

Interested persons are invited to submit their comments in writing to the Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240, within thirty days of the date of publication in the *Federal Register* of this notice. Persons wishing to present their views orally are requested to communicate with the Director, Bureau of Land Management.

A new section 2244.1-7 is added, as follows:

§ 2244.1-7 Exchanges of Oil Shale Lands

(a) Policy. Exchanges of public lands containing oil shale deposits may be consummated pursuant to Section 8 of the Taylor Grazing Act, 48 Stat. 1272 (1934), as amended, 43 U.S.C. 315g (1964), where such action will promote economic recovery of shale oil and associated minerals and is otherwise in the public interest. Except as otherwise provided in this subsection (2244.1-7) such exchanges will be made pursuant to section 2244.1.

(b) Criteria. Exchanges of public lands containing oil shale deposits may be effected under the regulations in section 2244.1 only where each of the following requirements are met:

(1) The offered land is oil shale land having similar geologic and physical characteristics and of a value equal to or exceeding the value of the selected public land.

(2) The exchange will result in the consolidation of the offeror's lands so that they are susceptible of being managed as an economic unit for the recovery of shale oil and other mineral products.

(3) Consummation of the exchange will not result in impairment of proper utilization and management by the United States of its lands, including the land it is to receive in the exchange.

(4) The applicant enters into a written agreement with the authorized officer that he will manage and utilize the selected lands and all neighboring oil shale lands owned or controlled by him at any time in such a manner that (a) there is compliance with all applicable Federal and State statutes and regulations relating to control of environmental pollution, and (b) there is adherence to a coordinated plan of sound conservation practices in the management and use of such lands, including the avoidance of waste.

(c) Application. Application must be made in accordance with section 2244.1-2. Upon the filing of an application, and prior to the making or issuing of any classification decision, the authorized officer shall direct publication of a notice of application in a designated newspaper of general circulation in the county or counties in which both the offered and selected lands are situated. The notice, which shall be published once a week for three consecutive weeks, shall set forth the legal descriptions of the offered and selected lands, together with such other data as the authorized officer may deem pertinent, and shall provide for a 60-day period from date of the notice during which other private exchange applications may be filed for the selected lands pursuant to section 8 of the Taylor Grazing Act. Where more than one application has been filed for the selected lands the authorized officer shall take the following additional elements into consideration in determining which, if any, of the exchange offers will best benefit the public interest:

(1) the relative values of the offered lands;

(2) the location of the offered lands in relation to the public lands; and

(3) the willingness of any of the applicants to enter into a written agreement with the Secretary specifying a time schedule and rate of investment reasonable in the circumstances and a plan of mineral operations that will permit optimum recovery of shale oil and other mineral resources from the selected tract and all neighboring oil shale lands owned or controlled by the applicant.

STEWART L. UDALL,
Secretary of the Interior.

Senator Moss. The Senator from North Dakota?

Senator BURDICK. I do not have a question but I have an observation. I would like to add my voice to a note of concern raised by the chairman and others on this committee. Is your statement you say:

You may recall from the map which was reproduced in your 1965 hearing record that the private lands in the richest oil shale area of Colorado tend to stretch out into very narrow ribbons—usually following stream valleys.