

H.R.6

Energy Policy Act of 2005 (Enrolled as Agreed to or Passed by Both House and Senate)

SEC. 1835. SPLIT-ESTATE FEDERAL OIL AND GAS LEASING AND DEVELOPMENT PRACTICES.

(a) Review- In consultation with affected private surface owners, oil and gas industry, and other interested parties, the Secretary of the Interior shall undertake a review of the current policies and practices with respect to management of Federal subsurface oil and gas development activities and their effects on the privately owned surface. This review shall include--

- (1) a comparison of the rights and responsibilities under existing mineral and land law for the owner of a Federal mineral lease, the private surface owners and the Department;
- (2) a comparison of the surface owner consent provisions in section 714 of the Surface Mining Control and Reclamation **Act** of 1977 (30 U.S.C. 1304) concerning surface mining of Federal coal deposits and the surface owner consent provisions for oil and gas development, including coalbed methane production; and
- (3) recommendations for administrative or legislative action necessary to facilitate reasonable access for Federal oil and gas activities while addressing surface owner concerns and minimizing impacts to private surface.

(b) Report- The Secretary of the Interior shall report the results of such review to Congress not later than 180 days after the date of enactment of this **Act**