

## 43 CFR part 429 – Use of Bureau of Reclamation Land, Facilities, and Waterbodies

### Highlights:

- The existing rule, 43 CFR part 429, was first published in 1983 and slightly modified in 2006 to correlate with 43 CFR part 423, Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies.
- Revisions were needed to incorporate current Federal mandates concerning use of Federal land and cost recovery and to meet present Federal regulation standards.
- The revised proposed rule was previously published on July 18, 2007, for a 90-day public comment period ending on October 16, 2007.
- As a result of the comments received during the 2007 90-day public comment period, the proposed rule has been revised and published in the Federal Register on July 18, 2008, for an additional 60-day public comment period ending on September 16, 2008.
- The proposed rule reduces the application fee to \$100 non-refundable from the \$200 (\$150 refundable should the application be denied) required under the 1983 rule.
- Written authorization from Reclamation must be obtained for possession or occupancy of any portion of, or the extraction or disturbance of any natural resource from Reclamation land, facilities, and waterbodies.
- The proposed rule requires the use of two different application forms depending upon the type of use being requested. These forms, SF-299 and the 7-2540, may be obtained at any Reclamation office or at our internet website: <http://www.usbr.gov/pmts/lands/>.
- The proposed rule states that only the Federal government may issue use authorizations except for some limited use authorizations that may be issued by recreation managing partners and water user associations authorized to do so under the terms of their existing contracts or agreements with Reclamation.
- The proposed rule expands and clarifies conditions under which application fees, administrative costs, or use fees may be waived or reduced if determined appropriate by Reclamation.
- Existing authorizations for private exclusive recreational or residential uses may be renewed provided they meet the criteria listed in this proposed rule.
- The proposed rule provides a list of activities that are prohibited on Reclamation land, facilities, or waterbodies. Included on that list are activities that result in new private exclusive recreational or residential uses.