the grant.

ii. Annual Rent Greater Than $100. May pay annually or in units of 10 years (10, 20 or 30 years), not to exceed the term of the grant.

b. Payment by All Others. Payment period for all others is also based on the amount of the annual rent:

i. Annual Rent is $1,000 or Less. Minimum period is 10 years or may pay in units of 10 years, i.e., 10, 20, or 30 years, not to exceed the term of the grant.

ii. Annual Rent is Greater Than $1,000. May pay annually or in units of 10 years (10, 20 or 30 years), not to exceed the term of the grant.

B. Perpetual Grants. For linear grants that had been issued in perpetuity nonrefundable payments may be made as follows:

1. Individuals. Same as A.2.a. above; except the maximum payment period is 30 years.

2. All Others. Same as A.2.b. above; except the maximum payment period is 30 years.

3. Servient Land is Transferred out of Federal Ownership. See 2807.15.C. Where the ROW grant was/is to be issued in perpetuity, or converted to an easement, the holder may request a one-time rent payment be determined:

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a. Off Schedule.

i. For those cases where the rent is already determined by an off schedule method use the appraisal data from the "land disposal" action (sale, exchange, etc.) and/or other market information to determine the one-time payment.

ii. If the appraised land value for the disposition is $10,000 or more per acre consider removing the case from the rental schedule (43 CFR 2606.20(c)). Use the appraisal data from the "land disposal" action (sale, exchange, etc.) and/or other market information to determine the one-time payment.

b. On Schedule. Use the rent schedule to determine the annual rent and multiple by 100 to determine the one-time payment.

c. Easement Requested. If the holder requests conversion to an easement, use the appraisal data from the "land disposal" action (sale, exchange, etc.) and/or other market information to determine the one-time payment for the easement.

.30 Communication Sites. Rents for all "stand alone" communication sites are based on a schedule. Each serialized case is treated as a separate communication site for purposes of rent determination.

A. Schedule. (See Illustration 9).

1. The Basis of the schedule is:

a. Use. The type of communication use or uses for which the ROW is being granted and/or used, and

b. Population Served as depicted in the Ranally Metro Area Population Ranking.

Note: Ranally Metro Areas (RMA) are not to be split into smaller areas. Where the applicant/holder provides good reason why the RMA is not applicable in part to the facility, look to reducing or waiving rent on some other basis.

c. Update. The schedule (sample at Illustration 5) is updated annually.

B. Exceptions to Schedule. The communication use rent schedule does not apply to:

1. Communication site uses, facilities, and devices located entirely within the exterior boundaries of an oil and gas lease, and directly supporting the operations of the oil and gas lease (see 43 CFR Parts 3160 through 3190);

2. Communication facilities and uses ancillary to and authorized under a linear grant;

> **Example**: An electric transmission line uses a communication site to relay instructions to substations or other facilities along the line.

3. Communication uses not listed on the schedule, such as telephone lines, fiber optic cables, and new technologies;

4. Grants for which the BLM determines the rent by competitive bidding; or

5. Communication facilities and uses for which the BLM State Director concurs that:

a. The expected annual rent, as the BLM estimates from market data, exceeds the rent from the rent schedule by five times; or

b. The communication site serves a population of one million or more and the expected annual rent for the communication use or uses is more than $10,000 above the rent from the rent schedule.

.31 Calculating Rent.

A. Basic Concept. Rent is established on the use or uses within the communication site facility(ies) by:

1. Single Use. Applying the rent directly from the schedule, or

2. Multiple Uses. Establishing the rent for the highest value use and adding to that 25% of the schedule rent for all other tenant uses.

B. Annual Statement. Holders are required to submit a certified statement listing tenants and customers in the facility(ies) and the category of use for each as of September 30. This statement is due by October 15.

1. Statement Not Received. Immediately issue a Notice of Non-Compliance giving the holder 15 days from receipt to submit the statement.

a. Termination. If satisfaction is not obtained from the Notice of Non-Compliance, issue a decision terminating the ROW grant, including the appeal language, for failure to comply with the regulations.

2. Statement Received. Review the statement, including comparison with prior statements, to determine completeness and accuracy. Request additional information if needed.

C. Population Strata. Determine the population strata if the site or facility is:

1. Within a Designated RMA.

a. Serving only the one RMA - use the RMA population strata.

b. Serving two or more RMAs - use the population strata for the RMA having the greatest population.

2. Outside a Designated RMA.

a. Serving one or more RMAs or portion thereof - use the population strata for the RMA having the greatest population.

b. Does not serve an RMA - use the population strata of the community it serves having the greatest population, as identified in the current edition of the Rand McNally Road Atlas.

c. Serves a community of less than 25,000 - use the lowest population strata shown on the rent schedule.

3. Other.

a. All facilities, including uses within the same facility, located within the Site Management Plan are considered to be serving the same RMA or community.

(1) The State Director may make an exception in determining population served where separate facilities under separate ROW grants may not be able to serve the same RMA or community.

> **Example**: A site has a mix of high-power and low-power uses that are authorized by separate grants or leases, and only the high-power uses are capable of serving the RMA with the greatest population.

b. For purposes of rent calculation, all uses within the same facility and/or authorized under the same grant or lease must serve the same population strata.

D. Calculating Rent by Type of Use. [Reserved]

.50 Other.

A. Types of ROW Grants. This "Other" category includes:

1. Linear ROW grants excluded from the rent schedule;

2. Communication site ROW grants excluded from the schedule;

3. Site ROW grants other than communication sites;

Example: Solar energy ROW grants.

4. Wind energy ROW grants;

5. ROW grants obtained by competitive bid.

B. Determination of Rent.

1. Competitive bid. The rent for ROW grants obtained competitively normally expresses the rent conditions either as part of the solicitation or submitted bid.

2. Applicant/Holder Provided. Where the holder submits an estimate of rent through comparable commercial practices it must be reviewed for adequacy. Usually this review is requested to be done by the Department's Appraisal Services.

3. Combined Linear and Site Grants. Rent should be determined by appraisal or sound business practices. **Do not** determine site rent in this manner and then add linear rent through use of a schedule.

4. Other. Except for wind energy ROWs, rent for other types is obtained by appraisal or comparable commercial practices and is developed by the Department's Appraisal Services. The rent for wind energy ROWs is determined as shown in Illustration 10.

C. Requesting Appraisal Services. The BLM has a Memorandum of Understanding with the National Business Center (NBC) for the acquisition of appraisal services. (See Appendix 1).

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1. Requests are submitted via completed Appraisal Requests and Review Tracking System (ARRTS) to the Appraisal Services Director (ASD). The staff of the Appraisal Service is available to assist in assuring all information necessary for a completed request is included.

2. Upon receipt of the estimated cost of the Appraisal Service, the BLM will enter into a reimbursable support agreement with the NBC and deposit the necessary funds. Upon completion of the appraisal, final costs will be resolved with either an additional payment or refund of excess payment.

Chapter 6. Rent and Fee Reductions for Solar and Wind Energy Development Authorizations

A. General. The Federal Land Policy and Management Act of 1976 (FLPMA) provides that right-of-way (ROW) holders must generally pay fair market value for their use of public lands.[1] The Energy Act of 2020, 43 USC 3003, provides the Secretary of the Interior (Secretary) with the authority[2] to: 1) consider acreage rental rates, capacity fees, and other recurring annual fees in total when evaluating existing rates paid for the use of Federal land by eligible projects; and 2) reduce acreage rental rates and megawatt (MW) capacity fees if, among other things, the Secretary determines "that a reduced rental rate or capacity fee is necessary to promote the greatest use of wind and solar energy resources." In developing this manual section, the Bureau of Land Management (BLM) has determined the greatest use of wind and solar energy resources includes maximizing responsible development of wind and solar resources located on public land to strengthen national energy independence, rapidly reduce the power sector greenhouse gas emissions, and spur economic growth by creating good jobs.

To incentivize renewable energy production on public lands and create new clean energy jobs, the BLM finds the adjustments described herein are necessary to bolster favorable financial conditions to support long-term generation productivity for existing and new wind and solar projects on public land, encourage reinvestment, and attract new environmentally responsible projects on public lands. To promote responsible development of wind and solar energy resources on public lands, the reduced rates in this manual shall be implemented where development projects are authorized by the BLM.[3] This ROW Manual Section (MS-2806, Chapter 6) implements reduced acreage rent rates and MW capacity fees for existing and new wind and solar energy projects on public lands pursuant to the authority under the Energy Act of 2020 and which also support Section 207 of Executive Order 14008.

[1] Section 102(a)(9) of FLPMA, The policy of the United States is to receive fair market value for the use of the public lands and their resources unless otherwise provided for by statute.
[2] 43 U.S.C. 3003(b)(2) provides the Secretary of the Interior the authority to reduce acreage rental rates and capacity fees, or both, for existing and new wind and solar authorizations if she determines that a reduced rental rate or capacity fee is necessary to promote the greatest use of wind and solar energy resources.
[3] Pursuant to the Departmental Manual 235 DM 1, the statutory authority of the Secretary under 43 U.S.C. 3003(b)(2) is delegated to the Assistant Secretary for Land and Minerals pursuant to 109 DM 7 and re-delegated to the BLM Director.

B. Implementation.

1. Annual billing:
   a. Shall be applied for the calendar year 2021 and forward for all existing and new wind and solar energy development projects authorized on public land
   b. Will be calculated using
      i. MW fee rates tabulated in Section C; and,
      ii. Acreage rent rates for wind and solar tabulated in Section E
2. *Exception:* where a hardship request is granted by a BLM State Director pursuant to federal regulations, the rates published under this manual section are not applicable for the duration of the approved hardship.

C. Adjustments to Acreage Rent Rates and MW Fee Rates

1. **Per-Acre Rent Rate Reduction Calculation:** Methodology[4] (A x B x C x D = E) is adjusted as described below and shown in Section D - Statewide Per-Acre Rental Rate Calculation Methodology Tabulations.

   - Modify equation factor **"A"**
     - **To reflect: the statewide average, per-acre "non-irrigated land values," less improvements by National Agricultural Statistics Service (NASS)**
     - From previous: *per acre zone value determined by using a State-specific factor to assign a county to a zone in the wind or solar energy acreage rent schedule. The BLM will calculate a State-specific factor and apply it to the NASS data (county average per acre land and building value) to determine the per acre value and assign a county (or other geographical areas) to a zone. Using NASS data, the State-specific factor represents the percent difference between improved agricultural land and unimproved rangeland values.*

   - Modify equation factor **"C"**
     - **To reflect: 2% rate-of-return**
     - From previous: *5.27% rate-of-return*

[4] 43 CFR §§ 2806.52(a) & 2806.62(a)

2. **MW Capacity Fee Rate Reduction:** Adjusted as described below and shown in tabulation "MW Rate Schedule for Solar and Wind Development."

- The MW capacity fee rates
  - **To reflect: $2,000 capacity fee rate for all technologies**
  - From Previous*:*
    - *PV Solar=$2,172*
      Concentrated Solar (CSP)=$2,716
      CSP with storage=$3,259
      Wind=$3,802
  - Maintain phase-in over 3 years when generation initially begins
    - *25% year 1 = $500/MW*
      50% year 2 = $1,000/MW
      100% year 3 = $2,000/MW

MW RATE SCHEDULE
FOR SOLAR AND WIND DEVELOPMENT

TECHNOLOGY	2021 - beyond
SOLAR - PV	$2,000
SOLAR - CPV AND CSP	$2,000
CSP with 3hrs + STORAGE	$2,000
WIND - all technologies	$2,000

D. Statewide Per-Acre Rental Rate Calculation Methodology Tabulations

SOLAR PER-ACRE RENTAL RATE BY STATE

STATE	2017 NASS Census Statewide Average Non-Irrigated Per Acre Land & Building Value	Percent of non-irrigated lands with improvements	*Equation variable: A* Reduced for percentage of improved land	*Equation variable: B* Multiply by Encumbrance Factor (100%) and round to nearest cent	*Equation variable: C* Multiply by (2%) Rate of Return and round to nearest cent	*Equation variable: D* Increase by Annual adjustment (2.1%) and round to nearest cent	*Equation variable: E* 2021 BLM Statewide Solar Development Per-Acre Rent Rate
ALASKA	$577.00	1.90%	$566.04	100%	2%	102.1%	**$11.56**
ARIZONA	$441.00	7.50%	$407.93	100%	2%	102.1%	**$8.33**
CALIFORNIA	$3,914.00	6.00%	$3,679.16	100%	2%	102.1%	**$75.13**
COLORADO	$1,290.00	2.10%	$1,262.91	100%	2%	102.1%	**$25.79**
IDAHO	$1,931.00	3.40%	$1,865.35	100%	2%	102.1%	**$38.09**
MONTANA	$785.00	1.20%	$775.58	100%	2%	102.1%	**$15.84**
NEW MEXICO	$399.00	0.70%	$396.21	100%	2%	102.1%	**$8.09**
NEVADA	$689.00	7.10%	$640.08	100%	2%	102.1%	**$13.07**
OREGON	$2,470.00	3.00%	$2,395.90	100%	2%	102.1%	**$48.93**
UTAH	$952.00	2.40%	$929.15	100%	2%	102.1%	**$18.97**
WASHINGTON	$2,261.00	3.50%	$2,181.87	100%	2%	102.1%	**$44.56**
WYOMING	$660.00	0.80%	$654.72	100%	2%	102.1%	**$13.36**

WIND PER-ACRE RENTAL RATE BY STATE

STATE	2017 NASS Census Statewide Average Non-Irrigated Per Acre Land & Building Value	Percent of non-irrigated lands with improvements	*Equation variable: A* Reduced for percentage of improved land	*Equation variable: B* Multiply by Encumbrance Factor (10%) and round to nearest cent	*Equation variable: C* Multiply by (2%) Rate of Return and round to nearest cent	*Equation variable: D* Increase by Annual adjustment (2.1%) and round to nearest cent	*Equation variable: E* 2021 BLM Statewide Wind Development Per-Acre Rent Rate
ALASKA	$577.00	1.90%	$566.04	10%	2%	102.1%	**$1.15**
ARIZONA	$441.00	7.50%	$407.93	10%	2%	102.1%	**$0.84**
CALIFORNIA	$3,914.00	6.00%	$3,679.16	10%	2%	102.1%	**$7.51**
COLORADO	$1,290.00	2.10%	$1,262.91	10%	2%	102.1%	**$2.58**
IDAHO	$1,931.00	3.40%	$1,865.35	10%	2%	102.1%	**$3.81**
MONTANA	$785.00	1.20%	$775.58	10%	2%	102.1%	**$1.58**
NEW MEXICO	$399.00	0.70%	$396.21	10%	2%	102.1%	**$0.81**
NEVADA	$689.00	7.10%	$640.08	10%	2%	102.1%	**$1.31**
OREGON	$2,470.00	3.00%	$2,395.90	10%	2%	102.1%	**$4.89**
UTAH	$952.00	2.40%	$929.15	10%	2%	102.1%	**$1.90**
WASHINGTON	$2,261.00	3.50%	$2,181.87	10%	2%	102.1%	**$4.45**
WYOMING	$660.00	0.80%	$654.72	10%	2%	102.1%	**$1.34**

E. Reduced Acreage Rent Schedules for Solar and Wind Energy Development Authorizations

REDUCED PER-ACRE RENTAL RATE SCHEDULE FOR SOLAR ENERGY AUTHORIZATIONS ON PUBLIC LAND

Annual Adjustment Factor 2.1%

STATE	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
ALASKA	$11.56	$11.80	$12.05	$12.30	$12.56	$12.82	$13.09	$13.36	$13.64	$13.93
ARIZONA	$8.33	$8.50	$8.68	$8.86	$9.05	$9.24	$9.43	$9.63	$9.83	$10.04
CALIFORNIA	$75.13	$76.71	$78.32	$79.96	$81.64	$83.35	$85.10	$86.89	$88.71	$90.57
COLORADO	$25.79	$26.33	$26.88	$27.44	$28.02	$28.61	$29.21	$29.82	$30.45	$31.09
IDAHO	$38.09	$38.89	$39.71	$40.54	$41.39	$42.26	$43.15	$44.06	$44.99	$45.93
MONTANA	$15.84	$16.17	$16.51	$16.86	$17.21	$17.57	$17.94	$18.32	$18.70	$19.09
NEW MEXICO	$8.09	$8.26	$8.43	$8.61	$8.79	$8.97	$9.16	$9.35	$9.55	$9.75
NEVADA	$13.07	$13.34	$13.62	$13.91	$14.20	$14.50	$14.80	$15.11	$15.43	$15.75
OREGON	$48.93	$49.96	$51.01	$52.08	$53.17	$54.29	$55.43	$56.59	$57.78	$58.99
UTAH	$18.97	$19.37	$19.78	$20.20	$20.62	$21.05	$21.49	$21.94	$22.40	$22.87
WASHINGTON	$44.56	$45.50	$46.46	$47.44	$48.44	$49.46	$50.50	$51.56	$52.64	$53.75
WYOMING	$13.36	$13.64	$13.93	$14.22	$14.52	$14.82	$15.13	$15.45	$15.77	$16.10

STATE	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
ALASKA	$14.22	$14.52	$14.82	$15.13	$15.45	$15.77	$16.10	$16.44	$16.79	$17.14
ARIZONA	$10.25	$10.47	$10.69	$10.91	$11.14	$11.37	$11.61	$11.85	$12.10	$12.35
CALIFORNIA	$92.47	$94.41	$96.39	$98.41	$100.48	$102.59	$104.74	$106.94	$109.19	$111.48
COLORADO	$31.74	$32.41	$33.09	$33.78	$34.49	$35.21	$35.95	$36.70	$37.47	$38.26
IDAHO	$46.89	$47.88	$48.89	$49.92	$50.97	$52.04	$53.13	$54.25	$55.39	$56.55
MONTANA	$19.49	$19.90	$20.32	$20.75	$21.19	$21.63	$22.08	$22.54	$23.01	$23.49
NEW MEXICO	$9.95	$10.16	$10.37	$10.59	$10.81	$11.04	$11.27	$11.51	$11.75	$12.00
NEVADA	$16.08	$16.42	$16.76	$17.11	$17.47	$17.84	$18.21	$18.59	$18.98	$19.38
OREGON	$60.23	$61.49	$62.78	$64.10	$65.45	$66.82	$68.22	$69.65	$71.11	$72.60
UTAH	$23.35	$23.84	$24.34	$24.85	$25.37	$25.90	$26.44	$27.00	$27.57	$28.15
WASHINGTON	$54.88	$56.03	$57.21	$58.41	$59.64	$60.89	$62.17	$63.48	$64.81	$66.17
WYOMING	$16.44	$16.78	$17.13	$17.49	$17.86	$18.24	$18.62	$19.01	$19.41	$19.82

STATE	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050
ALASKA	$17.50	$17.87	$18.25	$18.63	$19.02	$19.42	$19.83	$20.25	$20.68	$21.11
ARIZONA	$12.61	$12.87	$13.14	$13.42	$13.70	$13.99	$14.28	$14.58	$14.89	$15.20
CALIFORNIA	$113.82	$116.21	$118.65	$121.14	$123.68	$126.28	$128.93	$131.64	$134.40	$137.22
COLORADO	$39.06	$39.88	$40.72	$41.58	$42.45	$43.34	$44.25	$45.18	$46.13	$47.10
IDAHO	$57.74	$58.95	$60.19	$61.45	$62.74	$64.06	$65.41	$66.78	$68.18	$69.61
MONTANA	$23.98	$24.49	$25.00	$25.53	$26.07	$26.62	$27.18	$27.75	$28.33	$28.92
NEW MEXICO	$12.25	$12.51	$12.77	$13.04	$13.31	$13.59	$13.88	$14.17	$14.47	$14.77
NEVADA	$19.79	$20.20	$20.62	$21.05	$21.49	$21.94	$22.40	$22.87	$23.35	$23.84
OREGON	$74.12	$75.68	$77.27	$78.89	$80.55	$82.24	$83.97	$85.73	$87.53	$89.37
UTAH	$28.74	$29.34	$29.96	$30.59	$31.23	$31.89	$32.56	$33.24	$33.94	$34.65
WASHINGTON	$67.56	$68.98	$70.43	$71.91	$73.42	$74.96	$76.53	$78.14	$79.78	$81.46
WYOMING	$20.24	$20.66	$21.09	$21.53	$21.98	$22.44	$22.91	$23.39	$23.88	$24.38

REDUCED PER-ACRE RENTAL RATE SCHEDULE FOR WIND ENERGY AUTHORIZATIONS ON PUBLIC LAND

Annual Adjustment Factor 2.1%

STATE	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
ALASKA	$1.15	$1.17	$1.19	$1.21	$1.24	$1.27	$1.30	$1.33	$1.36	$1.39
ARIZONA	$0.84	$0.86	$0.88	$0.90	$0.92	$0.94	$0.96	$0.98	$1.00	$1.02
CALIFORNIA	$7.51	$7.67	$7.83	$7.99	$8.16	$8.33	$8.50	$8.68	$8.86	$9.05
COLORADO	$2.58	$2.63	$2.69	$2.75	$2.81	$2.87	$2.93	$2.99	$3.05	$3.11
IDAHO	$3.81	$3.89	$3.97	$4.05	$4.14	$4.23	$4.32	$4.41	$4.50	$4.59
MONTANA	$1.58	$1.61	$1.64	$1.67	$1.71	$1.75	$1.79	$1.83	$1.87	$1.91
NEW MEXICO	$0.81	$0.83	$0.85	$0.87	$0.89	$0.91	$0.93	$0.95	$0.97	$0.99
NEVADA	$1.31	$1.34	$1.37	$1.40	$1.43	$1.46	$1.49	$1.52	$1.55	$1.58
OREGON	$4.89	$4.99	$5.09	$5.20	$5.31	$5.42	$5.53	$5.65	$5.77	$5.89
UTAH	$1.90	$1.94	$1.98	$2.02	$2.06	$2.10	$2.14	$2.18	$2.23	$2.28
WASHINGTON	$4.45	$4.54	$4.64	$4.74	$4.84	$4.94	$5.04	$5.15	$5.26	$5.37
WYOMING	$1.34	$1.37	$1.40	$1.43	$1.46	$1.49	$1.52	$1.55	$1.58	$1.61

STATE	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
ALASKA	$1.42	$1.45	$1.48	$1.51	$1.54	$1.57	$1.60	$1.63	$1.66	$1.69
ARIZONA	$1.04	$1.06	$1.08	$1.10	$1.12	$1.14	$1.16	$1.18	$1.20	$1.23
CALIFORNIA	$9.24	$9.43	$9.63	$9.83	$10.04	$10.25	$10.47	$10.69	$10.91	$11.14
COLORADO	$3.18	$3.25	$3.32	$3.39	$3.46	$3.53	$3.60	$3.68	$3.76	$3.84
IDAHO	$4.69	$4.79	$4.89	$4.99	$5.09	$5.20	$5.31	$5.42	$5.53	$5.65
MONTANA	$1.95	$1.99	$2.03	$2.07	$2.11	$2.15	$2.20	$2.25	$2.30	$2.35
NEW MEXICO	$1.01	$1.03	$1.05	$1.07	$1.09	$1.11	$1.13	$1.15	$1.17	$1.19
NEVADA	$1.61	$1.64	$1.67	$1.71	$1.75	$1.79	$1.83	$1.87	$1.91	$1.95
OREGON	$6.01	$6.14	$6.27	$6.40	$6.53	$6.67	$6.81	$6.95	$7.10	$7.25
UTAH	$2.33	$2.38	$2.43	$2.48	$2.53	$2.58	$2.63	$2.69	$2.75	$2.81
WASHINGTON	$5.48	$5.60	$5.72	$5.84	$5.96	$6.09	$6.22	$6.35	$6.48	$6.62
WYOMING	$1.64	$1.67	$1.71	$1.75	$1.79	$1.83	$1.87	$1.91	$1.95	$1.99

STATE	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050
ALASKA	$1.73	$1.77	$1.81	$1.85	$1.89	$1.93	$1.97	$2.01	$2.05	$2.09
ARIZONA	$1.26	$1.29	$1.32	$1.35	$1.38	$1.41	$1.44	$1.47	$1.50	$1.53
CALIFORNIA	$11.37	$11.61	$11.85	$12.10	$12.35	$12.61	$12.87	$13.14	$13.42	$13.70
COLORADO	$3.92	$4.00	$4.08	$4.17	$4.26	$4.35	$4.44	$4.53	$4.63	$4.73
IDAHO	$5.77	$5.89	$6.01	$6.14	$6.27	$6.40	$6.53	$6.67	$6.81	$6.95
MONTANA	$2.40	$2.45	$2.50	$2.55	$2.60	$2.65	$2.71	$2.77	$2.83	$2.89
NEW MEXICO	$1.21	$1.24	$1.27	$1.30	$1.33	$1.36	$1.39	$1.42	$1.45	$1.48
NEVADA	$1.99	$2.03	$2.07	$2.11	$2.15	$2.20	$2.25	$2.30	$2.35	$2.40
OREGON	$7.40	$7.56	$7.72	$7.88	$8.05	$8.22	$8.39	$8.57	$8.75	$8.93
UTAH	$2.87	$2.93	$2.99	$3.05	$3.11	$3.18	$3.25	$3.32	$3.39	$3.46
WASHINGTON	$6.76	$6.90	$7.04	$7.19	$7.34	$7.49	$7.65	$7.81	$7.97	$8.14
WYOMING	$2.03	$2.07	$2.11	$2.15	$2.20	$2.25	$2.30	$2.35	$2.40	$2.45

F. Example Calculations

Solar Development Authorization - Example calculations:

PROJECT INFORMATION:
Name: Sunny Solar
Type: Photovoltaic (PV) solar energy project
Nameplate Capacity: 350 MW
Public land acreage: 2,625 acres
State: California
Right-of-Way Authorization date: June 1, 2021
Commercial Operation Date (generation begins): June 1, 2024

SUNNY SOLAR Photovoltaic Solar Energy Project
Location: CALIFORNIA

Calendar	Acreage Rent	MW FEE	Total Rent
2021	$ 98,608.13	NO MW FEE	**$ 98,608.13**
2022	$ 201,363.75	NO MW FEE	**$ 201,363.75**
2023	$ 205,590.00	NO MW FEE	**$ 205,590.00**
2024	$ 209,895.00	$ 87,500.00	**$ 297,395.00**
2025	$ 214,305.00	$ 350,000.00	**$ 564,305.00**
2026	$ 218,793.75	$ 700,000.00	**$ 918,793.75**
2027	$ 223,387.50	$ 700,000.00	**$ 923,387.50**
2028	$ 228,086.25	$ 700,000.00	**$ 928,086.25**
2029	$ 232,863.75	$ 700,000.00	**$ 932,863.75**
2030	$ 237,746.25	$ 700,000.00	**$ 937,746.25**
2031	$ 242,733.75	$ 700,000.00	**$ 942,733.75**
2032	$ 247,826.25	$ 700,000.00	**$ 947,826.25**
2033	$ 253,023.75	$ 700,000.00	**$ 953,023.75**
2034	$ 258,326.25	$ 700,000.00	**$ 958,326.25**
2035	$ 263,760.00	$ 700,000.00	**$ 963,760.00**
2036	$ 269,298.75	$ 700,000.00	**$ 969,298.75**
2037	$ 274,942.50	$ 700,000.00	**$ 974,942.50**
2038	$ 280,717.50	$ 700,000.00	**$ 980,717.50**
2039	$ 286,623.75	$ 700,000.00	**$ 986,623.75**
2040	$ 292,635.00	$ 700,000.00	**$ 992,635.00**
2041	$ 298,777.50	$ 700,000.00	**$ 998,777.50**
2042	$ 305,051.25	$ 700,000.00	**$ 1,005,051.25**
2043	$ 311,456.25	$ 700,000.00	**$ 1,011,456.25**
2044	$ 317,992.50	$ 700,000.00	**$ 1,017,992.50**
2045	$ 324,660.00	$ 700,000.00	**$ 1,024,660.00**
2046	$ 331,485.00	$ 700,000.00	**$ 1,031,485.00**
2047	$ 338,441.25	$ 700,000.00	**$ 1,038,441.25**
2048	$ 345,555.00	$ 700,000.00	**$ 1,045,555.00**
2049	$ 352,800.00	$ 700,000.00	**$ 1,052,800.00**
2050	$ 360,202.50	$ 700,000.00	**$ 1,060,202.50**

Wind Development Authorization - Example calculations:

PROJECT INFORMATION:
Name: Blowing Strong
Type: Wind energy project
Nameplate Capacity: 250 MW
Public land acreage: 10,000 acres
State: Utah
Right-of-Way Authorization date: June 1, 2022
Commercial Operation Date (generation begins): June 1, 2025

BLOWING STRONG Wind Energy Project
Location: UTAH

Calendar Year	Acreage Rent	MW FEE	Total Rent
2021	-	-	**$ -**
2022	$ 9,700.00	NO MW FEE	**$ 9,700.00**
2023	$ 19,800.00	NO MW FEE	**$ 19,800.00**
2024	$ 20,200.00	NO MW FEE	**$ 20,200.00**
2025	$ 20,600.00	$ 62,500.00	**$ 83,100.00**
2026	$ 21,000.00	$ 250,000.00	**$ 271,000.00**
2027	$ 21,400.00	$ 500,000.00	**$ 521,400.00**
2028	$ 21,800.00	$ 500,000.00	**$ 521,800.00**
2029	$ 22,300.00	$ 500,000.00	**$ 522,300.00**
2030	$ 22,800.00	$ 500,000.00	**$ 522,800.00**
2031	$ 23,300.00	$ 500,000.00	**$ 523,300.00**
2032	$ 23,800.00	$ 500,000.00	**$ 523,800.00**
2033	$ 24,300.00	$ 500,000.00	**$ 524,300.00**
2034	$ 24,800.00	$ 500,000.00	**$ 524,800.00**
2035	$ 25,300.00	$ 500,000.00	**$ 525,300.00**
2036	$ 25,800.00	$ 500,000.00	**$ 525,800.00**
2037	$ 26,300.00	$ 500,000.00	**$ 526,300.00**
2038	$ 26,900.00	$ 500,000.00	**$ 526,900.00**
2039	$ 27,500.00	$ 500,000.00	**$ 527,500.00**
2040	$ 28,100.00	$ 500,000.00	**$ 528,100.00**
2041	$ 28,700.00	$ 500,000.00	**$ 528,700.00**
2042	$ 29,300.00	$ 500,000.00	**$ 529,300.00**
2043	$ 29,900.00	$ 500,000.00	**$ 529,900.00**
2044	$ 30,500.00	$ 500,000.00	**$ 530,500.00**
2045	$ 31,100.00	$ 500,000.00	**$ 531,100.00**
2046	$ 31,800.00	$ 500,000.00	**$ 531,800.00**
2047	$ 32,500.00	$ 500,000.00	**$ 532,500.00**
2048	$ 33,200.00	$ 500,000.00	**$ 533,200.00**
2049	$ 33,900.00	$ 500,000.00	**$ 533,900.00**
2050	$ 34,600.00	$ 500,000.00	**$ 534,600.00**

Illustration 1

2806 – RENT

Late Payment Fee Waiver

Bureau of Land Management
LATE PAYMENT FEE WAIVER for 28XX and 2920 Rentals

Instructions:
1. Requester must complete all Waiver Information fields.
2. Waiver actions must be approved by the authorized officer or designated acting
   and emailed* to NBC at blm_cbs_waivelatefee@blm.gov
3. If the waiver is not approved, the authorized officer or designated acting will email the form back to the requester.
4. Place a copy of the waiver and email transmittal in all appropriate files.

Requester: **WAIVER INFORMATION**		
Office Name: Boise District		Office Code: ID100
Requester Name: Loris Schmit		Phone Number: 208-384-3478
Title: Land Law Examiner		Request Date: 1/10/2006
CBS Bill Number: **2005xxx**		
Resources System Bill Number: **LXXXXX**		
Original Bill Amount: **$ 150.00**		Late Fee Amount: **$** 25.00
REASONS FOR WAIVER (Check appropriate box or enter explanation in "Other")		
X	Bill not mailed to customer in timely manner	
	Payment not receipted timely	
	Collection error (payment applied incorrectly, payment misplaced, etc.)	
Other:		
AUTHORIZED OFFICER INFORMATION ONLY:		
X	Approved	
	Not Approved	
Reason for Not Approving:		
Authorized Officer Name and Title: Jossey Doe, West Creek FO Manager		
Date: 01/10/06		
* Emailing the waiver to NBC constitutes approval by the Authorized Officer.		

Illustration 2

2806 – RENT

RUS Certification Form – Telephone Facility (July 2008)

FINANCING OR ELIGIBLE FOR FINANCING OF TELEPHONE FACILITIES PURSUANT TO THE RURAL ELECTRIFICATION ACT OF 1936, as amended.

A. Facility Identification

1. BLM serial number of Application or Authorization: _____
2. Rural Utilities Service Program Project Number, if any: _____
3. Existing or Proposed Facility? _____
4. Name of Applicant/Holder: _____
5. Address: _____
   _____
6. Telephone: _____ E-Mail Address: _____

B. Facility Description

1. Describe Facility(ies) [use attachment as necessary]: _____
   _____
   _____

2a. If voice telecommunications facilities, in what exchange (wire center) is this located? _____

2b. If voice telecommunications, what percentage of users served will be located outside an incorporated or unincorporated city, village or borough having a population of over 5000? _____

3a. If broadband telecommunications, what area will this facility serve and what service will it provide? _____

3b. If broadband telecommunications, what percentage of users served will be located outside an incorporated or unincorporated city, village, or borough having a population over 20,000? _____

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4. Location on Public Land:

   State:_____ County: _____

   Twp _____ Range _____ Sec(s). _____

5. Map attached ( ) or Available ( )
6. Plan of Development attached ( ) or Available ( )

C. BLM Contact Information

Name: _____ Title: _____

E-Mail Address: _____ Telephone: _____

State/Field Office: _____

Address: _____

_____

D. RE Act Financing

1. Has Applicant/Holder obtained financing for this facility pursuant to the Rural Electrification Act of 1936, as amended? _____Yes _____ No
2. If yes, the date of financial approval by the Rural Utility Service: _____
3. If no, is the applicant/holder eligible for financing under the RE Act?

   _____Yes _____ No
4. If yes, is this facility eligible for financing under the RE Act?

   _____ Yes _____ No

E. Rural Utilities Service Certification

Based upon the information provided, the Rural Utilities Service certifies that the facility

_____ **is** _____ **is not**

Financed or eligible for financing pursuant to the Rural Electrification Act, as amended.

Approved by: _____ Date: _____

Director, Advanced Services Division, Telecommunications Program

F. Comments (attach additional pages as necessary):

2806 – RENT

INSTRUCTIONS FOR COMPLETING AND SUBMITTING ILLUSTRATION 2806-2 (TELEPHONE FACILITY) REQUESTING CERTIFICATION FROM THE RURAL UTILITY SERVICES (RUS) THAT A TELEPHONE FACILITY IS EITHER FINANCED OR ELIGIBLE FOR FINANCING PURSUANT TO THE RURAL ELECTRIFICATION ACT OF 1936 (RE ACT)

Purpose: Section 504(g) of FLPMA provides that certain telephone facilities serving rural areas are exempt from the payment of rent to the BLM if the subject facilities are financed or eligible for financing under the RE Act. Regulations at 43 CFR 2806.14 requires documentation from the RUS that the subject facilities are financed or eligible for financing under the RE Act in order for the rent exemption to be effective. The holder of the right-of-way (ROW) must provide to the BLM the requested information if they wish to obtain an exemption of rent for their facility pursuant to this provision. The BLM will forward the completed form to the RUS which will either certify that the facility is or is not financed or is or is not eligible for financing pursuant to the RE Act. Based upon this documentation from the RUS, the BLM will exempt the facility from rent if the RUS certifies that the facility is financed or is eligible for financing under the RE Act. The BLM will not exempt the facility from rent if the RUS certifies that the facility is not being financed or is not eligible for financing under the RE Act. Furthermore, a rent exemption will not be provided under this provision unless and until the proper documentation from the RUS is received by the BLM certifying that the facility is being financed or is eligible for financing under the RE Act.

Responsibilities: It is the responsibility of the applicant/holder to notify the BLM that they wish to seek documentation from the RUS that their facility qualifies for a rent exemption under this provision. The applicant/holder must provide the information as noted below. It is the responsibility of the BLM to submit the completed form to the RUS through the proper channels. It is the responsibility of the RUS to review the information provided and certify as to whether the facility is or is not financed or eligible for financing under the RE Act and to return the completed form to the BLM.

Completion of Illustration 2806-2 (Telephone Facility) (July 2008)

A. Facility Identification: The BLM completes item 1. The applicant/holder must complete items 2 – 5 (or provide the BLM with the appropriate information). If the applicant/holder has previously obtained financing for a telephone facility from the RUS, the RUS will have assigned a RUS Program Project Number for that project. The applicant/holder must provide the RUS Program Project Number, if any, in item 2. Insert N/A if no previous RUS Program Project Number has been granted.

B. Facility Description: The applicant/holder must complete or provide all information requested or which is available for items 1 – 6. Insufficient information may delay the certification process or prevent the certification from being completed.

C. BLM Contact Information: The BLM Realty Specialist assigned to process the application or request lists his/her contact information requested in Section C.

Submission of Form to WO-350D and RUS: The BLM Realty Specialist assigned to process the request submits the form and any supplemental information via overnight express mail to:

Victor Lozano
National Operations Center (WO-350D)
Denver Federal Center, Bldg 50
Denver, CO 80225

E-mail option: If the information can be e-mailed, a hard copy does not need to be mailed. Please submit all the information to Victor_Lozano@blm.gov if the form and supplemental information can be e-mailed.

FAX option: If necessary, items can be faxed to Victor Lozano (WO-350D) at (303) 236-3508.

Telephone Number for WO-350D contact (Victor Lozano): (303) 236-9512

Upon receipt of the form and any supplemental information, WO-350D will review for completeness. When satisfied that all information has been provided, WO-350D will forward the form (and any supplemental information) via mail to the RUS at the following address:

Rural Utility Service
Attn: Director, Advanced Services Division
Telecommunications Program
USDA Rural Development
1400 Independence Ave SW, Stop 1550
Washington, DC 20250-1550

FAX Option: If necessary, the BLM (WO-350D) can fax information to the following number: (202) 720-1051 (Attn: Director, Advanced Services Division – Telephone Program).

Important Note: BLM field office personnel and/or the applicant/holder should not contact the RUS directly unless instructed to do so.

2806 – RENT

D. REA Financing & E. RUS Certification: The RUS completes all items in D & E and returns the signed form to the BLM Washington Office (Victor Lozano) at the address above. The BLM (WO-350D) will review the information and return the signed form to the appropriate BLM FO. The FO (assigned Realty Specialist) will file the form in the official case file, note LR 2000, and notify the applicant/holder of the decision made by the RUS.

E. Comments: This space is provided for additional comments from the applicant/holder, the BLM, and/or the RUS in support of any information requested in Sections A – D.

Illustration 3

2806 – RENT

RUS Certification Form – Electric Facility (July 2008)

FINANCING OR ELIGIBLE FOR FINANCING OF ELECTRIC FACILITIES PURSUANT TO THE RURAL ELECTRIFICATION ACT OF 1936, as amended.

A. Facility Identification

1. BLM serial number of Application or Authorization: _____

2. Rural Utilities Service Program Project Number, Code or other identification if any:

_____

3. Existing or Proposed Facility? _____

4. Name of Applicant/Holder: _____

5. Address: _____

_____

6. Telephone: _____ E-Mail Address: _____

B. Facility Description

1. Describe Facility(ies), including but not limited to pole type, wire size & operating voltage, and purpose or type (transmission or distribution; DC or AC power) of facility. [Use attachment(s) as necessary]: _____

_____

_____

2. Is this part of a larger project? _____Yes _____ No

If yes, please describe: _____

_____

3. Location on Public Land:

State:_____ County: _____

Twp _____ Range _____ Sec(s). _____

4. Map(s) attached: _____ Yes _____ No

- Facility Overlaid on Land Status Map ( ), or Census Tract Map ( ), or on an Electric Service Area Map ( ), which is Attached ( ) or Available ( ).
- GIS Map or File Attached ( ) or Available ( ).
- Digital Centerline Survey Map or File Attached ( ) or Available ( ).
- Other ( ) Specify Type _____

5. Plan of Development attached ( ) or Available ( ).

2806 – RENT

C. BLM Contact Information

Name: _____ Title: _____

E-Mail Address: _____ Telephone: _____

State/Field Office: _____

Address: _____

_____

D. RE Act Financing

1. Has Applicant/Holder obtained financing for this facility pursuant to the Rural Electrification Act of 1936, as amended (RE Act)? _____Yes _____ No
2. If yes, the date of financial approval by the Rural Utility Service: _____
3. If no, is the applicant/holder eligible for financing under the RE Act? ____Yes _____ No
4. If yes, is this facility eligible for financing under the RE Act? ____Yes _____ No

E. Rural Utility Service Certification

Based upon the information provided, the Rural Utility Service certifies that the facility

_____ **is** _____ **is not**

Financed or eligible for financing pursuant to the Rural Electrification Act, as amended.

Recommended by: _____ Date: _____

Title: _____

Approved by: _____ Date: _____

Division Director or Designated Representative on behalf of
Assistant Administrator, Electric Programs

F. Comments (attach additional pages as necessary):

2806 – RENT

INSTRUCTIONS FOR COMPLETING AND SUBMITTING ILLUSTRATION 2806-3 (ELECTRIC FACILITIES) REQUESTING CERTIFICATION FROM THE RURAL UTILITY SERVICES (RUS) THAT AN ELECTRIC FACILITY IS EITHER FINANCED OR ELIGIBLE FOR FINANCING PURSUANT TO THE RURAL ELECTRIFICATION ACT OF 1936 (RE ACT)

Purpose: Section 504(g) of FLPMA provides that certain electric facilities serving rural areas are exempt from the payment of rent to the BLM if the subject facilities are financed or eligible for financing under the RE Act. Regulations at 43 CFR 2806.14 requires documentation from the RUS that the subject facilities are financed or eligible for financing under the RE Act in order for the rent exemption to be effective. The holder of the right-of-way (ROW) must provide to the BLM the requested information if they wish to obtain an exemption of rent for their facility pursuant to this provision. The BLM will forward the completed form to the RUS which will either certify that the facility is or is not financed or is or is not eligible for financing pursuant to the RE Act. Based upon this documentation from the RUS, the BLM will exempt the facility from rent if the RUS certifies that the facility is financed or is eligible for financing under the RE Act. The BLM will not exempt the facility from rent if the RUS certifies that the facility is not being financed or is not eligible for financing under the RE Act. Furthermore, a rent exemption will not be provided under this provision unless and until the proper documentation from the RUS is received by the BLM certifying that the facility is being financed or is eligible for financing under the RE Act.

Responsibilities: It is the responsibility of the applicant/holder to notify the BLM that they wish to seek documentation from the RUS that their facility qualifies for a rent exemption under this provision. The applicant/holder must provide the information as noted below. It is the responsibility of the BLM to submit the completed form to the RUS through the proper channels. It is the responsibility of the RUS to review the information provided and certify as to whether the facility is or is not financed or eligible for financing under the RE Act and to return the completed form to the BLM.

Completion of Illustration 2806 – 3 (Electric Facilities) (July 2008)

A. Facility Identification: The BLM completes item 1. The applicant/holder must complete items 2 – 6 (or provide the BLM with the appropriate information). If the applicant/holder has previously obtained financing for an electric facility from the RUS, the RUS will have assigned a RUS Program Project Number, Code, or other identification for that project. The applicant/holder must provide the RUS Program Project Number, Code, or other identification for that project, if any, in item 2. Insert N/A if no previous RUS Project Number, Code, or other identification has been granted.

2806 – RENT

B. Facility Description: The applicant/holder must complete or provide all information requested or which is available for items 1 – 5. Check type of maps attached or available. Insufficient information may delay the certification process or prevent the certification from being completed.

C. BLM Contact Information: The BLM Realty Specialist assigned to process the application or request lists his/her contact information requested in Section C.

Submission of Form to WO-350D and RUS: The BLM Realty Specialist assigned to process the request submits the form and any supplemental information via overnight express mail to:

Victor Lozano
National Operations Center (WO-350D)
Denver Federal Center, Bldg 50
Denver, CO 80225

E-mail option: If the information can be e-mailed, a hard copy does not need to be mailed. Please submit all the information to Victor_Lozano@blm.gov if the form and supplemental information can be e-mailed.

FAX option: If necessary, items can be faxed to Victor Lozano (WO-350D) at (303) 236-3508.

Telephone Number for WO-350D contact (Victor Lozano): (303) 236-9512

Upon receipt of the form and any supplemental information, WO-350D will review for completeness. When satisfied that all information has been provided, WO-350D will forward the form (and any supplemental information) via mail to the RUS at the following address:

USDA:RD:Rural Utilities Service
Attn: Assistant Administrator - Electric Programs
Stop 1560
1400 Independence Ave SW
Washington, DC 20250-1560

FAX Option: If necessary, the BLM (WO-350D) can fax information to the following number: (202) 690-0717 (Attn: Assistant Administrator – Electric Programs), who will forward it to the appropriate Division Director.

Important Note: BLM field office personnel and/or the applicant/holder should not contact the RUS directly unless instructed to do so.

D. RE Act Financing & E. RUS Certification: The RUS completes all items in D & E and returns the signed form to the BLM Washington Office (Victor Lozano) at the address above. The BLM (WO-350D) will review the information and return the signed form to the appropriate BLM FO. The FO (assigned Realty Specialist) will file the form in the official case file, note LR 2000, and notify the applicant/holder of the decision made by the RUS.

E. Comments: This space is provided for additional comments from the applicant/holder, the BLM, and/or the RUS in support of any information requested in Sections A – D.

Illustration 4
(added 11/28/07)

2806 – RENT

Sample Decision - Rent Waiver Denied

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Arizona State Office
One North Central Ave., Ste 800
Phoenix, AZ 85004-4427
(602)417-9200
www.blm.gov/az

In Reply Refer To:
2806 (AZ-930)
AZA 12345

November 1, 2007

ALWAYS send certified.

CERTIFIED MAIL NO. 7003 1680 0005 7420 0410
RETURN RECEIPT REQUESTED

DECISION

Big Business Co., Inc.	:	
PO Box 555	:	Road Right-of-Way AZA 12345
Safford, AZ 85546	:	

Request for Rental Waiver Denied

On October 4, 2007, BLM received your request to waive the rental for AZA 12345. In your request you stated that you were in the process of starting your business and were not making a profit at this time. According to 43 CFR 2806.15 (a), if you believe the BLM should waive or reduce your rental you must show the BLM that:

- You are a non-profit organization, corporation, or association which is not controlled by, or not a subsidiary of, a profit making corporation or business enterprise and the facility or business enterprise and the facility or project will provide a benefit or special service to the general public or to a program of the Secretary:

- You provide without charge, or at reduced rates, a valuable benefit to the public at large or to the programs of the Secretary of the Interior;

- You hold a valid Federal authorization in connection with your grant and the United States is already receiving compensation for this authorization. This paragraph does not apply to oil and gas leases issued under part 3100 of this chapter; or

- Your grant involves a cost share road or a reciprocal right-of-way agreement not subject to subpart 2812 of this chapter. In these cases, BLM will determine the rent based on the proportion of use.

Based on the criteria set forth in 43 CFR 2806.15, you have not demonstrated adequate documentation or evidence to support your request. BLM can find no rationale in the regulations as to why Big Business should be eligible for a rent waiver or rent reduction. Therefore, your request for rent waiver is denied.

Please remit $626.65, payable to U.S.D.I., Bureau of Land Management within 30 days of receipt of this letter. You may send your payment to the Bureau of Land Management, 711 14th Ave., Safford, AZ 85546.

Include Appeals Languag

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each part named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

(1) The relative harm to the parties if the stay is granted or denied,
(2) The likelihood of the appellant's success on the merits,
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

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If you have any questions or would like any additional information, please contact John Wayne, Realty Specialist, at (928)555-0011.

Attach Form 1842-1, Standard Appeals Form with letter to holder.

Sincerely,

William T. Kidd
State Director

State DIrector should sign this letter.

Enclosure: Form 1842-1
Cc: Safford Field Office, AZ-410 (w/encl.)

Send copy to field office

Illustration 5
(added 11/28/07)

2806 – RENT

Sample Linear Rent Schedule by State and County

STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
ALABAMA	ALL COUNTIES	$33.39	$29.20
ARKANSAS	ALL COUNTIES	$25.00	$21.90
ARIZONA	APACHE	$ 8.32	$ 7.28
	COCHISE		
	GILA		
	GRAHAM		
	LA PAZ		
	MOHAVE		
	NAVAJO		
	PIMA		
	YAVAPAI		
	YUMA		
	COCONINO (NORTH OF COLORADO R.)		
	COCONINO (SOUTH OF COLORADO R.)	$33.39	$29.20
	GREENLEE		
	MARICOPA		
	PINAL		
	SANTA CRUZ		
CALIFORNIA	IMPERIAL	$16.71	$14.60
	INYO		
	LASSEN		
	MODOC		
	RIVERSIDE		
	SAN BERNARDINO		
	SISKIYOU	$25.00	$21.90
	ALAMEDA	$41.70	$36.49
	ALPINE		
	AMADOR		
	BUTTE		
	CALAVERAS		
	COLUSA		
	CONTRA COSTA		
	DEL NORTE		
	EL DORADO		
	FRESNO		
	GLENN		
	HUMBOLDT		

Illustration 5, Page 2

2806 – RENT

STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
CALIFORNIA Cont'd)	KERN	$41.70	$36.49
	KINGS		
	LAKE		
	MADERA		
	MARIPOSA		
	MENDICINO		
	MERCED		
	MONO		
	NAPA		
	NEVADA		
	PLACER		
	PLUMAS		
	SACRAMENTO		
	SAN BENITO		
	SAN JOAQUIN		
	SANTA CLARA		
	SHASTA		
	SIERRA		
	SOLANO		
	SONOMA		
	STANISLAUS		
	SUTTER		
	TEHAMA		
	TRINITY		
	TULARE KINGS		
	TUOLUMNE		
	YOLO		
	YUBA		
	LOS ANGELES	$50.03	$43.81
	MARIN		
	MONTEREY		
	ORANGE		
	SAN DIEGO		
	SAN FRANCISCO		
	SAN LUIS OBISPO		
	SAN MATEO		
	SANTA BARBARA		
	SANTA CRUZ		
	VENTURA		
COLORADO	ADAMS	$ 8.32	$ 7.28
	ARAPAHOE		
	BENT		
	CHEYENNE		

2806 – RENT

STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
COLORADO Cont'd)	CROWLEY		
	ELBERT		
	EL PASO		
	HUERFANO		
	KIOWA		
	KIT CARSON		
	LINCOLN	$ 8.32	$ 7.28
	LOGAN		
	MOFFAT		
	MONTEZUMA		
	MORGAN		
	PHILLIPS		
	PUEBLO		
	SEDGEWICK		
	WASHINGTON		
	WELD		
	YUMA		
	BACA	$16.71	$14.60
	BROOMFIELD*		
	DOLORES		
	GARFIELD		
	LAS ANIMAS		
	MESA		
	MONTROSE		
	OTERO		
	PROWERS		
	RIO BLANCO		
	ROUTT		
	SAN MIGUEL		
	ALAMOSA	$33.39	$29.20
	ARCHULETA		
	BOULDER		
	CHAFFEE		
	CLEAR CREEK		
	CONEJOS		
	COSTILLA		
	CUSTER		
	DENVER		
	DELTA		
	DOUGLAS		
	EAGLE		
	FREMONT		
	GILPIN		
	GRAND		

2806 – RENT

STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
COLORADO Cont'd)	GUNNISON		
	HINSDALE		
	JACKSON		
	JEFFERSON		
	LAKE		
	LA PLATA		
	LARIMER		
	MINERAL		
	OURAY		
	PARK		
	PITKIN		
	RIO GRANDE		
	SAN JUAN	$33.39	$29.20
	SUMMIT		
	TELLER		
	*Note: Broomfield County created Nov. 2001 from parts of Adams, Boulder, Jefferson, and Weld Counties.		
CONNECTICUT	ALL COUNTIES	$ 8.32	$ 7.28
DELEWARE	ALL COUNTIES	$8.32	$7.28
FLORIDA	BAKER	$50.03	$43.81
	BAY		
	BRADFORD		
	CALHOUN		
	CLAY		
	COLUMBIA		
	DIXIE		
	DUVAL		
	ESCAMBIA		
	FRANKLIN		
	GADSDEN		
	GILCHRIST		
	GULF		
	HAMILTON		
	HOLMES		
	JACKSON		
	JEFFERSON		
	LAFAYETTE		

2806 – RENT

STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
FLORIDA (cont'd)	LEON		
	LIBERTY		
	MADISON		
	NASSAU		
	OKALOOSA		
	SANTA ROSA		
	SUWANNEE		
	TAYLOR		
	UNION		
	WAKULLA		
	WALTON		
	WASHINGTON		
	ALL OTHER COUNTIES	$83.40	$72.97
GEORGIA	ALL COUNTIES	$50.03	$43.81
IDAHO	CASSIA	$ 8.32	$ 7.28
	GOODING		
	JEROME		
	LINCOLN		
	MINIDOKA		
	ONEIDA		
	OWYHEE		
	POWER		
	TWIN FALLS		
	ADA	$25.00	$21.90
	ADAMS		
	BANNOCK		
	BEAR LAKE		
	BENEWAH		
	BINGHAM		
	BLAINE		
	BOISE		
	BONNER		
	BONNEVILLE		
	BOUNDARY		
	BUTTE		
	CAMAS		
	CANYON		
	CARIBOU		
	CLARK		
	CLEARWATER		
	CUSTER		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
IDAHO (Cont'd)	ELMORE		
	FRANKLIN		
	FREMONT		
	GEM		
	IDAHO		
	JEFFERSON		
	KOOTENAI		
	LATAH		
	LEMHI		
	LEWIS		
	MADISON		
	NEZ PERCE		
	PAYETTE		
	SHOSHONE		
	TETON		
	VALLEY		
	WASHINGTON		
ILLINOIS	ALL COUNTIES	$25.00	$21.90
INDIANA	ALL COUNTIES	$41.70	$36.49
IOWA	ALL COUNTIES	$25.00	$21.90
KANSAS	MORTON	$16.71	$14.60
	ALL OTHER COUNTIES	$ 8.32	$ 7.28
KENTUCKY	ALL COUNTIES	$25.00	$21.90
LOUISIANA	ALL COUNTIES	$50.03	$43.81
MAINE	ALL COUNTIES	$25.00	$21.90
MARYLAND	ALL COUNTIES	$ 8.32	$ 7.28
MASSACHUSETTS	ALL COUNTIES	$ 8.32	$ 7.28
MICHIGAN	ALGER	$25.00	$21.90
	BARAGA		
	CHIPPEWA		
	DELTA		
	DICKINSON		
	GOGEBIC		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
MICHIGAN (Cont'd)	HOUGHTON		
	IRON		
	KEWEENAW		
	LUCE		
	MACKING		
	MARQUETTE		
	MENOMINEE		
	ONTONAGON		
	SCHOOLCRAFT		
	ALL OTHER COUNTIES	$33.39	$29.20
MINNESOTA	ALL COUNTIES	$25.00	$21.90
MISSISSIPPI	ALL COUNTIES	$33.39	$29.20
MISSOURI	ALL COUNTIES	$25.00	$21.90
MONTANA	BIG HORN	$ 8.32	$ 7.28
	BLAINE		
	CARTER		
	CASCADE		
	CHOUTEAU		
	CUSTER		
	DANIELS		
	DAWSON		
	FALLON		
	FERGUS		
	GARFIELD		
	GLACIER		
	GOLDEN VALLEY		
	HILL		
	JUDITH BASIN		
	LIBERTY		
	MCCONE		
	MEAGHER		
	MUSSELSHELL		
	PETROLEUM		
	PHILLIPS		
	PONDERA		
	POWDER RIVER		
	PRAIRIE		
	RICHLAND		
	ROOSEVELT		
	ROSEBUD		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
MONTANA (Cont'd)	SHERIDAN	$ 8.32	$ 7.28
	TETON		
	TOOLE		
	TREASURE		
	VALLEY		
	WHEATLAND		
	WIBAUX		
	YELLOWSTONE		
	BEAVERHEAD	$25.00	$21.90
	BROADWATER		
	CARBON		
	DEER LODGE		
	FLATHEAD		
	GALLATIN		
	GRANITE		
	JEFFERSON		
	LAKE		
	LEWIS & CLARK		
	LINCOLN		
	MADISON		
	MINERAL		
	MISSOULA		
	PARK		
	POWELL		
	RAVALLI		
	SANDERS		
	SILVER BOW		
	STILLWATER		
	SWEET GRASS		
NEBRASKA	ALL COUNTIES	$ 8.32	$ 7.28
NEVADA	CHURCHILL	$ 4.17	$ 3.65
	CLARK		
	ELKO		
	ESMERALDA		
	EUREKA		
	HUMBOLDT		
	LANDER		
	LINCOLN		
	LYON		
	MINERAL		
	NYE		
	PERSHING		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
NEVADA (Cont'd)	WASHOE		
	WHITE PINE		
	CARSON CITY	$41.70	$36.49
	DOUGLAS		
	STORY		
NEW HAMPSHIRE	ALL COUNTIES	$25.00	$21.90
NEW JERSEY	ALL COUNTIES	$ 8.32	$ 7.28
NEW MEXICO	CHAVES	$ 8.32	$ 7.28
	CURRY		
	DE BACA		
	DONA ANA		
	EDDY		
	GRANT		
	GUADALUPE		
	HARDING		
	HIDALGO		
	LEA		
	LUNA		
	MCKINLEY		
	OTERO		
	QUAY		
	ROOSEVELT		
	SAN JUAN		
	SOCORRO		
	TORRENCE		
	RIO ARRIBA	$16.71	$14.60
	SANDOUAL		
	UNION		
	BERNALILLO	$33.39	$29.20
	CATRON		
	CIBOLA		
	COLFAX		
	LINCOLN		
	LOS ALAMOS		
	MORA		
	SAN MIGUEL		
	SANTA FE		
	SIERRA		
	TAOS		
	VALENCIA		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
NEW YORK	ALL COUNTIES	$33.39	$29.20
NORTH CAROLINA	ALL COUNTIES	$50.03	$43.81
NORTH DAKOTA	ALL COUNTIES	$ 8.32	$ 7.28
OHIO	ALL COUNTIES	$33.39	$29.20
OKLAHOMA	BEAVER	$16.71	$14.60
	CIMARRON		
	ROGER MILLS		
	TEXAS		
	LE FLORE	$25.00	$21.90
	MC CURTAIN		
	ALL OTHER COUNTIES	$ 8.32	$ 7.28
OREGON	HARNEY	$ 8.32	$ 7.28
	LAKE		
	MALHEUR		
	BAKER	$16.71	$14.60
	CROOK		
	DESCHUTES		
	GILLIAM		
	GRANT		
	JEFFERSON		
	KLAMATH		
	MORROW		
	SHERMAN		
	UMATILLA		
	UNION		
	WALLOWA		
	WASCO		
	WHEELER		
	COOS	$25.00	$21.90
	CURRY		
	DOUGLAS		
	JACKSON		
	JOSEPHINE		
	BENTON	$33.39	$29.20
	CLACKAMAS		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
OREGON (Cont'd)	CLATSOP		
	COLUMBIA		
	HOOD RIVER		
	LANE		
	LINCOLN		
	LINN		
	MARION		
	MULTNOMAH		
	POLK		
	TILLAMOOK		
	WASHINGTON		
	YAMHILL		
PENNSYLVANIA	ALL COUNTIES	$33.39	$29.20
PUERTO RICO	ALL	$50.03	$43.81
RHODE ISLAND	ALL COUNTIES	$ 8.32	$ 7.28
SOUTH CAROLINA	ALL COUNTIES	$50.03	$43.81
SOUTH DAKOTA	BUTTE	$25.00	$21.90
	CUSTER		
	FALL RIVER		
	LAWRENCE		
	MEAD	$25.00	$21.90
	PENNINGTON		
	ALL OTHER COUNTIES	$ 8.32	$ 7.28
TENNESSEE	ALL COUNTIES	$33.39	$29.20
TEXAS	CULBERSON	$ 8.32	$ 7.28
	EL PASO		
	HUDSPETH		
	ALL OTHER COUNTIES	$50.03	$43.81
UTAH	BEAVER	$ 8.32	$ 7.28
	BOX ELDER		
	CARBON		
	DUCHESNE		
	EMERY		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
UTAH (Cont'd)	GARFIELD		
	GRAND		
	IRON		
	JUAB		
	KANE		
	MILLARD		
	SAN JUAN		
	TOOELE		
	UINTAH		
	WAYNE		
	WASHINGTON	$16.71	$14.60
	CACHE	$25.00	$21.90
	DAGGETT		
	DAVIS		
	MORGAN		
	PIUTE		
	RICH		
	SALT LAKE		
	SANPETE		
	SEVIER		
	SUMMIT		
	UTAH		
	WASATCH		
	WEBER		
VERMONT	ALL COUNTIES	$33.39	$29.20
VIRGINIA	ALL COUNTIES	$33.39	$29.20
WASHINGTON	ADAMS	$16.71	$14.60
	ASOTIN		
	BENTON		
	CHELAN		
	COLUMBIA		
	DOUGLAS		
	FRANKLIN		
	GARFIELD		
	GRANT		
	KITTITAS		
	KLICKITAT		
	LINCOLN		
	OKANOGAN		
	SPOKANE		
	WALLA WALLA		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
WASHINGTON (Cont'd)	WHITMAN		
	YAKIMA		
	FERRY	$25.00	$21.90
	PEND OREILLE		
	STEVENS		
	CLALLAM	$33.39	$29.20
	CLARK		
	COWLITZ		
	GRAYS HARBOR		
	ISLAND		
	JEFFERSON		
	KING		
	KITSAP		
	LEWIS		
	MASON		
	PACIFIC		
	PIERCE		
	SAN JUAN		
	SKAGIT		
	SKAMANIA		
	SNOHOMISH		
	THURSTON		
	WAHKIAKUM		
	WHATCOM		
WEST VIRGINIA	ALL COUNTIES	$33.39	$29.20
WISCONSIN	ALL COUNTIES	$25.00	$21.90
WYOMING	ALBANY	$ 8.32	$ 7.28
	CAMPBELL		
	CARBON		
	CONVERSE		
	GOSHEN		
	HOT SPRINGS		
	JOHNSON	$ 8.32	$ 7.28
	LARAMIE		
	LINCOLN		
	NATRONA		
	NIOBRARA		
	PLATTE		
	SHERIDAN		
	SWEETWATER		
	FREMONT		

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STATE	COUNTY	Roads, Ditches & Canals, Oil & Gas; Other Energy Pipelines, (RENT/ACRE/YR)	Electric & Tele. Lines Non-Energy Pipelines, Other Linear ROWs (RENT/ACRE/YR)
WYOMING (Cont'd)	SUBLETTE		
	UINTA		
	WASHAKIE		
	BIG HORN	$25.00	$21.90
	CROOK		
	PARK		
	TETON		
	WESTON		

Illustration 6
(added 11/29/07)

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Sample Linear Rent Schedule Zone Work Sheet - 1

Determining CY 2007 1/ Rent Under Rental Schedule

Electric Lines, Telephone Lines, Non-Energy Pipelines and other Linear ROW

USE FOR CALENDAR YEAR 2007 ONLY 1/

Serial No._____
Date of Determination_____
Employee_____

Determine the 2007 (12 months) rent for the ROW by multiplying the number of acres in each appropriate zone by the rental rate for that zone. All rental calculations are rounded to the nearest cent as follows: $97.164 is equal to $97.16; $97.165 is equal to $97.17

Zone 1 acres X $ 3.65 = $.

Zone 2 acres X $ 7.28 = $.

Zone 3 acres X $ 14.60 = $.

Zone 4 acres X $ 21.90 = $.

Zone 5 acres X $ 29.20 = $.

Zone 6 acres X $ 36.49 = $.

Zone 7 acres X $ 43.81 = $.

Zone 8 acres X $ 72.97 = $.

12 month total $ _____
Times part year factor 2/
Total for part year $

1/ May also be used for CY 2008 rent (or length of remaining rental term period) when the CY 2007 rent starts prior to receipt of the updated schedule for CY 2008. Upon receipt of the updated schedule, use the current schedule for the remainder of the current year, and use the updated schedule for the following year(s).

2/ Part year factors are:

12 months 1.0000	9 months 0.7500	6 months 0.5000	3 months 0.2500
11 months 0.9167	8 months 0.6667	5 months 0.4167	2 months 0.1667
10 months 0.8333	7 months 0.5833	4 months 0.3333	1 month 0.0833

Illustration 7
(added 11/29/07)

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Sample Linear Rent Schedule Zone Work Sheet - 2

Determining CY 2007 1/ Rent Under Rental Schedule

All Roads, Ditches and Canals, Oil, Gas; Other Energy Pipelines.

USE FOR CALENDAR YEAR 2007 ONLY 1/

Serial No._____
Date of Determination _____
Employee_____

Determine the 2007 (12 months) rent for the ROW by multiplying the number of acres in each appropriate zone by the rental rate for that zone. All rental calculations are rounded to the nearest cent as follows: $97.164 is equal to $97.16; $97.165 is equal to $97.17.

Zone 1 acres X $ 4.17 = $.

Zone 2 acres X $ 8.32 = $.

Zone 3 acres X $ 16.71 = $.

Zone 4 acres X $ 25.00 = $.

Zone 5 acres X $ 33.39 = $.

Zone 6 acres X $ 41.70 = $.

Zone 7 acres X $ 50.03 = $.

Zone 8 acres X $ 83.40 = $.

12 month total $ _____
Times part year factor 2/
Total for part year $

1/ May also be used for CY 2008 rent (or length of remaining rental term period) when the CY 2007 rent starts prior to receipt of the updated schedule for CY 2008. Upon receipt of the updated schedule, use the current schedule for the remainder of the current year, and use the updated schedule for the following year(s).

2/ Part year factors are:

12 months 1.0000	9 months 0.7500	6 months 0.5000	3 months 0.2500
11 months 0.9167	8 months 0.6667	5 months 0.4167	2 months 0.1667
10 months 0.8333	7 months 0.5833	4 months 0.3333	1 month 0.0833

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Linear Rent Options Chart

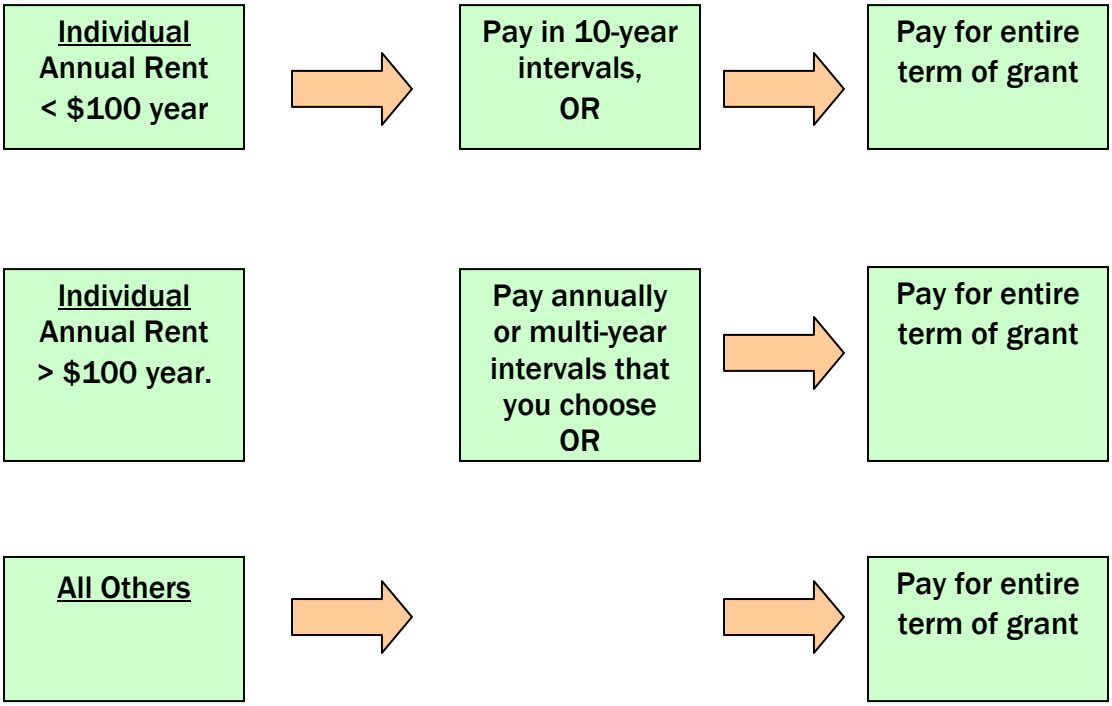

Illustration 9
(Added 11/29/07)

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Sample Communications Site Rent Schedule

RENTAL FEE SCHEDULE FOR COMMUNICATIONS USES

Calendar Year 2007

ZONES and POPULATION	TELEVISION	AM/FM RADIO *	CABLE TELEVISION	BROADCAST TRANSLATOR/ LPTV/LPFM	CMRS/ FACILITY MANAGER	CELLULAR TELEPHONE and PCS**	PRIVATE MOBILE RADIO SERVICE	MICROWAVE and Wireless Internet Service Provider (ISP) ***	OTHER	PASSIVE REF. & LOCAL EXCH. NETWORK
Zone 1 5,000,000 plus	$60,012.29	$45,342.64	***INSUFFICIENT***	***INSUFFICIENT***	$16,003.27	$16,003.27	$13,336.06	$13,336.06	$100.02	
Zone 2 2,500,000 to 4,999,999	$40,008.19	$28,005.74	***MARKET DATA***	***MARKET DATA***	$13,336.06	$13,336.06	$8,001.64	$10,668.87	$100.02	
Zone 3 1,000,000 to 2,499,999	$24,004.92	$18,670.48	***FEE TO BE DETERMINED***	***FEE TO BE DETERMINED***	$10,668.87	$10,668.87	$8,001.64	$9,335.24	$100.02	***RENTAL FEES FOR***
Zone 4 500,000 to 999,999	$18,670.48	$13,336.06	***BY APPRAISAL OR OTHER***	***BY APPRAISAL OR OTHER***	$6,668.03	$8,001.64	$5,334.42	$7,334.83	$100.02	***THESE USES ARE***
Zone 5 300,000 to 499,999	$16,003.27	$10,668.87	***METHODS***	***METHODS***	$5,334.42	$6,668.03	$3,334.01	$3,334.01	$100.02	***DETERMINED BY***
Zone 6 100,000 to 299,999	$8,001.64	$5,334.42	$3,200.65	$3,200.65	$4,000.82	$5,334.42	$2,667.22	$2,667.22	$100.02	***EACH USFS REGION***

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Zone 7 50,000 to 99,999	$4,000.82	$2,667.22	$1,600.33	$1,600.33	$1,600.33	$4,000.82	$1,333.60	$2000.40	$100.02	
Zone 8 25,000 to 49,999	$2,000.40	$1,600.33	$1,333.60	$666.80	$1,333.60	$3,334.01	$800.15	$2000.40	$100.02	
Zone 9 LESS THAN 25,000	$1,600.33	$1,200.24	$800.15	$133.36	$800.15	$3,334.01	$466.75	$2000.40	$100.02	

Index Factor: 1.041

****RENTAL FEE FOR AM RADIO IS 70% OF THE FM SCHEDULED RENT***

**** Also includes Enhanced Specialized Mobile Radio (ESMR), Improved Mobile Telephone Service (IMTS), Air-to-Ground, Offshore Radio Telephone Service, Cell Site Extenders, and Local Multipoint Distribution Service (LMDS)**

*** **For ISP populations between 1-1000, use the applicable Regional Local Exchange Network schedule.**

Illustration 10

Site Testing and Monitoring Grants

Site Specific Grants: The rental fee for a site-specific right-of-way grant for wind energy site testing and monitoring will be a minimum of $50 per year for each meteorological tower or instrumentation facility location and includes no additional rental fee for the acreage of each site location. Some BLM Field Offices have existing site-location rental fees for temporary facilities on the public lands that can be used for wind energy site testing and monitoring facilities. In some cases these fees will exceed the minimum $50 per year fee. The rental fee for a site testing and monitoring right-of-way grant is paid annually, in advance, on a calendar year basis consistent with the regulations (43 CFR 2806.12). However, by policy, the holder of a site-specific right-of-way grant may pay in advance the required rental fee for the entire term of the grant.

Project Area Grants: The rental fee for a site testing and monitoring right-of-way grant for a site testing and monitoring project area will be based on the total public land acreage of the project area included in the right-of-way grant. The rental fee for the total public land acreage of the grant will be $1,000 per year or $1 per acre per year, whichever is the greater. This rental fee is based on comparable fees on non-Federal lands. There is no additional fee for the installation of each meteorological tower or instrumentation facility located within the site testing and monitoring project area. This rental fee is based on the value of the use of the area for site testing and monitoring and the value of the option held by the holder that precludes other wind energy right-of-way applications during the 3-year term of the grant, comparable to similar option payments on private lands. The rental fee for a site testing and monitoring right-of-way grant is paid annually, in advance, on a calendar year basis consistent with the regulations (43 CFR 2806.12). However, by policy, the holder of a site testing and monitoring right-of-way grant may pay in advance the required rental fee for the entire term of the grant.

Commercial Development Grants

The rental fee for a commercial wind energy development right-of-way grant on public land is established at $2,365 per megawatt of the total anticipated installed capacity of the wind energy project on public land based on the approved POD, a capacity factor of 30 percent, a royalty of 3 percent, and an average purchase price of $0.03 per kilowatt hour. The rental fee is a fixed annual Bureau wide rent based on the following formula:

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Wind Energy ROW Rent Determination

Annual rent = (Anticipated total installed capacity in kilowatts as identified in the approved POD) x (8760 hours per year) x (30 percent capacity factor) x (3 percent royalty) x ($0.03 average price per kilowatt hour)

Example for one megawatt (1,000 kW) of anticipated total installed capacity on public land:

Annual rent = (1,000 kW) x (8760 hours) x (0.30 capacity) x (0.03 royalty) x ($0.03 per kWh) or $2,365 per megawatt of anticipated total installed capacity on public land.

The annual rental fee will be phased in as follows:

First year - 25 percent of the total rental fee or $591 per megawatt;
Second year - 50 percent of the total rental fee or $1,182 per megawatt;
Third year -100 percent of the total rental fee or $2,365 per megawatt.

The full annual rental fee will apply at any time prior to 3 years, upon the start of commercial operations of the project. The rental fee is paid annually, in advance, on a calendar year basis consistent with the regulations (43 CFR 2806.12). The BLM will discourage the use of a separate turbine installation fee (an additional one time payment for each turbine installation), a production rental fee, or other fees, as part of the wind energy rental fee. Any separate linear right-of-way authorizations issued for off-site facilities to support the wind energy project, such as electrical transmission lines, will be subject to the linear right-of-way rental provisions of 43 CFR 2806.20.

All wind energy right-of-way holders are subject to rent in accordance with this IM, unless they are specifically exempt from rent by statute or regulation. Some holders or facilities may be exempt from rent pursuant to the Rural Electrification Act of 1936, as amended (43 CFR 2806.14(d)).

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Requesting Appraisal Services

[Insert copy of MOU between NBC and NPS, BLM, FWS, & BOR]