

from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(iii) If all other requirements are met, the application may be approved if it is determined that the beneficial purposes and effects of the project will not be outweighed by an adverse environmental impact. If the authorized officer determines that the application cannot be approved as proposed, he will, whenever possible, suggest alternative routes or methods of construction, or other modifications which if adopted by the applicant would make the application acceptable.

### Subpart G—Radio and Television Sites

#### § 14.90 Authority.

The Act of March 4, 1911, (36 Stat. 1253; 43 U.S.C. 961), as amended, authorizes the head of the department having jurisdiction over the lands, under general regulations fixed by him, to grant an easement for rights-of-way for a period not exceeding 50 years, over and across public lands and reservations of the United States, for poles and lines for the transmission and distribution of electrical power, and for poles and lines for communication purposes and for radio, television and other forms of communication transmitting, relay and receiving structures and facilities to the extent of 200 feet on each side of the center line of such lines and poles and not to exceed four hundred feet by four hundred feet for superstructures and facilities to any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under the Act.

#### § 14.91 Procedures.

(a) Any application under the Act of March 4, 1911, for a line right-of-way in excess of 100 feet in width or for a structure or facility right-of-way of over 10,000 square feet must state the reasons why the larger right-of-way is required. Rights-of-way will not be issued in excess of such sizes in the absence of a satisfactory showing of the need therefor.

(b) When an application is made for a right-of-way for a site for a water plant

or for a communication structure or facility, the location and extent of ground proposed to be occupied by buildings or other structures necessary to be used in connection therewith must be clearly designated on the map by reference to course and distance from a corner of the public survey. In addition to being shown in connection with the main drawing, the buildings or other structures must be platted on the map in a separate drawing on a scale sufficiently large to show clearly their dimensions and relative positions. When two or more such proposed structures are to be located near each other, it will be sufficient to give the reference to a corner of the public survey for one of them provided all the others are connected therewith by course and distance shown on the map. The application must also state the proposed use of each structure, must show definitely that each one is necessary for a proper use of the right-of-way for the purpose contemplated in the Act of March 4, 1911. If the right-of-way is within reservation lands which are not covered by the public land surveys, the map shall be made in terms of the boundary survey of the reservation to the extent it would be required above to be made in terms of the public land survey.

### Subpart H—Telephone and Telegraph Lines

#### § 14.95 Authority.

(a) The Act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959), authorizes the Secretary, under such regulations as he may fix, to permit the use of rights-of-way through public lands and certain reservations of the United States, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for pipelines, canals, ditches, water plants, and other purposes to the extent of the ground occupied by such canals, ditches, water plants, or other works permitted thereunder and not to exceed 50 feet on each side of the marginal limits thereof, or not to exceed 50 feet on each side of the center line of such pipe lines, telephone and telegraph lines, and transmission lines, by any citizen, association, or

**National Park Service, Interior**

**§ 17.1**

corporation of the United States, where it is intended by such to exercise the use permitted under the Act.

(b) The Act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961), as amended, authorizes the head of the department having jurisdiction over the lands under general regulations fixed by him, to grant an easement for rights-of-way for a period not exceeding 50 years, over and across public lands and reservations of the United States, for poles and lines for the transmission and distribution of electrical power, and for poles and lines for communication purposes and for radio, television and other forms of communication transmitting, relay and receiving structures and facilities to the extent of 200 feet on each side of the center line of such lines and poles and not to exceed 400 feet by 400 feet for superstructures and facilities to any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted under the Act.

**§ 14.96 Procedures.**

Any application under the Act of March 4, 1911, for line right-of-way in excess of 100 feet in width or for a structure or facility right-of-way of over 10,000 square feet must state the reasons why the larger right-of-way is required. Rights-of-way will not be issued in excess of such sizes in the absence of a satisfactory showing of the need therefor.

**APPENDIX A TO PART 14**

Where necessary, these forms should be modified so as to be appropriate to the applicant (corporation, association, or individual), to the act involved, and to the nature of the project.

**FORM**

References should be made to the appropriate section of the regulations to determine when each of the forms is required.

Form No. 2 may be signed by any officer or employee of the company who is authorized to sign it. However, if it is executed by a person other than the President, it must be accompanied by a certified copy of the minutes of the Board of Directors meeting or other document authorizing such signature unless such certified copy has already been filed in the case.

Forms 1 and 2 to be placed on maps. See §14.25(a)(7).

**ENGINEER'S STATEMENT**

(FORM 1)

\_\_\_\_\_(Name of engineer) states he is by occupation a \_\_\_\_\_(Type of engineer) employed by the \_\_\_\_\_(Company) to make the survey of the \_\_\_\_\_(Kind of works) as described and shown on this map; that the survey of said works made by him (or under his supervision) and under authority, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and ending on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; and that such survey is accurately represented upon this map.

\_\_\_\_\_  
Engineer

**APPLICANT'S CERTIFICATE**

(FORM 2)

This is to certify that \_\_\_\_\_(Engineer), who subscribed the statement hereon, is the person employed by the undersigned applicant to prepare this map, which has been adopted by the applicant as the approximate final location of the works thereby shown, and that this map is filed as a part of the complete application, and in order that the applicant may obtain the benefits of \_\_\_\_\_(Cite statute); and I further certify that the right-of-way herein described is desired for \_\_\_\_\_(state purpose) \_\_\_\_\_(Seal)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company  
Attest:

**PART 17—CONVEYANCE OF FREE-HOLD AND LEASEHOLD INTERESTS ON LANDS OF THE NATIONAL PARK SYSTEM**

- Sec.
- 17.1 Authority.
- 17.2 Definitions.
- 17.3 Lands subject to disposition.
- 17.4 Notice.
- 17.5 Bids.
- 17.6 Action at close of bidding.
- 17.7 Preference rights.
- 17.8 Conveyance.

AUTHORITY: Sec. 5(a), of the Act of July 15, 1968, 82 Stat. 354, 16 U.S.C. 4601-22(a).

SOURCE: 42 FR 46302, Sept. 15, 1977, unless otherwise noted.

**§ 17.1 Authority.**

Section 5(a) of the Act of July 15, 1968, 82 Stat. 354, 16 U.S.C. 4601-22(a),