

**Implementation Agreement**

Lincoln County Land Act of 2000  
Public Law 106-298

Lincoln County Conservation, Recreation, Development Act of 2004  
Public Law 108-424

June 7, 2006

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## **I. INTRODUCTION**

### **The Lincoln County Land Act of 2000**

The Lincoln County Land Act (P.L. 106-298) (LCLA) was passed by Congress and signed into law in October 2000. The LCLA provides for the disposal of public land within Lincoln County into which 85% of the revenue generated by land sales in Lincoln County is deposited into a special account (LCLA Account). The remaining 15% is split between the State (5%) and Lincoln County (10%).

The LCLA authorizes the Secretary of the Interior to expend without further appropriation the revenue deposited in the LCLA Account for:

- *Inventory, evaluation, protection, and management of unique archeological resources in Lincoln County.*
- *Development of a Multiple Species Habitat Conservation Plan (MSHCP) in Lincoln County.*
- *Reimbursement of costs incurred by the Bureau of Land Management (BLM) in preparing sales under the LCLA, or other authorized sales within Lincoln County.*
- *Processing public land use authorizations and rights-of-way stemming from development of the conveyed land.*
- *Acquisition of environmentally sensitive land or interest in land in the State of Nevada, with priority given to land outside of Clark County.*

The Director, Bureau of Land Management, may exercise the authority of the Assistant Secretary – Land and Minerals Management to provide for the orderly disposal of certain Federal lands and to provide for the acquisition of environmentally sensitive land in the State of Nevada, under the Lincoln County Land Act of 2000 as of October 13, 2000 (Public Law 106-298), inclusive of expenditure amounts deposited in the special account for purposes described in section 5(3)(b)(1)(A), (B), (C) and (D) of this Act, without review and approval by the Secretary of the Interior.

### **Lincoln County Conservation, Recreation, and Development Act of 2004**

The Lincoln County Conservation, Recreation, and Development Act, P.L. 108-424 (LCCRDA) was passed by Congress and signed into law in November 2004. In addition to the disposal of lands under LCLA, the LCCRDA provides for the disposal of up to 90,000 acres of public land within Lincoln County into which 85% of the revenue generated by land sales in Lincoln County is deposited into a special LCCRDA Accounts. The remaining 15% is split between the State (5%) and Lincoln County (10%).

According to the LCCRDA the purpose is: “To establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada...”

The LCCRDA authorizes the Secretary of the Interior to expend without further appropriation the revenue in the LCCRDA Account for:

- *Inventory, evaluation, protection, and management of unique archeological resources in Lincoln County.*
- *Reimbursement of costs incurred by the Ely Field Office and Nevada State Office BLM in preparing land sales within Lincoln County as approved in the Ely Field Office Resource Management Plan.*
- *Development and implementation of a Multiple Species Habitat Conservation Plan (MSHCP) in Lincoln County.*
- *Processing and implementing the Silver State Off-Highway Vehicle (OHV) Trail management plan.*
- *Costs for processing and enforcement of the designated wilderness areas.*

The Director, Bureau of Land Management, may exercise the authority of the Assistant Secretary – Land and Minerals Management to promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, and for other purposes, under the Lincoln County Conservation, Recreation, and Development Act of 2004 as of November 30, 2004 (Public Law 108-424), inclusive of expenditure amounts deposited in the special account for purposes described in section 103(b)(3)(A), (B), (C), (D), (E) and (F) of this Act, without review and approval by the Secretary of the Interior.

The land sales are contingent upon completion of the Ely Resource Management Plan. The Record of Decision for the Ely Resource Management Plan should be signed and completed in early 2007. Revenues generated to date are from Coyote Springs Investments Right-of-Way actions. Expenditures will be curtailed to ensure enough funding for land sales in Lincoln County in early 2007.

### **Development of the Implementation Agreement**

The Implementation Agreement addresses how the BLM will implement the portions of the LCLA and LCCRDA that require coordination within the Department of the Interior and between the Department of the Interior and the Department of Agriculture. The Agreement will address the requirements related to coordination and consultation with the State of Nevada, local governments, and interested parties. The Agreement outlines a collaborative process for developing a recommendation from the Executive Committee, same Executive Committee for the Southern Nevada Public Lands Management Act (SNPLMA), to the Director, Bureau of Land Management regarding the LCLA/LCCRDA Account expenditures.

## **II. OBJECTIVES**

The objectives of the Implementation Agreement are to:

- Define the respective roles of the affected Federal agencies, the State of Nevada, tribal governments, local governments, and interested parties in order that they might work together effectively to implement the LCLA and LCCRDA;

- Effectively involve Federal agencies, State of Nevada, tribal governments, local governments, and interested parties in the process of assembling recommendations and development of their administrative records for expenditures under the Acts;
- Encourage the expenditure of the Special Accounts in a manner that is consistent with the intent of LCLA and LCCRDA that produces tangible results.

### **III. ORGANIZATION, RESPONSIBILITIES AND RELATIONSHIPS**

#### **Secretary, United States Department of the Interior**

The Secretary of the Interior is delegated by public law(s) authority for all aspects of LCLA and LCCRDA. The Nevada Bureau of Land Management, acting in the best interests of the Secretary of Interior, is implementing these public laws. All expenditure authority rests with the Secretary of the Interior unless otherwise delegated.

#### **Director, Bureau of Land Management**

The Director, Bureau of Land Management is delegated by Departmental Manual part 235 DM 1 release number 3691 dated December 2, 2005 authority resulting from the passage of the Lincoln County Land Act of 2000 (Public Law 106-298) and the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424).

#### **Bureau of Land Management-Nevada State Office**

The role of BLM State Office:

- Nevada State Director and staff serve to promote whether delegated or otherwise, the best interests of the Secretary of Interior and Director, Bureau of Land Management with respect to all aspects of LCLA and LCCRDA.
- Division of Natural Resources and Planning Program Leads will review, advise, coordinate, and monitor those functions relative to lands and realty, cultural resources, off-highway vehicles, wilderness, and multi-species habitat conservation plan program implementation for the LCCRDA and LCLA land Acts.
- The Division of Support Services, Branch of Budget and Financial Services will provide budgetary and financial oversight, procurement services, reviews, internal controls, policies and guidance within their authority necessary to carry out provisions of these Acts. In addition, the Branch is responsible for maintaining Appendix E.
- Division of Support Services, Branch of Geographic Services will provide cadastral survey, GIS and Geographic Coordinate Database (GCDB) services, as requested.

- The National Business Center will establish charts of accounts and project codes, administer and maintain the Special Accounts, invest and disburse funds and provide financial audits, policy and guidance within their authority.

### **Bureau of Land Management-Ely Field Office**

Ely Field Office, in coordination with Nevada State Office, has the role of managing the implementation of the LCLA and LCCRDA. The Ely Field Office role regarding disposals, acquisitions and other expenditures is to:

- Coordinate land disposal activities in the manner described in the Act as ‘Joint Selection Required’ with the County.
- Promote collaboration and completeness of information for nominated expenditures among the parties in identifying properties and projects with the greatest public benefit, regardless of jurisdiction;
- Facilitate the development, continuous improvement, and implementation of procedures, guidelines, for joint selection and consultation in those areas as required in the Act; for nominating projects for protection of archeological resources, Silver State Trail, Wilderness management, land acquisitions; and preparation of the recommendation package for final approval by the Director, BLM;
- Utilize the annual work plan process to budget for administrative expenses to carry out the land disposal program.
- In coordination with the Division of Support Services, develop and maintain a “LCLA/LCCRDA” Grand Matrix of Projects (project tool to follow the financial stages of the project) capturing all integral parts of the project financial process. Develop, solicit input to, and maintain ‘Status Reports’ by category for each project. Status reports serve to measure performance, gauge cash needs, and help to ensure that the BLM Director’s delegation for expending funds are followed according to the provisions of the Act.
- Solicit input from affected partners into the formulation, and subsequent annual amendments to, this Implementation Agreement, and implement the processes and procedures outlined in this document to manage the project nomination process and help to facilitate the Executive Committee recommendation process.
- Obligate funds for approved projects and acquisitions; assure compliance with documentation and other record requirements; review and process reimbursement or transfer requests for completed projects and acquisitions, and comply with all budgetary and financial laws, rules, regulations and policies.
- Work with the Nevada State Office to set priorities prior to August 1<sup>st</sup> annually for LCLA and LCCRDA funding for each round.

- Apply safeguards to prevent projects being funded by multiple special accounts.

### **Executive Committee**

The composition of the Executive Committee is identical to the SNPLMA Executive Committee and includes the following representatives:

- State Director, Nevada, Bureau of Land Management (Chair)
- Regional Forester, Region 4, United States Forest Service
- Manager, Region 1, United States Fish & Wildlife Service
- Regional Director, National Park Service

The Executive Committee will make the final recommendations to the Director, Bureau of Land Management for approval of project proposals, acquisitions, and budgets for all categories. The Executive Committee will make the final decision on revisions to this Implementation Agreement. The Executive Committee will also work together to resolve policy issues that arise for implementing the LCLA & LCCRDA.

### **Interagency and Intergovernmental Working Group**

The Working Group is composed of one representative each from the:

- Deputy State Director for Lands and Resources, Bureau of Land Management (Chair).
- State of Nevada (appointed by the Governor)
- One seat to represent all of the local & regional governmental entities in Lincoln County, Nevada (selected annually by the Archeological Resources, Lincoln County MSHCP and Silver State OHV Trail Teams)
- Rural Nevada (a member of NACO per decision of the Governor)
- Superintendent, Lake Mead NRA, National Park Service
- Refuge Supervisor, US Fish and Wildlife Service
- Forest Supervisor, Humboldt-Toiyabe National Forest, USDA Forest Service
- Bureau of Reclamation (ex-officio member)

The Working Group will advise the Executive Committee on policy issues for implementing the LCLA & LCCRDA. This group will develop recommendations for revisions to the Implementation Agreement based on lessons learned and feedback received from participating entities and forward those recommendations to the Executive Committee for consideration and approval of any revisions to this Implementation Agreement. The group will work together to review project proposals from the Teams based on funding priorities, recommend which projects receive funding and priority, and submit to the Executive Committee.

### **Teams**

The Teams will consist of staff specialists as identified by the Ely Field Office, Nevada State Office, Fish & Wildlife Service, U.S. Forest Service Ranger District, State Agencies and members from the Lincoln County Commission, and Tribal Governments. These teams will elect

a chairperson and develop operating guidelines that identify how the team will work together. Teams are structured around the categories of allowable expenditures of the Special Accounts.

Each Team will review project proposals based on annual funding priorities and reject proposals outside of funding priorities. Each Team will then apply the criteria and ranking systems established in the Implementation Agreement. Each Team finalizes the proposals and forwards the ranked projects to the Working Group.

### **Archeological Resources Team**

The Archeological Resources Team applies the criteria listed in Appendix C-1 and forwards ranked projects to the Working Group related to the protection, inventory, evaluation, and management of unique archeological resources in Lincoln County.

### **Disposals Team**

The Land Disposal Team will coordinate and prioritize land disposals on an annual basis in accordance with the Ely Field Office Resource Management Plan and LCCRDA. The membership of the Land Disposal Team is composed of representatives from BLM, and county government in Lincoln County.

### **Lincoln County Multi-Species Habitat Conservation Plan (MSHCP) Project Development Team (LCCRDA)**

The Lincoln County MSHCP Project Development Team applies the criteria and ranking system listed in Appendix C-2 and forwards ranked projects to the Working Group related to MSHCP initiatives.

### **Silver State OHV Trail Team (LCCRDA)**

The Silver State OHV Trail Team applies the applicable criteria listed in Appendix C-3 and forwards ranked projects to the Working Group related to the development of the Silver State OHV Trail and Management Plan.

### **Wilderness Team (LCCRDA)**

The Wilderness Management Team applies the applicable criteria listed in Appendix C-4 and forwards ranked projects to the Working Group related to Wilderness management projects.

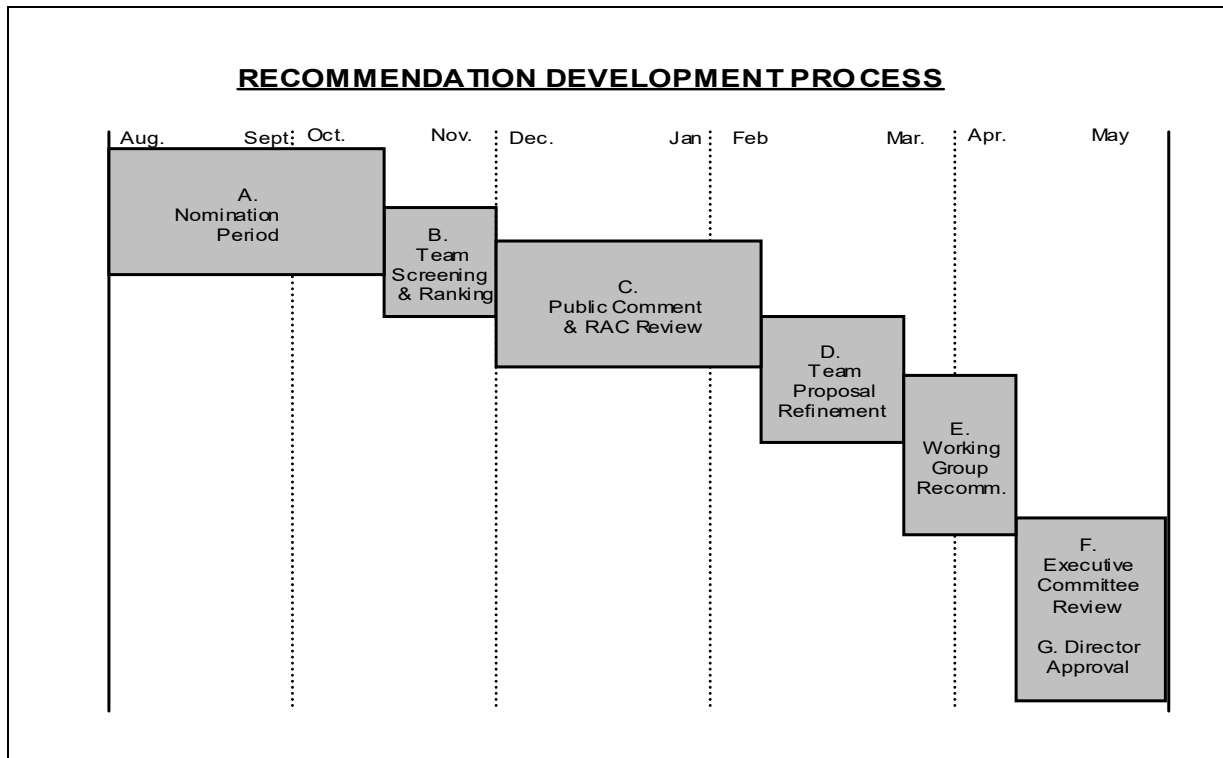
### **Acquisitions Team**

The Land Acquisitions Team applies the definitions in LCLA for environmentally sensitive lands, criteria, and ranking system listed in Appendix C-5 and forwards ranked projects related to lands nominated for United States acquisitions from willing sellers to the Working Group.



#### **IV. RECOMMENDATION DEVELOPMENT PROCESS**

The Recommendation Development Process explains the steps involved in assembling a recommendation for final approval as to how the revenue in the Special Accounts would be spent. This process includes the organizational entities described in Section III and provides opportunities for Federal, tribal government, State and local government to participate. Figure 1 depicts the process and anticipated annual time-line. Each step in the process is then described in more detail.



**Figure 1**

#### **A. Nomination Period**

The purpose of an annual nomination period is to provide a routine that allows for better planning of work associated with implementing the LCLA and LCCRDA and better coordination with annual work plans.

The nomination period will be annually from August 1<sup>st</sup> through October 15<sup>th</sup>. The categories of allowable expenditures of the Special Accounts are: archeological resources; public land disposals; multiple species habitat conservation plan; Silver State OHV Trail and management plan; wilderness management; and acquisitions of lands or interest in land. Nomination packages will be sent to the Ely BLM Field Office and must include all required documentation as outlined in the appropriate "nomination package requirements" document in order to be

considered. Project nominations will be forwarded to the respective Teams for screening and ranking.

### **B. Proposal Screening and Ranking**

The screening and ranking period will be annually between October 16<sup>th</sup> and November 30<sup>th</sup>. Each Team will review project proposals based on annual funding priorities and reject proposals outside of funding priorities. Each Team will then apply the criteria and ranking systems established in the Implementation Agreement.

### **C. Resource Advisory Council Review and Public Comment**

Public comment and review will be from December 1<sup>st</sup> to February 15<sup>th</sup>. The ranked projects from the teams will be presented to the Mojave Southern Resource Advisory Council (RAC).

### **D. Proposal Refinement**

The proposals will be returned to the Teams for final adjustments based on comments received from the public and RAC review. This will occur annually between February 16<sup>th</sup> to March 15<sup>th</sup>.

### **E. Working Group Proposal Recommendation**

The Working Group will review project proposals from the Teams based on funding priorities, recommend which projects receive funding and priority, and submit to the Executive Committee annually between March 16<sup>th</sup> to April 15<sup>th</sup>. Priority for funding will consider projected balances of the Special Accounts.

### **F. Executive Committee Review and Recommendation**

The Executive Committee considers recommendations of the Working Group and comments received during the public comment period. The Final LCLA and LCCRDA recommendation identifies in a priority order by category the projects recommended for expenditure of LCLA and LCCRDA special accounts, providing a maximum budget for each project based upon the estimated costs and necessary expenses. The Final LCLA and LCCRDA recommendation package is transmitted to the Director, Bureau of Land Management for approval.

### **G. Director Approval**

The final decision regarding project specifics and expenditure approval rests with the Director, Bureau of Land Management as delegated by the Assistant Secretary, Land and Minerals Management. The final decisions consist of a list, in priority order, of projects and budgets for each category under LCLA and LCCRDA.

## **V. SPECIAL ACCOUNT FINANCIAL AND BUDGET PROCEDURES**

The process and procedures for allocating, obligating and reimbursing (or transferring) funds is contained in Appendix E. Appendix E maybe updated and adjusted as necessary by the Division of Support Services without Executive Committee approval.

## **VI. SPECIAL ACCOUNTS RESERVES**

During each Round, the Director, Bureau of Land Management will be asked to approve \$10,000 for both LCCRDA and LCLA Account Reserves. The primary purpose of the Special Account Reserves is to fund small shortfalls in approved projects and acquisitions, respond to safety issues that pose an imminent threat and require immediate remediation, and respond to unique opportunities or unanticipated circumstances that require fast action. The Special Account Reserve is expended as direction of the Executive Committee.

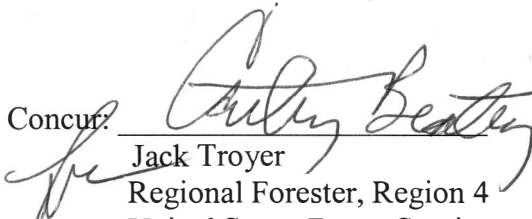
Requests for funding from a Special Account Reserve must include all the documentation required for a nomination of any type under the normal process. In addition, the request should include an explanation of the special circumstances that warrant consideration for funding from the Special Account Reserve.

The Special Account Reserves are not meant to circumvent the normal nomination and approval process. It should be recognized that projects and acquisitions funded from the Special Account Reserves will not have received the same kind of consultation, coordination and collaboration that occurs as a part of the normal nomination process. Thus, every attempt should be made to use the normal nomination process whenever possible. Additionally, since each project is already fortified by a 10% contingency amount within the Director's approval, the Special Account Reserve should be used when legitimate extenuating circumstances exist. Requests for funding from the Special Account Reserves will be submitted in writing to the Ely Field Office Manager. The Ely Field Office will forward requests with merit to the Working Group for review. The Working Group will forward recommended requests over \$100,000 to the Executive Committee for approval. Requests under \$100,000 may be approved by the Working Group. Acquisitions proposed with SAR funds (with exception to "shortfalls" noted above) would be forwarded as appropriate to the Director, Bureau Land Management.


## **VII. IMPLEMENTATION AGREEMENT MAINTENANCE**

This Implementation Agreement is expected to evolve during the life of LCLA and LCCRDA. Maintenance of the Implementation Agreement unless otherwise specified is the responsibility of the BLM Nevada State Office. The working group will develop recommendations for revisions to the Implementation Agreement based on lessons learned and feedback received from participating entities and forward those recommendations to the Executive Committee for consideration and approval of any revisions to this Implementation Agreement. Upon signature by the Executive Committee, the revised Implementation Agreement becomes effective.

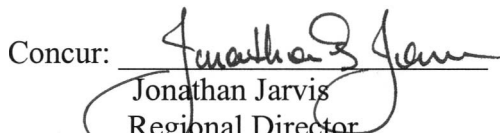
**VIII. APPROVALS**

Concur:   
Jack Troyer  
Regional Forester, Region 4  
United States Forest Service


6/7/06  
Date

Concur:   
Steve Thompson  
Manager, Region 1  
US Fish & Wildlife Service

6/07/2006  
Date

Concur:   
Jonathan Jarvis  
Regional Director  
National Park Service

6/7/06  
Date

Approved:   
Ron Wenker  
State Director, Nevada  
Bureau of Land Management

6/7/06  
Date

## Appendix A

### DEFINITIONS

#### As used in this Implementation Plan

The term “**unit of local government**” means a County and/or an incorporated municipality.

The term “**Special Account**” means one of the accounts in the Treasury of the United States established under the Lincoln County Land Act and the Lincoln County Conservation, Recreation, and Development Act.

The term “**LCLA Account**” means the Special Account established under section 5(a) (3) of the Lincoln County Land Act.

The term “**LCCRDA Account**” means the Special Account established under section 103(b) (1-3) of the Lincoln County Conservation, Recreation, and Development Act.

The term “**Recreation and Public Purposes Act**” refers to the Act entitled “An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes,” approved June 14, 1926 (43 U.S.C. 869 et seq.).

The term “**Executive Committee**” means the group of federal agency executives that approves the Implementation Agreement, including any changes. This group also makes the final recommendations to the Director of the Bureau of Land Management on which projects receive funding and the priority for funding.

The term “**Working Group**” means the group of individuals identified by the various Federal agencies and the State of Nevada to review project proposals and make recommendations to the Executive Committee on which projects should receive funding and the priority for funding.

The term “**Team**” means a group of specialists to screen proposals and apply the criteria and ranking systems established in this Implementation Agreement.

The term “**reimbursements**” means the sums received as payment for goods or services furnished either to the public or to another federal government account. If authorized by law, these sums are credited directly to specific appropriation and fund accounts. These amounts are deducted from the total obligations incurred (and outlays) in determining net obligations (and outlays) for such accounts. Reimbursements are offsetting collections.

The term “**Transfer of Funds**” is synonymous with “1151 Transfer of Funds” for funds being transferred from the BLM allocation account to the allocation accounts of other federal agencies under the “parent child” relationship established by the BLM and OMB. Such funds are transferred in accordance with the Transfer Process approved in this Agreement.

## Appendix B

### NECESSARY EXPENSES

#### Necessary Expenses in General

In addition to the necessary expenses itemized for each category below, the Executive Committee has authorized certain “Other Necessary Expenses” (see Appendix B-1 to B-6 for estimated expense sheets and Appendix E for examples of “Other Necessary Expenses.”) Disputes between any agency/entity and the Ely Field Office over whether or not a requested expense is authorized will be resolved by the Executive Committee.

**For a cost to be considered a necessary expense of the project, it must meet three criteria:**

- 1. The expenditure must “make a direct contribution to carrying out the appropriation” which are expenditures detailed in approved projects;**
- 2. The expenditure must not be prohibited by law; and**
- 3. The expenditure must not be covered by another more specific source of funding, i.e., the specific approved project or acquisition must not be provided for in another appropriation or statutory funding scheme.**

Although there is no distinction between direct and indirect costs in “necessary expenses” doctrine, the expenses charged by the agencies/entities must be tied to a specific project and tracked by project. Federal agencies and local and regional governmental agencies shall not seek, and the BLM will not pay, agency/entity standard overhead percent based on the total project cost. Federal agencies and local and regional governmental agencies are solely responsible for seeking any waivers from their headquarters and resolving any issues internally regarding not being allowed to assess such standard overhead charges. However, project-related indirect costs for support services may be charged at a percent based on staff time spent on the project(s), provided these expenses meet the three criteria above. Examples of such indirect costs would be secretarial support, printing, copying, cost-center expenses, etc. (See Appendix E for other examples of necessary expenses.)

Necessary expenses incurred under the Acts included in this Implementation Agreement will be payable/reimbursable from the Special Accounts up to the amount available per project or acquisition as approved in the decision document signed by the Director of the Bureau of Land Management, plus any additional funding approved by the Executive Committee through the SAR or Budget Reallocation through the processes described earlier in this Agreement. Payroll as a necessary expense will be charged at the fully loaded rate which includes the agency’s/entity’s costs for taxes and benefits.

Payment/Reimbursement of the necessary expenses listed for each category below shall be made subject to the limitations, restrictions, and requirements explained elsewhere throughout this document.

**Appendix B-1**

**ARCHEOLOGICAL RESOURCES  
ESTIMATED NECESSARY EXPENSES & KEY MILESTONE DATES**

Project Name: \_\_\_\_\_ County/City: \_\_\_\_\_

Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Will this project primarily result in (check one) / / Inventory / / Evaluation / / Protection  
/ / Management of archeological resources in Lincoln County?

**Identify estimated costs of eligible expenses:**

**1. Planning and Environmental Costs**

(specialist surveys/reports including cultural resources, archaeology, wildlife, biology, environmental documentation, etc.)

\$ \_\_\_\_\_ %

**2. Project Labor (Payroll)\***

\$ \_\_\_\_\_ %

**3. Contract Costs** (including labor, supplies & materials etc.)

\$ \_\_\_\_\_ %

**4. Project Administration** (\* for above)

\$ \_\_\_\_\_ %

**5. Official Vehicle Use** (pro rata cost for use of Official Vehicles when required to carry out project)

\$ \_\_\_\_\_ %

**6. Travel** (including per diem where official travel status is required to carry out project, such as serve as COR, experts to review reports, etc.)

\$ \_\_\_\_\_ %

**7. Other Necessary Expense \*\***

\$ \_\_\_\_\_ %

**8. Balance of 10% Contingency Reserve**

\$ \_\_\_\_\_ %

**TOTAL\*\*:** \$ \_\_\_\_\_ %

\*Total dollar percentage may be as much as 110% of amount approved by the Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

\*\* Checklist attached

Has project funding been requested under another act/source (explain act/source if yes)?

How does this project meet or conflict with the five goals listed in Appendix C-1?

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Appendix B-2**

**DEVELOPMENT OF A LANDS DISPOSAL  
ESTIMATED NECESSARY EXPENSES & KEY MILESTONE DATES**

Project Name: \_\_\_\_\_ County/City: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Identify estimated costs of eligible expenses:**

<b>1. Planning and Environmental Costs</b> (specialist surveys/reports including cultural resources, archaeology, wildlife, biology, environmental documentation, etc.)	\$ _____	_____ %
<b>2. Project Labor (Payroll)*</b>	\$ _____	_____ %
<b>3. Contract Costs</b> (including labor, supplies & materials etc.)	\$ _____	_____ %
<b>4. Project Administration</b> (* for above)	\$ _____	_____ %
<b>5. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out project)	\$ _____	_____ %
<b>6. Travel</b> (including per diem where official travel status is required to carry out project, such as serve as COR, experts to review reports, etc.)	\$ _____	_____ %
<b>7. Other Necessary Expense **</b>	\$ _____	_____ %
<b>8. Balance of 10% Contingency Reserve</b>	\$ _____	_____ %
<b>TOTAL**:</b>	\$ _____	_____ %

\*Total dollar percentage may be as much as 110% of amount approved by the Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

Has project funding been requested under another act/source (explain act/source if yes)?

\*\* Checklist attached

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



**Appendix B-3**

**DEVELOPMENT OF A MSHCP  
ESTIMATED NECESSARY EXPENSES & KEY MILESTONE DATES**

Project Name: \_\_\_\_\_ County/City: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Identify estimated costs of eligible expenses:**

<b>1. Planning and Environmental Costs</b> (specialist surveys/reports including cultural resources, archaeology, wildlife, biology, environmental documentation, etc.)	\$ _____	_____ %
<b>2. Project Labor (Payroll)*</b>	\$ _____	_____ %
<b>3. Contract Costs</b> (including labor, supplies & materials etc.)	\$ _____	_____ %
<b>4. Project Administration</b> (* for above)	\$ _____	_____ %
<b>5. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out project)	\$ _____	_____ %
<b>6. Travel</b> (including perdiem where official travel status is required to carry out project, such as serve as COR, experts to review reports, etc.)	\$ _____	_____ %
<b>7. Other Necessary Expense **</b>	\$ _____	_____ %
<b>8. Balance of 10% Contingency Reserve</b>	\$ _____	_____ %
<b>TOTAL**:</b>	\$ _____	_____ %

\*Total dollar percentage may be as much as 110% of amount approved by the Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

Has project funding been requested under another act/source (explain act/source if yes)?

\*\* Checklist attached

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Appendix B-4**

**SILVER STATE OHV TRAIL AND MANAGEMENT PLAN  
ESTIMATED NECESSARY EXPENSES & KEY MILESTONE DATES**

Project Name: \_\_\_\_\_ County/City: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Identify estimated costs of eligible expenses:**

<b>1. Planning and Environmental Costs</b> (specialist surveys/reports including cultural resources, archaeology, wildlife, biology, environmental documentation, etc.)	\$ _____	_____ %
<b>2. Project Labor (Payroll)*</b>	\$ _____	_____ %
<b>3. Contract Costs</b> (including labor, supplies & materials etc.)	\$ _____	_____ %
<b>4. Project Administration</b> (* for above)	\$ _____	_____ %
<b>5. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out project)	\$ _____	_____ %
<b>6. Travel</b> (including per diem where official travel status is required to carry out project, such as serve as COR, experts to review reports, etc.)	\$ _____	_____ %
<b>7. Other Necessary Expense **</b>	\$ _____	_____ %
<b>8. Balance of 10% Contingency Reserve</b>	\$ _____	_____ %
<b>TOTAL**:</b>	\$ _____	_____ %

\*Total dollar percentage may be as much as 110% of amount approved by Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

Has project funding been requested under another act/source (explain act/source if yes)?

\*\* Checklist attached

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Appendix B-5**

**WILDERNESS  
ESTIMATED NECESSARY EXPENSES & KEY MILESTONE DATES**

Project Name: \_\_\_\_\_ County/City: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

**Identify estimated costs of eligible expenses:**

<b>1. Planning and Environmental Costs</b> (specialist surveys/reports including cultural resources, archaeology, wildlife, biology, environmental documentation, etc.)	\$ _____	_____ %
<b>2. Project Labor (Payroll)*</b>	\$ _____	_____ %
<b>3. Contract Costs</b> (including labor, supplies & materials etc.)	\$ _____	_____ %
<b>4. Project Administration</b> (* for above)	\$ _____	_____ %
<b>5. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out project)	\$ _____	_____ %
<b>6. Travel</b> (including per diem where official travel status is required to carry out project, such as serve as COR, experts to review reports, etc.)	\$ _____	_____ %
<b>7. Other Necessary Expense **</b>	\$ _____	_____ %
<b>8. Balance of 10% Contingency Reserve</b>	\$ _____	_____ %
<b>TOTAL**:</b>	\$ _____	_____ %

\*Total dollar percentage may be as much as 110% of amount approved by the Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

Has project funding been requested under another act/source (explain act/source if yes)?

\*\* Checklist attached

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Appendix B-6**

**LCLA LAND ACQUISITION PROPOSAL  
ESTIMATED NECESSARY EXPENSES**

Parcel Name: \_\_\_\_\_ Agency: \_\_\_\_\_ Date: \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_

**Bureaus agree to furnish the necessary equipment, materials, facilities, services, personnel, and other costs except as specified below:**

<b>1. Land</b> (purchase price not to exceed fair market value)	\$ _____	_____ %
<b>2. Appraisal Costs</b>	\$ _____	_____ %
<b>3. Land Survey Costs</b>	\$ _____	_____ %
<b>4. Environmental Site Assessment and NEPA Costs</b>	\$ _____	_____ %
<b>5. Water Rights or Mineral Analysis</b> (for Title Purposes)	\$ _____	_____ %
<b>6. Mineral Potential Report</b> (Prior approval required)	\$ _____	_____ %
<b>7. Title, Escrow Fees, and Misc. Closing Costs</b>	\$ _____	_____ %
<b>8. Recording Fees</b>	\$ _____	_____ %
<b>9. Pro-rata Share of any pre-paid property taxes or assessments</b>	\$ _____	_____ %
<b>10. Penalty Costs and Other Charges</b> for prepayment of any pre-existing recorded mortgage, deed of trusts or other security instrument that encumbers the real property	\$ _____	_____ %
<b>11. Relocation Payments to Eligible Tenants</b>	\$ _____	_____ %
<b>12. Direct Federal Labor or Contracted Labor Costs</b> for activities necessary to complete the acquisition and/or to reach a decision as to whether or not the acquisition can be completed such as: title records management; review of title documents; legal description verification; preparation and review of technical reports for title purposes; appraisals; ESA; water rights; surveys; preparation of requests for preliminary and final title opinion; escrow closing instructions; and negotiating/resolution of rights to be acquired.	\$ _____	_____ %
<b>13. Travel</b> including per diem where official travel status is required for agency personnel to perform case management (e.g. experts to review contracted appraisals, etc.)	\$ _____	_____ %

<b>14. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out case management)	\$	_____	_____	%
<b>15. Other Necessary Expenses **</b>	\$	_____	_____	%
<b>16. Balance of 10% Contingency Reserve</b>	\$	_____	_____	%
<b>TOTAL*:</b>	\$	_____	_____	%

\*Total dollar percentage may be as much as 110% of amount approved by the Director due to the allowed 10% contingency figure. Updated information on costs and likely purchase price may result in a total amount that is lower than the amount approved by the Director and a percent less than 100%.

Has project funding been requested under another act/source (explain act/source if yes)?

\*\* Checklist attached

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## Appendix C-1

### ARCHEOLOGICAL RESOURCES FUNDING CRITERIA

Funds can only be used for the inventory, evaluation, protection and management of “archaeological resources” as defined in the Archaeological Resources Protection Act. Efforts will be made to recommend a mix of projects in each round which balance the needs for inventory, evaluation, protection and management.

Each nomination should identify whether it is primarily in one of the four categories: 1) inventory; 2) evaluate; 3) protect or 4) manage archeological resources. Each nomination should show specifically how it addresses the goals, threats and research topics important to Lincoln County archaeology. All nominations should show an effort to meet each goal, or in some cases identify how the project may be meeting some goals while conflicting with other goals.

All nominations must:

- Wherever possible involve citizen groups and non-federal partner organizations in achieving in place preservation of archaeological resources.
- Utilize expertise and demonstrate sound scientific and management practices.
- Demonstrate the principles of responsible use of archaeological resources.
- Utilize appropriate physical and administrative protection measures of archaeological resources involved.
- Advance knowledge of archaeological resources and use innovative application of techniques and technologies.
- Be achievable, timely, utilize good business practices and include built-in evaluation processes.

*Goal 1: Preserve and Protect Archaeological Sites in Place.*

Points 30

Factors:

- Preserves and protects important and/or threatened, known or predicted archaeological resources in place through inventory, evaluation, protection and/or management.
- Includes monitoring of condition, rehabilitates resources in poor condition, maintaining resources in good condition and enhancement of archaeological resources allocated to public, conservation, scientific, or traditional uses.
- Will result in improved resource management practices which preserve and protect archaeological resources in place.

*Goal 2: Conserve Archaeological Collections and Records.*

Points 10

Factors:

- Conserves important and/or threatened, known or predicted archaeological collections and records through inventory, evaluation, protection and/or management.

- Includes monitoring of condition, rehabilitates collection and records in poor condition, sustaining collections and records in good condition and enhancement of collection and records.
- Will result in improved resource management practices of federal archaeological collections and records.

*Goal 3: Utilize, Share, and Interpret Archaeological Research Results*

Points 20

Factors:

- Utilizes, shares, and interprets archaeological research results related to important and/or threatened known or predicted archaeological resources through inventory, evaluation, protection and/or management.
- Includes monitoring of current condition and trend, rehabilitates resources in poor condition, sustains resources in good condition and enhances archaeological resources utilized and interpreted.
- Will improve the utilization, sharing and interpretation of archaeological research results.

*Goal 4: Increase Outreach and Participation in Public Archaeology.*

Points 20

Factors:

- Increases outreach and participation in public archaeology related to important and/or threatened known or predicted archaeological resources through inventory, evaluation, protection and/or management.
- Includes monitoring of current condition and trend, rehabilitates resources in poor condition, sustains resources in good condition and enhances outreach and public participation in archaeological resources involved.
- Will improve the ability to increase outreach and public participation in archaeology.

*Goal 5: Support Current Demand for Administrative, Commercial, and Recreational Use of Public Lands, Conserve Public Archeological Resources for Future Use, and Restore Damaged Watersheds for Archeological Protection.*

Points 10

- Does not conflict with current demand for administrative, commercial, and recreational use of Public Lands, conserve public archeological resources for future use and restore damaged watersheds (maintain healthy ecosystems) through inventory, evaluation, protection and/or management in accordance with approved land use plans.
- Includes monitoring of current condition and trend, rehabilitates resources in poor condition, sustains resources in good condition and enhances archaeological resources involved in implementation of approved land use plans.
- Will improve the ability to implement approved land use plan decisions.
- Projects to comply with Section 106 of the NHPA are not appropriate for funding.

*Goal 6: Support scientific and humanistic use of archaeological resources through inventory, evaluation, protection, and management.*

Points 10

Factors:

- Realizes the information potential of resource types allocated to scientific use consistent with the Ely RMP and the Ely Field Office Archeological Resources Strategy.
- Includes non-field projects using existing data, record, literature, museum collections, or archives relevant to Lincoln County.
- Includes research to improve management practices or to develop better planning approaches.
- Must include provision for professional and public dissemination of the results of the research.
- Must clearly articulate the relationship between the proposed research and the objectives of the Ely Field Office Archeological Resources Strategy.

**TOTAL POSSIBLE POINTS: 100**



## Appendix C-2

### MULTI-SPECIES HABITAT CONSERVATION PLAN CRITERIA

In the section on availability of the LCLA Account, and the LCCRDA it states:

*"Amounts in the special account...shall remain available until expended, for...development of a multispecies habitat conservation plan in the [Lincoln] County."*

The term "MSHCP Development Project" includes projects and proposals specifically designed to improve and conserve the status of species and habitats on both federal and non-federal lands within Lincoln County, and shall include, but not be limited to, programs and proposals approved by the Fish and Wildlife Service that involve data collection, monitoring, basic and applied research, field manipulations and other experimentation, adaptive management efforts, development and redevelopment of management plans for all species, habitats and the ecosystems that support them, conservation initiatives, mapping, interagency GIS capacity coordination and enhancement, development of ecosystem conservation strategies, proposals to enhance land management efficiency and effectiveness, and development of public education and outreach strategies, including programs and documentation designed to improve public awareness of the importance of habitat and species conservation within Lincoln County.

Development of the MSHCP also includes some portion of the expense required to participate in and administer the MSHCP, including but not limited to NEPA compliance necessary for the development of the MSHCP.

As stated in the section dealing with allocations for the development of parks, trails and natural areas, MSHCP development projects which may be eligible for funding under this provision should show a positive benefit to the Federal estate or mission from the sale of a Federal asset.

#### **Eligibility**

Lincoln County may submit nominations in Lincoln County.

#### **Strategic Goal - Development of a MSHCP for Lincoln County**

- Support the continuing development of a MSHCP for Lincoln County, as applicable.

#### **Minimum Criteria**

- The proposed initiative furthers the goal of development of the MSHCP; and
- Lincoln County confirms their ability to carry out their project management responsibilities under their Assistance Agreements with BLM for the proposed initiative.

- The proposed initiative has a positive benefit to the federal estate or mission.
- The Federal Agency impacted by the proposed initiative confirms its support of the proposal and ability to carry out its responsibilities associated with the proposal.

**Ranking Criteria**

(The Rating System used for ranking is defined in the existing MSHCP process and not in this document)

1. The proposal addresses an issue that is of concern to the MSHCP and furthers the goals, development, or implementation of the MSHCP or a related Conservation Strategy, and maintenance of the incidental take permit. Points 20
2. Consequences of not doing the project at this time. Points 20
3. Proposal is scientifically and technically adequate. Points 20
4. Project goals and objectives are clearly defined. Points 10
5. Project evaluation process is clearly defined. Points 10
6. Data management process is clearly defined with milestones and deliverables. Points 10

**TOTAL POSSIBLE POINTS: 90**

## Appendix C-3

### SILVER STATE OFF-HIGHWAY VEHICLE TRAIL AND MANAGEMENT PLAN FUNDING CRITERIA

The Lincoln County Conservation, Recreation, and Development Act of 2004, Section 103(b) (3) (A) (E) allows for money from the Special Account to be expended for:

*“ . . . processing the Silver State OHV trail and implementing the management plan required by section 151(c) (2) of this Act. . . ”*

#### **Eligibility**

Any entity or interested parties may nominate a Silver State OHV project.

#### **Strategic Goals for Development and Maintenance of the Silver State OHV Trail**

Provide quality off-highway vehicle trail experience that focus on customer service and resource protection.

Increase user education and awareness to promote responsible rider ethics.

Provide off-highway vehicle safety education for regional users.

Support Silver State OHV Trail System partnerships.

Support and expand the Silver State OHV Trail System volunteer program.

Provide consistent signing, mapping, law enforcement and special use permit administration.

Pro-actively manage the trail system to prevent and restore areas damaged by use.

#### **Minimum Criteria**

- The project is located in Lincoln County;
- Project is sponsored by the Bureau of Land Management.

#### **Ranking Criteria**

1. Provide quality off-highway vehicle trail experience that focus on customer service and resource protection.

Points 20

Factors:

- Directional infrastructure, public information or related projects
- Meets an unfulfilled demand or deficiency for off-highway vehicle trail opportunities
- Reroute projects for recreational experience, customer service and resource protection issues

2. Increase user education and awareness to promote responsible rider ethics.

Points 10

Factors:

- Tread Lightly education projects or programs

- Off-highway vehicle safety projects or programs
- Right Rider projects or program
- Environmental education of the regional area

3. Protects the integrity of significant resource values both natural and cultural resources Points 10

Factors:

- Number and significance of resource values involved (including cultural, historical, and scientific values)
- Nature of the project and relative significance of desired outcomes
- Nature of the threat to the resource values and urgency for action

4. Volunteer programs or projects. Points 10

Factors:

- Specific agency goals being met by volunteers for the Silver State Trail System
- Nature of volunteer project
- Possibility of matching funds with outside funding opportunities

5. Project involves significant partnership(s) in design, construction, operation and/or maintenance. Points 10

Factors:

- Number, nature, and relative significance of funding partnerships
- Arrangements for long-term operations and maintenance

6. Has the support of State, other local governments, interested parties, and federal agencies. Points 05

Factors:

- Agencies and/or other interested parties that support or oppose the project
- Nature of support or opposition
- How support or opposition is demonstrated

**TOTAL POSSIBLE POINTS: 65**

## **Appendix C-4 Wilderness Management Funding Criteria**

The Lincoln County Conservation, Recreation, and Development Act of 2004, Section 103 (b) (3) (F) allows for the funding of Wilderness administrative needs:

“...processing wilderness designation, including but not limited to, the costs of appropriate fencing, signage, public education, and enforcement for the wilderness areas designated.”

### **Eligibility**

The Bureau of Land Management may receive funding for wilderness management proposals. Any entity or interested party may propose a project to the eligible entity.

### **Strategic Goals for implementation of wilderness management projects**

- Provide for the preservation and enhancement of wilderness character;
- Provide opportunities to inform and educate the public about wilderness and appropriate uses of wilderness; and
- Provide for appropriate recreational opportunities within wilderness; and
- Promotes volunteer participation in wilderness management projects.

### **Minimum Criteria**

- Project preserves, protects and/or enhances recognized wilderness values.
- Within or adjacent to a wilderness area within Lincoln County, Nevada; and
- Project is sponsored by the Bureau of Land Management.

### **Ranking Criteria**

1. Provide for the preservation and enhancement of wilderness character. Points 50

#### Factors

- a. Retains primeval character and influence
- b. Preserves and/ or protects natural conditions
- c. Ensures the imprint of man’s work “substantially unnoticeable”
- d. Provides outstanding opportunities for solitude
- e. Provides outstanding opportunities for a primitive and unconfined type of recreation
- f. May enhance ecological, geological, or other features of scientific, educational, scenic or historic value
- g. Meets the “Minimum Requirements Decisions Guide” criteria
- h. Satisfies the “Minimum Tool” requirement
- i. Advances knowledge of wilderness related natural, cultural, or ecological systems
- j. Rehabilitates wilderness values not achieving wilderness character objectives
- k. Provides monitoring of visitation and recreational impacts

2. Provide opportunities to inform and educate the public about wilderness and appropriate uses of wilderness. Points 20

Factors

- a. Incorporates environmental education program for children and adults;
- b. Provides a wilderness public education process
- c. Demonstrates responsible wilderness ethics and “Leave No Trace” principles

3. Promotes volunteer participation in wilderness management. Points 10

Factors

- a. Uses volunteers and interested organizations to accomplish management goals
- b. Enhance partnerships with groups interested in wilderness management

**TOTAL POSSIBLE POINTS: 80**

## Appendix C-5

### LAND ACQUISITION FUNDING CRITERIA

In order to implement the Lincoln County Lands Act of 2000 (LCLA), the following strategic goals, minimum criteria, and ranking criteria will be used to identify land or interest in land in the state of Nevada for acquisition by the BLM. Under the LCLA, the land or interest inland must be "environmentally sensitive".

#### **Eligibility**

The Bureau of Land Management, US Fish and Wildlife and US Forest Service and other federal agencies may receive funding for land acquisitions. Any entity or interested party may propose land and/or interest in land (such as conservation easements, water rights, mineral rights, etc.) for acquisition to the United States from willing sellers after consultation with the State of Nevada and unit of local government under the jurisdiction of such lands are located. Acquisition of the lands is supported as a result of land use planning.

#### **Strategic Goals for Land Acquisition**

- Promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife and other values contributing to public enjoyment and biological diversity;
- Enhance recreation opportunities and public access;
- Provide the opportunity to achieve more efficient management of public lands through consolidation of Federal ownership, or
- Otherwise serve the public interest.

#### **Minimum Criteria**

All three of the following criteria must be met for a parcel of land or interest in land to be acquired by a Federal entity. The first two criteria must be addressed in the "willing agency" letter, and the third in a "willing seller" letter, both to be included in the nomination package.

- The acquisition proposed for Federal acquisition presents no health, safety, or liability concerns that cannot be mitigated. This will be documented by a statement from the acquiring agency identifying any potential concerns and explaining specifically how it would be mitigated.
- The acquisition proposal must be supported as a result of land use planning by the land or resource management agency.
- There is a willing seller.

## **Ranking Criteria**

Each potential acquisition that meets all of the minimum criteria is scored by adding up points it receives from meeting one or more of the following “ranking criteria.” Points between 0 and the indicated maximum number are awarded for each criterion, depending on the degree to which the acquisition would satisfy each criterion. Factors used by the Working Group members to assign points are listed under each criterion.

Each potential acquisition is first evaluated based on resource issues, manageability, and other considerations, and a subtotal score is calculated.

1. Contributes toward preservation of a specially designated species. Points 20

Factors:

- The relative significance of the acquisition in contributing towards
- preservation of specially designated species
- The number and types of special status species associated with the property and
- season of habitat
- The listing status of each special status species present
- Trend in population of each species

2. Preserves a significant natural, aesthetic or scientific feature; Points 20  
or preserves a significant historic or cultural site.

Factors:

- Number and types of values associated with the site
- Eligibility for a special designation
- Relative significance of the acquisition in preserving the resource values (including bio-diversity)
- Existence of specific management plans for the resource values involved

3. Contains a wetland, or riparian value that provides substantial Points 10  
public benefit.

Factors:

- Quantity and season of water on the site (perennial, ephemeral, or intermittent)
- Nature of public benefits
- Number and types of riparian values
- Significance of the acquisition in protecting the values
- Significance of the property in the watershed

4. Enhances recreational opportunities or improves public access. Points 15

Factors:



- Number and types of recreation values associated with the site
- Relative significance of the acquisition in providing recreation or access in the area
- Existence of specific management plans for the resource values involved

5. Provides the opportunity to achieve better management of public land through consolidation of Federal ownership. Points 10

Factors:

- Nature and significance of the acquisition in achieving better management of public lands
- Property is an in-holding in a specially designated area and the degree to which the property supports the primary purpose of the area.
- Consistency with local planning and zoning.

6. Involves non-federal funding contributions for the acquisition itself, or for the development or management of the property once acquired. Points 05

Factors:

- Value of the contribution
- Percent of the overall costs
- Permanence of the contribution (Does the contributor expect to be reimbursed?)
- Duration of the commitment (one-time, or continuing?)
- Number, nature, and relative significance of funding partnerships

7. Has the support of the State, local governments, other agencies, and/or other interested parties. Points 10

Factors:

- Entities that support or oppose the acquisition
- Nature of support or opposition
- How support or opposition is demonstrated

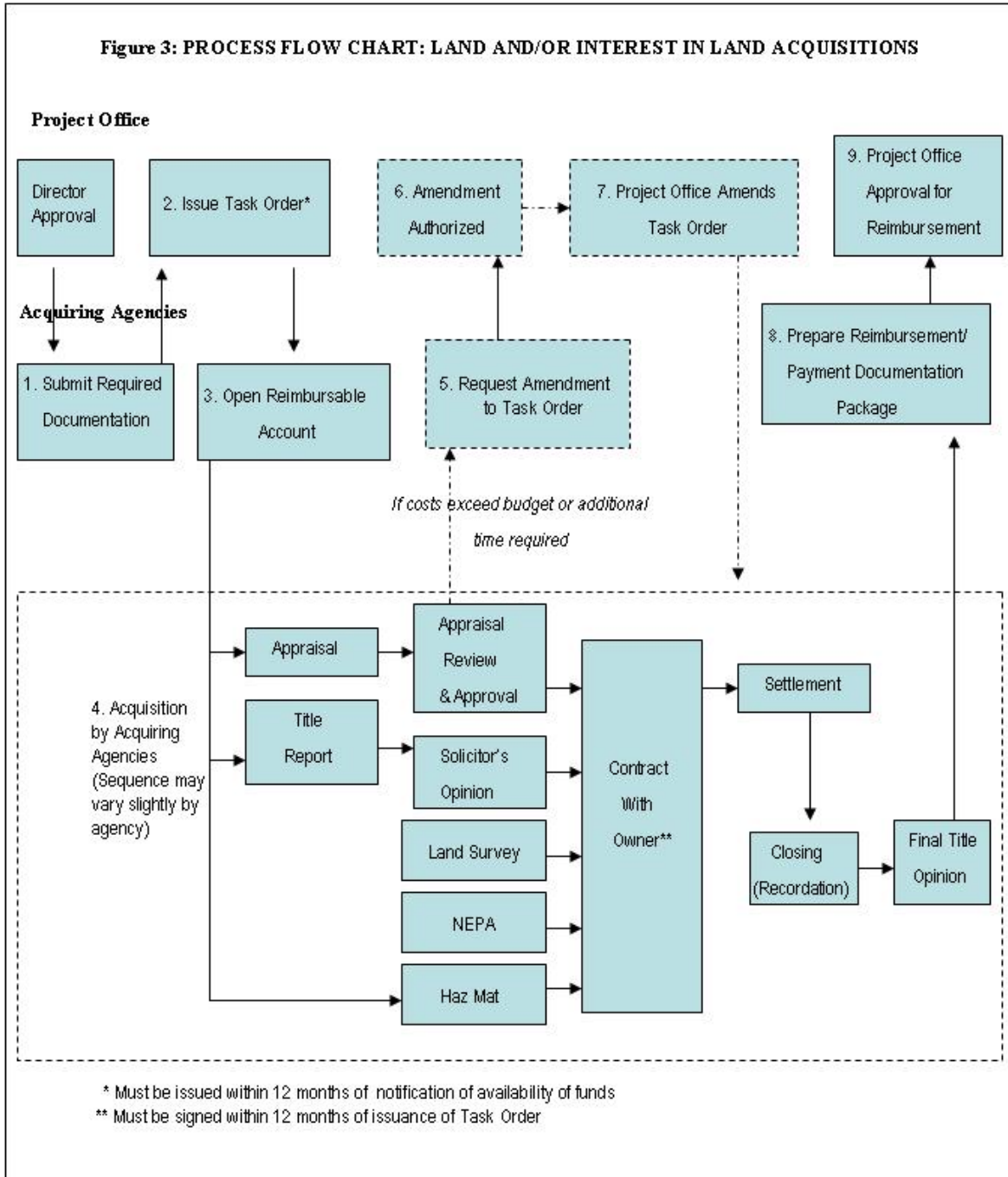
8. Other Considerations: Points 05

Factors:

- Urgency of action
- Prevent incompatible uses
- Priority given for land outside Clark County

**TOTAL POSSIBLE POINTS: 95**

## Appendix D



## Appendix E

### SPECIAL ACCOUNT FINANCIAL AND BUDGET PROCEDURES

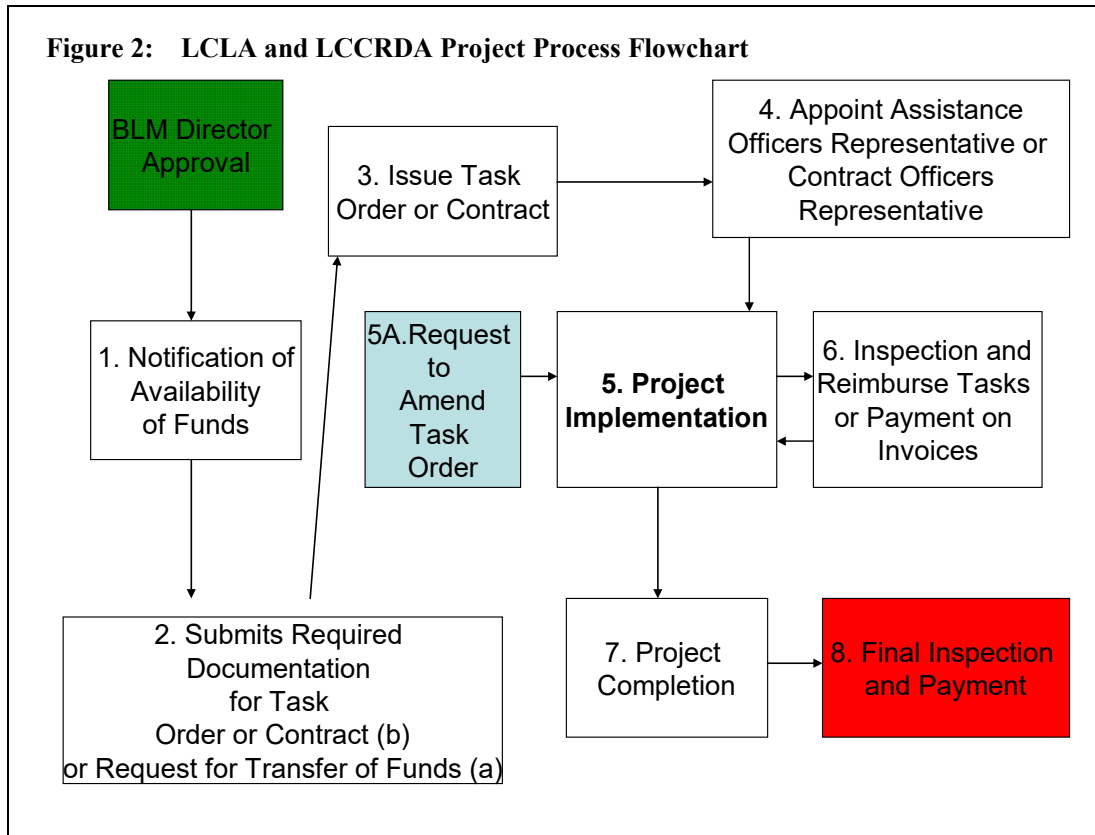
This appendix defines the processes and procedures associated with implementing the final decisions for spending funds in the Special Accounts, as applicable. Documentation required to initiate a project and to be reimbursed for the project is specified in this appendix.

#### **Budget Development for LCLA & LCCRDA Implementation**

The LCLA & LCCRDA Operational Fiscal Year Budget will be developed through the BLM Nevada's Preliminary Target Allocation (PTA) process identifying funds necessary for implementation. This allocation will include cost associated with NEPA documents, cultural inventories, mineral reports, appraisals, Federal Register notice and associated land disposal costs. This budget represents the final LCLA and LCCRDA budget and may be revised during the mid-year review.

#### **Project Development for Archaeology, MSHCP, Silver State OHV Trail and Management Plan, and Wilderness Projects**

It will be necessary to develop a project specific statement of work or task order for each approved project. Expenditure of funds on a project can only be accomplished through normal acquisition processes (contracts), interagency agreements, assistance agreements, or government personnel. The following flow chart illustrates the manner in which projects approved by the Director can be implemented. The Process Flowchart begins when the BLM Director approves the final project proposal regarding all planned expenditures of the LCLA and LCCRDA funds.



### 1. Notice of Available Funds (BLM Task)

Based upon BLM Director approval a notice of availability of funds letter is issued to the recipient. The availability of funds letter by category and priority is issued when funding level reaches the particular project. This letter details the project name, amount of funding, and deadline for Task Order submission or submitting request for transfer of funds.

### 2(a). Submit Request for Transfer of Funds (Other Federal Agencies Task)

The transfer process contains five steps following notification of availability of funds: Agency Request; Request Review and Approval; Cash Availability Determination; Transfer of Funds and Treasury Approval. Any project that has not requested a transfer of funds or issued a task order as described in 2(b) from the date of the notice to proceed will be able to request a six month extension of time.

Documentation to request a transfer of funds is outlined at the end of this appendix.

### 2(b). Submit Required Information for Task Order/ Contract (All Participants Task)

A project manager is assigned to each project. The documentation to open a task order must be submitted within one year from the date of the Notice of Availability of Funds letter. Any

project that has not been issued a task order within one year from the date of the notice to proceed will be able to request a six month extension of time.

Documentation to open a task order is outlined at the end of this appendix.

### **3. Issue Task Order (BLM Task)**

Upon receiving the required documentation to open a task order, the Ely Field Office will submit the completed Task Order with other documentation, i.e., Statement of Work, Intra-Inter Governmental Orders, Form 1681-3, Form 1511-1, DI 2010, SF 424 and/or SF 3881, required to facilitate an Interagency Agreement or Assistance Agreement request for the approved project. The task order is submitted thru the current agency acquisition automated systems (IDEAS) to the project manager for budget approval. Once budget approval is provided the Task Order will be processed through the Nevada State Office. The Contracting Officer and/or Assistance Officer will issue the Task Order. The Task Order obligates funding from the applicable Special Account(s) for the specific project. BLM project Task Orders are assigned an internal-reimbursable account by the BLM National Business Center and allowed direct costs are then charged against the internal reimbursable account.

Necessary expenses associated with the approved projects can be reimbursed from the Special Accounts; necessary expenses associated with acquisitions in land or interest in land can be reimbursed from the LCLA Special Account; necessary expenses associated with MSHCP or archeological resources projects can be reimbursed from the LCLA Accounts; and certain costs associated with MSHCP, archeological resources, Silver State OHV Trail and Management Plan, and Wilderness Management projects can be reimbursed from the LCCRDA Accounts. These costs are specified in the Necessary Expense Cost Forms shown in Appendices, **B-1 through B-6**.

An approved Task Order for a Federal agency project allows the agency to open a reimbursable account. Reimbursement accounts are backed by an Interagency Agreement. An Assistance Agreement and Task Order allows for coordinated efforts with local governments. Both types of agreements can allow for payment when the project is, in part or whole, completed and all documentation is in order. Agreements specify payment terms which would allow for other than upon completion payment. For example, if requested and agreed to, quarterly reimbursement can be made. The funding to cover allowable costs will come from the applicable Special Account(s). If, for any reason, the project cannot be completed, the agency must cover any expenditure, other than an approved Task Order, from other funding sources. Documentation for submitting a reimbursement/payment request is outlined at the end of this appendix.

### **4. Appoint Assistance Officers Representative or Contract Officers Representative (BLM Task)**

A Contracting Officers Representative (COR) will be appointed by the Contracting Officer to administer the Interagency Agreement for each project. The contracting process requires a Contracting Officer Representative to be the technical representative or project officer who

manages and administers the agreement and subsequent additional contracts on behalf of the Contracting Officer.

An Assistance Officers Representative (AOR) will be appointed by the Assistance Officer to administer each agreement for each project. The Assistance Officers Representative is the technical representative or project officer who manages and administers the agreement on behalf of the Assistance Officer.

## **5. Project Implementation (All Participants Task)**

Project implementation must be completed within the timeframes outlined in each approved project. Requests for time extensions are described in section 5a.

The BLM Contracting Officer or Assistance Officer will assign a Contracting Officer's Representative or Assistance Officer's Representative when necessary to insure the projects are implemented according to requirements including tracking of expenditures and reimbursements. The COR and AOR may also be the project manager.

### **5a. Request Amendment (or Modification) to Task Order (if required) (All Participants Task)**

If the total project costs exceed the original approved budget amount by more than the 10% contingency reserve amount, the Ely Field Manager must request approval from the BLM Nevada State Director for additional funds from the Special Account Reserve (SAR). These requests should be based on defined criteria for emergency needs and unforeseen circumstances. Since a 10% contingency amount is available for each project at the time it is approved, requests for SAR funds should be the exception. The request must be accompanied by a justification statement explaining the reason for the request. Approved SAR requests will be documented in an Amendment or Modification to the Task Order. Requests for additional funds associated with work outside the scope of the original approved project will not be considered.

If the project cannot be completed by the date identified in the task order, the agency must request a modification to extend the Task Order prior to expiration of the project completion time accompanied by a justification statement. The Ely BLM Field Manager can approve time extension requests of six months or less and, the BLM Nevada State Director must approve time extension requests greater than six months. Approved extensions, or other modifications of the task order will be forwarded to the COR and CO for implementation and agreement modification.

## **6. Inspection and Reimbursement of Tasks or Payment on Invoices (BLM Task)**

The BLM COR(s) will review the reimbursement package to ensure that all necessary documents are included. The COR will then, based upon established reimbursement criteria as defined at the end of this appendix, authorize payment for necessary expense allowable costs and maintain a file of documents to support the disbursement from the Special Accounts. The process is designed to ensure that funding allocated under the Acts is spent for the intended purposes. It

specifies the documentation required to be reimbursed for the acquisition or project is provided. Certain documentation will be required for reimbursement of each individual task order and for reimbursement of the task order which completes the project.

Reimbursement/Payment requirements are outlined at the end of this appendix.

No funds will be reimbursed for expenditures made prior to the Director, Bureau of Land Management approval of the project.

The COR will review the reimbursement package to ensure all necessary documents are provided. The COR will 'accept' the reimbursement package and maintain a file copy to support disbursement from the Special Account. The COR will then forward the reimbursement request to the Contracting Officer or the Assistance Officer for approval. The COR will notify the NBC accountant, the proponent of the project, and the SNPLMA Business Manager via email of the requested reimbursement amount and that the reimbursement request has been forwarded to the CO or Assistance Officer. The CO or Assistance Officer will forward the approved amount for payment to the NBC accountant for reimbursement of the approved payment amount.

No Federal Agency will issue an IPAC billing until this confirmation of approved payment is received. Local and regional government payments will be initiated by BLM National Business Center upon receipt of this approval confirmation. Close coordination with the BLM National Business Center financial group is required to ensure that invested funds are appropriately redeemed for reimbursement payments, to ensure adequate cash management of the investments, and to maintain the integrity of the Bureau's financial statement as a whole.

There are three possible funding mechanisms: 1) Reimbursement may be made at the completion of the project, 2) Partial reimbursement can be made during the implementation and completion phases of the project as described in the Task Order(s), and 3) Federal agencies can request a transfer of funds. All funding mechanisms require fiscal accounting of expenditures.

## **7. Project Completion (All Participants Task)**

The contractor or cooperator will submit a final invoice to the Contracting Officer or Assistance Officer upon completion of work. Final inspection will be accomplished as agreed in the agreement.

## **8. Final Inspection and Payment (BLM Task)**

Once final payment is provided or final inspection has occurred any additional work will be considered an additional project requiring a separate project proposal, ranking, rating, and approval by the Secretary. The Contract Officers Representative will notify the Contracting Officer, Ely Field Manager and the BLM Nevada State Director when the project is complete.

Item 2 and Item 3 Continued

**DOCUMENTATION REQUIREMENTS FOR LAND DISPOSAL ACTIONS, ARCHAEOLOGY, MSHCP,  
SILVER STATE OHV TRAIL AND MANAGEMENT PLAN,  
WILDERNESS and LCLA LAND ACQUISITION PROJECTS**

The matrix below identifies the projects and participating agencies for each type of project. Task order requirements and reimbursement packages vary based on the type of agreement. The task order and reimbursement requirements outlined identify requirement differences by type of agreement.

<b>Legislative Act Governing Project ↓</b>	<b>Agency &amp; Agreement Format → ----- Project Type ↓</b>		<b>BLM</b> Intra-agency Agreement (Internal Reimbursement Account)	<b>Other Federal</b> Inter-agency Agreement or Transfer of Funds	<b>Local Government</b> Assistant Agreement
<b>LCLA</b>	<b>Land Acquisition</b>		<b>X</b>	<b>X</b>	
<b>LCCRDA</b>	<b>Land Disposal Actions</b>		<b>X</b>		
<b>LCCRDA</b>	<b>Silver State OHV Trail and Mgmt Plan</b>		<b>X</b>	<b>X</b>	<b>X</b>
<b>LCCRDA</b>	<b>Wilderness</b>		<b>X</b>	<b>X</b>	
<b>LCLA &amp; LCCRDA</b>	<b>Archaeology</b>		<b>X</b>	<b>X</b>	<b>X</b>
<b>LCLA &amp; LCCRDA</b>	<b>MSHCP</b>				<b>X</b>

**Task Order**

1. Cover Letter requesting task order in compliance with the Intra-/Inter-Agency Agreement (IA) or Assistance Agreement. Include IA or AA number and the amount of the task order funding request as approved by the Secretary plus the 10% contingency amount as appropriate. If multiple task orders will be utilized for a project, include a description of phasing of project, how many task orders will be requested, what the “well-defined tangible end product” is for the requested task order.
2. Estimated Necessary Expense Cost Sheet (Appendix B) for the project as a whole or the amount required for those tasks to be accomplished under this task order when multiple task orders are being utilized for one project.
3. A) Draft Form 1681-3, Task Order Intra/Inter-Agency Agreement or B) Task Order Application (Form 1511-1), Assistance Agreement.
4. Application for Federal Assistance (Standard Form 424), Assistance Agreement.
5. Acquisition Schedule (i.e., time line for executing contract and completing acquisition)
6. Estimated Necessary Expense Cost Sheet (Applicable form Appendices B-1 through B-6).
7. Acquisition Schedule (e.g., timeline for acquisition) if applicable.



## **Request for Transfer**

1. Completed annual transfer request and report spreadsheets by Round, describing each project and the total amount available as approved by BLM Director. This request identifies funding needs for each project on a quarterly basis unless the project or a portion of the project lends itself to an annual or one-time funding basis. Annual transfer requests are to be submitted a minimum of 30 calendar days in advance of the fiscal year. (This request is updated quarterly based on needed changes.) Specific instructions on completion of the transfer request and report spreadsheets are included in that document. Transfers will be made on the first business day of each quarter in accordance with the annual funding request and quarterly updates.
2. Agencies shall also submit the estimated necessary expense cost sheet for the new project(s) including milestones and completion dates.
3. Agencies will nominate an individual(s) to act as a point of contact for the reporting requirements and a headquarters financial contact to insure transferred funds are properly routed.
4. Agencies are required to maintain a detailed accounting by category and project number. Agencies will use their financial system reports to document expenditures. Necessary backup documentation may be requested upon an auditor's needs.
5. Project managers are required to submit a quarterly narrative status report on a per project basis to the BLM Ely Field Office. These reports, in addition to the completed transfer request spreadsheets satisfy the annual and quarterly reporting requirements. Additional status reports may be requested to comply with requests from DOI, OMB, Treasury or Congress.
6. Agencies should coordinate with their respective financial centers to ensure timely submission of their Quarterly SF-133, annual FMS 2108, and monthly Trail Balance as required and provide a copy to BLM NBC.
7. Final Inspection Report submitted upon completion of the project.

## **Reimbursement/Payment**

1. Cover Letter requesting payment and attesting to compliance with Intra-/Inter-Agency Agreement or Assistance Agreement. (Specify IA number) and the Task Order.
2. Final Title Opinion (Land Acquisition).
3. Invoices/Receipts for Direct Costs (land acquisition - e.g., settlement statement for escrow/title fees, invoices for contracted appraisals, etc.).
4. Recorded Deed (land acquisition - conformed copy is acceptable).
5. Copy of appraisal report and agency appraisal review approving the report and establishing the approved value (land acquisition).
6. If reimbursement for case management is being requested submit either (a) Final Payment Invoice for contracted case management with an explanation of functions performed under the contract if not evident on the invoice; or (b) Agency Fiscal Records for direct labor costs for allowed case management (such documentation should provide the name of individuals, function performed, hours being charged to the acquisition, and pay rate).
7. Agency or local government fiscal records for eligible travel and official vehicle use. Name of traveler, dates and purpose of travel should be provided if not included on fiscal records for travel. For official vehicle use, if not included in fiscal records, provide detailed vehicle use logs

and/or other documentation demonstrating appropriate case management use of official vehicles and costs.

8. Agency or local government Inspection Report for work completed under task order or Final Inspection Report upon completion of the project under the final task order.
9. Primary and Sub-Contractor Notices of Completion and Release of Claims for any contract completed under a given task order. BLM, FWS, and NPS should utilize standard DOI Release of Claims form DI-137 (Rev. July 1996). FS should utilize a comparable Department of Agriculture form.
10. Receipts for Direct Costs (e.g., government furnished supplies/materials).
11. Final Payment Invoice for any contracts completed under a given task order.
12. Agency fiscal records for eligible direct labor, travel, and official vehicle use. If not included on fiscal records for direct labor provide the name of the individual(s), role on the project, the number of hours requested, and pay rate per hour. Name of traveler, dates and purpose of travel should be provided if not included on fiscal records for travel. For official vehicle use, if not included in fiscal records, provide detailed vehicle use logs and/or other documentation demonstrating appropriate project use of official vehicles and costs.

## Examples of Estimated Other Necessary Expenses

Category
<b>ADMINISTRATION COSTS</b>
Budget Tracking/Accounting and Execution
Allocation of Transferred Funds to the Region and to the Field*
Preparation of OMB Reports Required in Association with Transferred Funds*
Project Procurements and Contract Oversight (If any in addition to Direct Labor for the CO, COR, and PI already included on the Estimated Expense sheet)
Preparing Transfer Requests*
Transfer of Station cost (PCS) for Hiring Project Personnel
Managing Allocation of Transferred Funds*
Financial Audit Support
Supervision and Oversight of SNPLMA-Funded Staff and/or Contractors
Travel Administration for Required Project Travel
Human Resource/Relations Tasks for SNPLMA-funded Personnel
Preparing Quarterly Status Reports
Tracking Project Activities, Expenses, IGOs, Task Orders (e.g., project database management)
IT Services to Install Hardware/Wiring, Project-Required Software, and Maintain/Trouble Shoot Computers Used for SNPLMA Projects. Hours and costs must be tracked by project and based on percentage of time the computer(s) are used for those projects.
A percent of Project-Related Indirect Costs for Support Based on Staff Time Spent on the Project(s), provided these expenses meet the three criteria of necessary expenses and are not covered elsewhere in the cost estimate (Examples of such indirect costs would be secretarial support, printing, copying, cost-center expenses, etc.)
<b>PROJECT CONSTRUCTION, CONSULTATION AND MANAGEMENT</b>
Duties of Project Manager/Supervisor (If not already included on the Estimated Expense Sheet)
Construction Trailers and Utilities
Required Project Consultations (e.g., safety and fire; cultural and historic, ADA, etc.)
Public Scoping and/or Meetings for Environmental Review, Project Design, etc. (Does not include ribbon cutting or opening ceremonies for projects at or near completion.)
Review of Contracted Surveys, Assessments, Designs/Drawings, Reports (If not already included on the Estimated Necessary Expense Sheet)
Construction Site Security
Cell Phones, Cell Service, Radios for Project Personnel Primarily in the Field
Required Cultural, Wildlife, Biological, and other Similar Surveys (If not already included on the Estimated Necessary Expense Sheet)
Interest Required to be Paid on Construction Contract Retention Amounts
<b>TEMPORARY OFFICE SPACE**</b>
Lease Costs for New Temporary Space
Design and Installation of Modifications to Meet Space Plan Needs
Set Up Fees for Utilities (Gas, Electricity, etc.)
Furniture and Fixtures
Required Modifications to Meet Codes
Computer Equipment (See section on equipment costs for limiting conditions)
Installation Costs for Computer Networks, Telephone Service