

Reclamation Manual

Directives and Standards

1. Use Authorizations Definitions.

- A. **Acquired Land.** Any land obtained in fee by purchase, donation, condemnation, acquisition by and transferred from another Federal agency, exchange, or other acquisition method to support Reclamation project purposes; this definition excludes withdrawn lands and those transferred lands previously withdrawn by the transferring agency.
- B. **Authorized Official.** Regional directors or their delegates as referenced in RM Delegations of Authority section 4.K(4).
- C. **Authorized Project Purposes.** Those purposes and uses needed and appropriate for project construction, operation, maintenance, reconstruction, decommissioning, or other uses related to an existing or proposed Reclamation development project, facility, or system identified in project planning documents, or authorized by enacted law, including associated, ancillary, and related activities including, but not limited to, activities of managing water user organizations, environmental mitigation and compensation, and other related and connected activities.
- D. **Communications Facility Installations.** Any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets associated with the licensed or permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds. Any antenna or apparatus that is designed for the purpose of emitting radio frequency; is designed to be operated, or is operating, from a fixed location pursuant to authorization by the Federal Communications Commission or is using duly authorized devices that do not require individual licenses; and is added to a tower, building, or other structure.
- E. **Competitive Use Authorization.** Authorizations issued to a high bidder in a competitive bidding process. These are used when Reclamation desires to sell resources or authorize land uses for the purpose of fully utilizing or managing resources in demand by multiple competing entities. Examples of competitive use authorizations are recreation/concession leases, grazing leases, and agricultural leases.
- F. **Incidental Revenues.** Revenues generated from the use of Reclamation lands, facilities, or waterbodies for incidental purposes (e.g., use fees and application fees).
- G. **Lease.** A use authorization that transfers the rights of possession and/or use of a property from the owner to another, usually for a specified rent or compensation (cash, crop, or other remuneration). The recipient of a lease is typically referred to as a lessee

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or grantee. The right granted to the lessee is usually subservient to, and cannot exceed, the lessor's right.

- H. **Market Value.** Market value, sometimes referred to as fair market value, is generally determined through the real estate appraisal process as defined in RM D&S, *Real Property Appraisal* (LND 05-01), and can include valuation by waiver valuation (including application of approved fee schedules) or other reasonable business practice as described in the cited RM.
- I. **Native American Graves Protection and Repatriation Act (NAGPRA) Reburials.** Reinternment of Native American Graves Protection and Repatriation Act (NAGPRA) defined human remains, funerary objects, sacred objects, and objects of cultural patrimony that have gone through the required Federal NAGPRA process. Reburials are authorized under 43 CFR Part 423.28 *Memorials and reburials of Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies*.
- J. **Non-Hydro Renewable Energy (N-HRE).** Energy produced by wind, thermal, photovoltaic solar, geothermal, tidal, or other source or system that does not consume or produce hydrocarbons or radioactive substances and does not involve the use of kinetic energy from the fall of water as used in hydropower facilities.
- K. **Noncompetitive Use Authorization.** Noncompetitive use authorizations are used for granting rights of no particular benefit or use to Reclamation, and that no other party would be interested in competing for. Examples of noncompetitive use authorizations are easements, licenses, and permits for such use authorizations as roads, trails, transmission lines, pipelines, telephone lines, waterlines, and individual irrigation facilities.
- L. **OMB Circular A-25.** This Circular establishes Federal policy regarding fees assessed for government services and for sale or use of government goods or resources. It provides information on the scope and types of activities subject to user charges and on the basis upon which user charges are to be set. Finally, it provides guidance for agency implementation of charges and disposition of collections.
- M. **Waiver Valuations.** A low-value valuation of land that does not involve a self-contained full appraisal. Regional realty officers are delegated the authority to approve, in writing, all waiver valuations, as defined and established in RM D&S, *Real Property Appraisal* (LND 05-01). The authority of regional realty officers cannot be re-delegated.

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- N. **Withdrawn Land.** Federal land withheld from settlement, sale, location, or entry under the public land laws and mining laws and for which jurisdiction has been transferred to Reclamation to support project purposes.
- O. Please see 43 CFR 429.2 for additional definitions.