



United States Department of the Interior

Bureau of Land Management

New Mexico State Office

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March 8, 2002

EMS Transmission - 3/12/02
Instruction Memorandum No. NM-2002-036
Expires: 9/30/03

To: FM's

From: Associate State Director

Subject: Fiscal Year (FY) 2004 Land and Water Conservation Fund (LWCF)
Project Submissions DD 5/24/2002

Proposals for FY 2004 LWCF Projects are due on May 24, 2002. The submission formats are attached. Last year your submissions under this program resulted in approximately \$9,000,000 for New Mexico. I look forward to receiving proposals from each of you for additional funding in FY 2004.

The proposals should be compelling and clearly explain to external and internal parties why the acquisition is essential, the consequences if the property is not acquired, how funds will be leveraged, and the identity of partners and others who support the project. In addition, you must identify the proposal to an approved land use plan. As in recent years, FY 2004 project narratives should fully describe completed and pending fee and conservation easement land acquisitions through condemnation, donation, purchase, and exchange, whether completed by the agency or "leveraged" by a project supporter. Accompanying maps should illustrate all project accomplishments.

In order to comply with recent Departmental "Best Practices in Land Acquisition" guidelines, FY 2004 project requests will include:

1. Any initial "start-up" operations and maintenance (O&M) costs associated with parcels identified for FY 2004 purchase,
2. Subsequent annual O&M costs (or savings) associated with maintaining parcels identified for FY 2004 purchase,
3. The Government Performance and Results Act (GPRA) performance measure(s) met with the proposed acquisition.

Please prepare your submissions as outlined in the attached guidelines, and forward all portions of FY 2004 submissions (Narrative, Fact Sheet, Departmental LWCF Ranking Criteria, Supplemental Ranking Criteria, maps, and photographs) electronically to the State Office, Lands and Realty (NM930), attention Jeanette Espinosa.

If you need additional information or have submission questions, please contact Jeanette Espinosa at (505) 438-7597.

Authenticated by:
Tamara Yingling
Staff Assistant

Signed by:
Richard A. Whitley
Associate State Director

1 Attachment:
1 - Land and Water Conservation Fund
FY 2004 (10 pp)

Distribution

WO (350, D. Beaver), LS, Rm. 1000 - 1
NM (930, J. Espinosa) - 1
NM (955, M. Gutierrez) - 1
NM (953, Binder) - 1

Land and Water Conservation Fund FY 2004

1. Program Guidance

- Land acquisition project priorities will be determined using the enclosed ranking criteria. State Office (SO) LWCF Program Leads will carefully review individual and collective point totals for accuracy. SO Program Leads will prepare a return transmittal memo to the WO (forwarded electronically).
- The LWCF Act is a funding authority only, not an acquisition authority. All proposed acquisitions must be in accordance with existing authority and approved land use plans.
- Emphasis will be placed on completing existing projects, on projects utilizing multiple acquisition methods (including exchange), and on the contribution of leveraged acquisition and/or management funds from non-BLM sources.
- No acquisition can be completed until hazardous material examinations have been performed and any cleanup costs approved (cleanup costs are typically borne by the seller).
- LWCF funding may be used for acquisition by purchase (fee or less than fee), or costs associated with condemnation, donation, or exchange.
- Project funds may only be spent acquiring lands within or adjacent to the project boundary (inholdings or edgeholdings).
- Generally, LWCF project areas are multi-parcel projects. Although a single parcel may constitute the limits of a project area, a broader project boundary is more desirable. Multiple parcel projects provide greater negotiating flexibility in spending appropriated funds.
- Select a project name and retain it for the duration of the project. When naming a new project select a name from a geographic feature/historic occurrence. Avoid "subtitled names" (i.e. Rocky Mountain Front - Neal Parcel), this may restrict how appropriated funds can be spent.
- Land and interest in land acquired with LWCF appropriations will perpetually remain in Federal ownership.
- Concerns over erosion of tax base (via land acquisition) is an issue in some areas. Be sensitive to securing local support and look to alternatives to fee purchase (i.e. conservation easement) where they meet the needs of the recreating public and BLM management goals. Conservation easements generally do not provide for public access.
- All acquisitions must be voluntary unless condemnation is authorized by the legislation governing the project.
- Purchase price cannot exceed appraised fair market value without prior approval of Congress.
- LWCF appropriations cannot be used for construction on acquired lands or interest therein after acquisition.
- Lands conveyed from state government or a political subdivision may only be acquired by donation or exchange (except in Arizona). Costs associated with less than fee acquisition (access and conservation easements) may be funded by any "resource" account.
- Unobligated project funds will carryover and remain with the project until completion or until the project is no longer feasible. Long term, inactive carryover balances, of any amount, may be subject to reprogramming.

2. Submission Requirements

Documents must be prepared in WordPerfect 7.0, 8.0, or 9.0. Use attached formats exactly.

A. PROJECTS

There are no State cost targets for LWCF projects. The selection of national priorities will depend on how well projects rank in comparison with those submitted by other states using Departmental and Bureauwide criteria and priorities. Each project submitted must include a completed Departmental ranking sheet, a narrative and fact sheet, BLM supplemental ranking sheet, color photographs, and color map. It is important to prepare these documents so they can be reproduced on 8½" x 11" paper for placement in binders. Prepare the following for each project, submitting one color image of each photo and map electronically:

1). Departmental Ranking Sheet ****Electronic Submission Only!***

Complete a project ranking sheet for each project. Use the criteria and instructions shown on page 4-6.

2). Narrative and Fact Sheet ****Electronic Submission Only!***

Two support documents are needed for each project. The first is a one-page narrative detailing the request for FY2004 funds. The second document is a fact sheet which provides comprehensive and historic information for the entire project, including estimated long term and short term management costs after acquisition has occurred. Complete a narrative according to the format on page 8 (replace "labels" with your project information, i.e. Project Name = West Eugene Wetlands, State = Oregon, County = Lane, etc.). Complete a fact sheet as it appears on page 9 (be brief). A copy of your submission should be provided to your State Budget Officer for inclusion with the State SBP submission. Items to consider in the one-page narrative are:

Write with flair. Have passion. Make reviewer want to visit your project.

Type of designation if an Administrative, Agency, or Congressionally-designated special area.

Operations and Maintenance (O&M) costs. Differentiate between initial "start-up" costs (i.e. fence or trail construction) vs the annual costs associated with maintaining the improvement and/or property. In some instances there may actually be an annual savings to the government instead of a cost (reduction in boundary management). Discuss resources and concerns of national or statewide significance.

Why is it important for these lands to be in Federal ownership? Is the owner a "willing seller"?

Highlight external interest and support and major contributors or partners.

Long-term management goals for the project area?

Major initiatives acquisition supports (Recreation 2000, Fish & Wildlife 2000, DOI's 4 "C's" etc).

When estimating project costs consider both direct costs and processing costs. Direct costs (3110) are limited to the consideration (payment) for the land to be purchased. If property values are rapidly escalating in the project area, anticipate what your funding needs will be if you are successful in securing FY2004 funding (appropriations would be received October 2003 at the earliest). Processing costs, referred to as acquisition management (3130) are project related work month costs, contracting costs and other costs associated with completing resource evaluations, title examination, hazardous materials inventory, appraisal, appraisal review, escrow, pro rata share of taxes, closing, tenant relocation, etc. If a higher level of 3130 funding is anticipated above your FY2002 funding level, justify your request in your State Directors return transmittal memo.

3). BLM Supplemental Ranking Criteria ****Electronic Submission Only!***

Complete the ranking sheet as it appears on page 10.

4). Photographic Images ****Electronic Submission Only!***

Only electronic submissions will be accepted in FY2004. Include 20+ scanned and/or digital images (with a resolution between 72-300 dots-per-inch) for each proposal. Images should include a blend of dramatic project-wide landscapes, parcels proposed for purchase, resource values, and resource users). Lighting, season, time of day, aerial or surface perspective; all these elements should be evaluated to represent your project in the most favorable way.

5). Maps

****Electronic Submission Only!***

Only electronic submissions will be accepted in FY2004. Submit a minimum of one color map for each project area. If more than one map is submitted, additional maps (and the use of varied scales) may provide greater detail of “active” acquisition areas within or contiguous to the project boundary. GIS-generated digitized 1:100,000 scale color surface ownership maps are preferred. Where linear projects cover great distances a 1:1,000,000 scale color surface ownership map may work best (however critical detail may be sacrificed at this scale). Parcels previously acquired and pending acquisition (fee or conservation easement) through condemnation, donation, exchange, and purchase by the agency or by project supporters should be depicted on the map, emphasizing a “mosaic” of conservation ownership. A well-prepared map can provide critical information not shared with the reviewer in the limited confines of the Narrative.

The Narrative and Map(s) are the only documents you prepare that will represent your proposal to reviewers once it leaves the Bureau. Consider them to be your project’s “ambassadors”.

Maps should include the following minimum standards:

SO LWCF Program Leads should standardize, to the greatest extent possible, all map submissions within that State. Utilize Adobe Acrobat, Microsoft Word, WordPerfect, etc. as the reader (SO LWCF Lead should standardize).

Note: WO-350 has found maps using Adobe Acrobat as a reader can be difficult to manipulate. 8½” x 11” printed format.

Choose between a landscape or portrait format for all maps representing a specific project.

Margin should allow for 3-hole punch on the 11-inch axis.

Title/Heading of map should match the Project Name on the Narrative page exactly.

Do not date the map. Indicate (FY2003/FY2004/Outyear acquisition target dates in legend).

Legend

Color coded existing land ownership (BLM, FS, FWS, NPS, State, private, etc.).

Color coded status of project parcels (past acquisitions, proposed for FY2003, proposed for FY2004).

North Arrow.

Scale.

State Locator Map Inset.

Project Boundary.

Identify “gateway communities”, National Parks, National Wildlife Refuges, National Forests, State Parks, etc. and/or geographic features within and/or contiguous to the project.

Your SO LWCF Program Lead can make a variety of landscape and portrait color electronic and paper map samples available to you for use as a guide. These are available upon request.

B. ACQUISITION MANAGEMENT

Emphasis continues to be placed on land exchange as the preferred method of land acquisition. It is appropriate to propose an exchange utilizing acquisition management (3130) funds to share processing costs, when these costs are within a LWCF project area and/or meet the intent of the LWCF Act. Inquire about the availability of Land Exchange Equalization Payment (3120) funding from your SO LWCF Program Lead.

Allocation of acquisition management (3130) funds are reviewed annually. There are no SO “base funding” allocations in the acquisition management (3130) program. Acquisition management funds are distributed based on carry-over prior year funding (all LWCF sources), the current year appropriation, the number of parcels identified for purchase, the complexity of specific purchases, anticipated purchases with Emergency/Inholding funds, encumbered staffing levels, and use of funding to assist with exchange-related costs within project areas or within areas meeting the intent of the LWCF Act. States with perpetually large and/or growing acquisition management carryover balances may receive reduced allocations. WO-350 typically retains 3130 funding in the WO for mid-year distribution.

Procedure for Compiling Federal Land Acquisition Priority List

I. Minimum requirements (must be met in all cases):

1. The property is (a) within the boundaries of an existing Federal conservation/recreation unit, if such boundaries are set by statute; or (b) contiguous with property now comprising a Federal conservation/recreation unit, if the unit's boundaries are administratively determined; or (c) the initial "building block" of a newly authorized Federal conservation/recreation unit.
2. The property presents no known health/safety/liability problems (e.g., hazardous waste contamination, unsafe structures).
3. There is no current indication of opposition from current owner(s) to Federal acquisition of the property (condemnations may be necessary in rare instances).
4. The cost of infrastructure necessary to make the property accessible, safe, and usable by the general public does not exceed 10 percent of the estimated purchase price.

II. Ranking Criteria

Each potential acquisition which meets the minimum criteria is then scored by summing points it receives from meeting one or more of the following "ranking criteria". The indicated number of points is awarded if the proposed acquisition would meet the definitions of each criterion listed below. (See instructions beginning on page 6).

Criterion

- 1.a. Prevent *imminent* (within 2-3 years) property development that is determined by the State Director to be incompatible with the affected unit's authorized purpose(s). **50 points**
- b. Prevent *short-to-medium term* (within 4-8 years) property development that is determined by the State Director to be incompatible with the affected unit's authorized purpose(s). **25 points**
- 2.a. Provide multiple recreation opportunities and is within a county with a population of one million or more. **80 points**
- b. Provide multiple recreation opportunities within 100 miles of a Metropolitan Statistical Area (MSA). **50 points**
- c. Provide *multiple* recreation opportunities between 100 and 250 miles of a MSA. **35 points**
- d. Provide limited recreation opportunities within 100 miles of a MSA. **35 points**
- e. Provide limited recreation opportunities between 100 and 250 miles of a MSA. **20 points**
- 3.a. Preserve habitat of endangered species. **40 points**
- b. Preserve habitat of threatened species. **30 points**
- c. Preserve a recognized type of ecological community, to promote natural diversity. **20 points**
4. Preserve a nationally-significant natural or cultural feature of a type not now represented in any Federal conservation/recreation unit. **40 points**

- 5.a. The principal benefit to be derived from the acquisition is its wetlands characteristics as defined in the Emergency Wetlands Act of 1986. **80 points**
- b. The property contains a wetland or riparian area that is relatively scarce or unique. **60 points**
- c. The property contains a wetland or riparian area that while not scarce or unique nevertheless provides substantial public benefit. **40 points**
- 6.a. Includes existing infrastructure required to make property accessible to and usable by the general public *and* by elderly/handicapped citizens. **40 points**
- b. Includes existing infrastructure required to make property accessible to and usable by the general public, *but not* by elderly/handicapped citizens. **20 points**
7. Expands a unit with a record of visitor-day growth exceeding 5 percent per year in at least three of the five prior years. **20 points**
8. Improves manageability and efficiency of a unit. **20 points**
9. Results in Federal savings in acquisition costs through the use of exchange, donation, and other alternatives to the direct purchase of a property at full value. Add *five points* for each estimated 20 percent savings in Federal acquisition costs up to a maximum of 25 points. **5-25 points**
10. Involves Federal acquisition of less than full fee title to the property (e.g., purchase of conservation easements). **10 points**
11. Involves significant non-Federal partnership. For each non-Federal partner (State, local, private) contributing significant resources ("significant" - at least 25 percent of acquisition, development, or management dollars), add *5 points*, up to a maximum of 15 points. **5-15 points**
12. Provides a Federal land management agency with an opportunity judged by the appropriate Assistant Secretary to be necessary to substantially further the goals of a Presidential, Departmental, or Bureau MBO and to be essential to the fulfillment of the Agency's mission. (Each agency will rank their 20 highest priority projects which implement their MBO's and mission in descending order. The first priority project will be awarded 150 points, the second 142.5, the third 135, and so on). **7.5-150 points**

Ranking criteria listed under a single number (e.g., "1.a.", "1.b.") are mutually exclusive; points may not be awarded for more than one. For example, a proposed acquisition may score 40 points for meeting criterion 3.a., but cannot score 70 points for meeting both criteria 3.a. and 3.b. Each property proposed for acquisition would normally be scored separately. However, if several related properties were proposed for purchase as a group to optimize use of funds, the group could be assigned a composite score.

III. State Director's Priority Ranking

Each State Director should prioritize up to five (1-5) FY2004 submissions. Those states managing public lands in more than one state are permitted a total of five submissions. Requests for exceptions to this limit will be electronically submitted to and receive approval from WO-350 prior to the State Director's priority ranking.

Departmental LWCF Project Ranking Criteria/Instructions

I. Minimum Requirements

- 1 Show type of designation under A, B, or C.
- 2-4 Check if minimal requirements are met. If met, rank the project under the following criteria.

II. Ranking Criteria

- 1 A or B. Show type of potential development/damage.
- 2 A - E. Use current census and MSA map. Show the name of the city designated as an MSA. Use the nearest boundary of the county in which the city is located in determining the distance from the project area.
- 3 List the threatened or endangered species (Federal List).
- 4 To receive points the project must be a "one-of-a-kind." (e.g. No points are provided if the project is another wild and scenic river, historic trail etc.). Describe the unique feature.
- 5 Consult the RMP for Wetland/Riparian values and review the 1986 Emergency Wetlands Act for characteristics.
- 6 Points are provided if the project is currently useable by either the handicapped or the general public without improvements.
- 7 Use an estimate based on similar sites if specific data is not available.
- 8 No points are available for new projects located entirely on non-Federal land.
- 9 This criterion relates Federal expenditures to the fair market values of the property. For example, if almost one half of the property value (not number of tracts) can be acquired by exchange or donation (rather than purchase), 10 points would be available.
- 10 Points are available if any acquisition in the project is for a less than fee title interest (ie conservation easement).
- 11 Each non-Federal partner must contribute at least 25 percent of the cost in order to receive points. Identify the partner.
- 12 List the primary initiative (ie Recreation 2000). Headquarters will evaluate all projects under this criterion and assign the points.

III. General

- 1 Fill out a ranking sheet for each project.
- 2 Only one alpha factor may be used for a single numbered criteria ex: 2a, not 2a and b.
- 3 Use N/A if criteria does not apply.
- 4 Provide name and title of evaluator.
- 5 Rank projects in State priority order on bottom line of form.

BUREAU OF LAND MANAGEMENT
 Land and Water Conservation Fund
 FY 2004 Departmental Ranking Sheet

Evaluator: _____
 Title: _____

<i>I. MINIMUM REQUIREMENTS</i>			
1 A/B/C			
2			
3			
4			
<i>II. RANKING CRITERIA</i>			
	Narrative	Points Available	Allocated
1A		(50)	
1B		(25)	
2A		(80)	
2B		(50)	
2C		(35)	
2D		(35)	
2E		(20)	
3A		(40)	
3B		(30)	
3C		(20)	
4		(40)	
5A		(80)	
5B		(60)	
5C		(40)	
6A		(40)	
6B		(20)	
7		(20)	
8		(20)	
9		(5-25)	
10		(10)	
11		(5-15)	
TOTAL POINTS (Items 1-11)			
12	Bureauwide Priority / (Completed by WO-350)	(7.5-150)	
<i>III. STATE DIRECTOR'S PRIORITY RANKING</i>			

FY 2004 FACT SHEET
 LAND ACQUISITION
 BUREAU: Bureau of Land Management
 Purpose/Program

Project: _____

Owner's name?	
Resource threat?	
Land exchange alternatives?	
Conservation easement alternatives?	
Inholding/Edgeholding?	
Appraisal completed? Value?	
Project area plans? Infrastructure?	
HazMat evaluation done?	
Resource rehabilitation or restoration projects? Cost?	
Can funds be obligated in FY2004?	

Authorization

Is acquisition authorized? Yes No FLPMA?
 What is authorized ceiling? \$
 Is proposal within authorized ceiling? Yes No
 How much has been appropriated to date (vis-a-vis ceiling)? \$
 Is acquisition within the boundary? Yes No

Funding

FY2003 President's Budget Request? \$
 Is budget amount for same purpose? Yes No
 Appropriations to date? \$
 Current unobligated balance as of _____ \$
 Plans to use unobligated balances _____

Acquisition Status	Tracts	Acres	Cost	Cost/Acre
Purchases thru FY2001				
Scheduled for FY2002				
Planned for FY2003				
Planned for FY2004				
Remaining to be Acquired				

(If not included above, footnote completed and pending fee and/or conservation easement acquisition by condemnation, donation, exchange and/or purchase by agency and/or project partner(s).
 Continue on additional page if necessary.

Criteria Definition

- 1 Political Support (Local/National) / (Choose YES or NO)
Is there significant local, regional, national, constituent and representative support?
Briefly explain: _____
- 2 Name of approved land use plan this project is in compliance with (RMP, etc.)?
Name of plan: _____
- 3 Threatened and Endangered Species - Seasonal/Resident: (Choose YES or NO)
Does the property provide exclusive, year-round habitat to a nominated, candidate or listed species? Is the species animal or plant (underline as appropriate)?
Briefly explain: _____
- 4 Existing Project vs. new Project: (Choose YES or NO)
Has this project area ever received a LWCF appropriation by this or another name?
Briefly explain: _____
- 5 Acquisition Partnerships: (Choose YES or NO)
Has this property been optioned or purchased by a third party nonprofit for total or phased (how many years) resale to the BLM, by a prior mutual agreement?
Briefly explain: _____
- 6 Management Partnerships: (Choose YES or NO)
Has or will the property be cooperatively managed by other Federal or non -Federal partners?
Type of cooperative management?
Whom/Type: _____
- 7 Is parcel within an Administrative/Agency "Special Area" or a component of BLM's NLCS?
(Choose YES or NO)
Name of area: _____
- 8 Is the property within one of the following priority ecosystems? (Check as appropriate)
 Desert Tortoise Planning Area (AZ, CA, NV and UT)
 Greater Yellowstone (ID, MT, UT and WY)
 Habitat Conservation Plan (HCP) Name: _____
 Lewis and Clark National Historic Trail (ID, MT, ND, OR and SD)
 Natural Communities Conservation Planning Area of Southern California
 Pacific Northwest Forest/Salmon Plan (Northern CA/ID, OR and WA)
 Rural/Urban Greenway Name: _____
 Open Space Initiative Name: _____
- 9 Does the project mitigate long term impact to T&E species habitat from any of these development types within the ecosystem? (Check as appropriate and list species)
 Agricultural conversion Species: _____
 Energy development Species: _____
(including coal, electric, gas, geothermal, oil, solar, water, and wind)
 Energy rights-of-way Species: _____
(including coal, electric, gas, geothermal, oil, solar, water, and wind)
 Rural residential development Species: _____