

Southern Nevada Public Land Management Act of 1998 (Public Law 105 - 263)
Round 18 Nominations - Environmentally Sensitive Land Aquisitions
Preliminary Recommendation

The following is a prioritized list of Environmentally Sensitive Land Acquisition project nominations that have been received and reviewed for possible funding under Round 18 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105 - 263). The purpose of releasing these lists is to obtain input from interested parties. Beginning March 1, 2021, the BLM is accepting written comments on these nominations until close of business (4:30 PM Pacific Time) on April 14, 2021. Comments should be mailed to the SNPLMA Executive Committee Chair, BLM Southern Nevada District Office, 4701 N. Torrey Pines Dr., Las Vegas, NV 89130, faxed to (702) 515-5110, or emailed to snplma@blm.gov. The SNPLMA Executive Committee will meet following the comment period to review comments received to develop a final recommendation for consideration by the Secretary of the Interior in consultation with the Secretary of Agriculture. Questions may be address to the SNPLMA Division, BLM Southern Nevada District Office at (702) 515-5116.

Round 18 Environmentally Sensitive Land Aquisitions Recommended for SNPLMA for Funding										
Rank	Tab #	Property Name	Acres	County	Acquiring Agency	Field Office	Nominating Entity	Resource Values	*Nomination Request	Funding Recommended
1	1	McCullough Springs Land Acquisition	40.00	Clark, NV	BLM	SNDO-LVFO	BLM	Wildlife, Recreation, Hunting, Cultural, Hydrologic, access, improved connectivity, desert bighorn sheep and yellow two-toned penstemon both sensitive species, improve access to the South McCullough Wilderness.	\$323,385	\$323,385
Round 18 Environmentally Sensitive Lands Acquisitions Recommended for SNPLMA Totals: Acres: 40.00 Funding: \$323,385 \$323,385										
Round 18 Environmentally Sensitive Land Aquisitions Not Recommended for Funding										
Rank	Tab #	Property Name	Acres	County	Acquiring Agency	Field Office	Nominating Entity	Resource Values	*Nomination Request	Funding Recommended
2	2	Torino Ranch Conservation Easement	42.44	Clark, NV	USDA FS	USFSR4	USDA FS	Palmer's Chipmunk, Northern Goshawk, Phainopepla, elk, deer, bighorn sheep, bobcats, mountains lions, foxes, squirrels, rabbits, an abundance of birds, including golden eagles and hawks, bees, butterflies, dragonflies, frogs, toads, and salamanders.	\$10,103,900	\$0
Round 18 Environmentally Sensitive Lands Acquisitions Not Recommended Totals: Acres: 42.44 Funding: \$10,103,900 \$0										
Round 18 Environmentally Sensitive Lands Acquisitions Recommended for SNPLMA Total Acres:										40.00
Round 18 Environmentally Sensitive Lands Acquisitions Recommended for SNPLMA Total Funding:										\$323,385

* Nomination Request includes the owner's asking price, plus an estimated amount for associated expenses such as appraisals, surveys, and other allowed costs.

Southern Nevada Public Land Management Act
Environmentally Sensitive Land Acquisitions
Round 18

Bureau of Land Management
Southern Nevada District



McCullough Springs Land Acquisition

Amount Requested: \$323,385
Asking Price: \$192,000

Name of Property: McCullough Springs

Time Frame: 3 years

Location: 35.582410° -115.191671°

County & Assessor Parcel Number (APN): Clark County #225-00-002-009

Number of Acres: ± 40 acres

Congressional District: NV-3

Nominating Entity & Acquiring Federal Agency

Bureau of Land Management
Southern Nevada District Office

Contact:

Project Manager

Kevin Bryan

4001 N. Torrey Pines Dr.

Las Vegas, NV 89130

Phone: 702-515-5233

kcbryan@blm.gov

Owner Information

The Wilderness Land Trust

PO Box 11697

187 Parfitt Way SW, Suite #G115
(FedEx & UPS)

Bainbridge Island, WA 98110

Contact: Aimee Rutledge

Vice President & CA Program Manager

Phone: 415-606-5895

Aimee@wildernesslandtrust.org

PURPOSE STATEMENT

The Bureau of Land Management (BLM) has the opportunity to purchase the +/- 40-acre McCullough Springs parcel, the only private property located between the South McCullough Wilderness and the Piute-Eldorado Area of Critical Environmental Concern (ACEC). Acquisition of this private inholding unifies BLM management of over 100,000 acres of federal land in the Wilderness and ACEC. It also protects water resources and riparian and wildlife habitat for desert bighorn sheep, yellow two-toned penstemon, mule deer and many other wildlife species, protects cultural resources including rock art and grinding stones, and facilitates recreational access for hunting, birdwatching, and hiking. This project enhances connectivity and recreational opportunities by improving access to the South McCullough Wilderness. It sustains a rare natural water source, maintaining wildlife access in perpetuity.

BACKGROUND INFORMATION TO SUPPORT THE NEED

a. Legal Description: The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 26 South, Range 61 East, Mount Diablo Base and Meridian, Clark County, Nevada. (Also known as Clark County APN 225-00-002-009)

b. General Description of the Nominated Property

The subject property is located at McCullough Springs, approximately 10 miles west of U.S. 95, and 25 miles southwest of the U.S. 93/U.S. 95 intersection, in the South McCullough Mountains in Clark County, Nevada. The north slope of the McCullough Mountains creates the south boundary of the Las Vegas Valley, and the mountains extend south from the City of Henderson for 40 miles. The McCullough Range contains the Sloan Canyon National Conservation Area as well as the North and South McCullough Mountain Wilderness Areas. The McCullough Mountains are on the west side of the Eldorado Valley, and the Eldorado Mountains (location of the Piute-Eldorado ACEC) on the east side of the valley. The north slope of the McCullough Mountains, as indicated, is in the City of Henderson and is developed with master planned communities such as Anthem, Seven Hills, McDonald Ranch, and Green Valley Ranch. The rest of the McCullough Mountain Range is away from much human interference, but, nonetheless, close to two million residents in the Las Vegas Valley.

c. Brief Summary of Resource Values:

The +/- 40-acre property connects over 100,000 acres of federal lands and is hydrologically linked to McCullough Springs, a critical water source for many wildlife and plant species including an important population of desert bighorn sheep and yellow two-toned penstemon, both sensitive species identified on the property. Two important springs are located just downstream of this parcel, although they do not flow through the parcel itself. There is water available on the parcel that has been diverted from a nearby spring through tunnels. This diversion was created by a previous owner to water livestock and is now utilized by wildlife. Due to hydrologic connectivity the preservation of this parcel will provide for better management of these springs (i.e. prevention of negative impacts to springs from upstream development of perched aquifer). BLM is developing an ACEC management plan and environmental assessment (EA) for the adjacent Piute-Eldorado ACEC. The ACEC contains the largest area of high-density tortoise habitat in Nevada and protects desert bighorn sheep, visual quality, and other resource values. Expansion of the ACEC to include the property will be analyzed, so that BLM will be able to restore areas around the springs that harbor invasive plants and serve as a seed source for dispersion of weed seeds by wildlife.

d. Known Hazardous Materials, Safety, Legal, or Other Liabilities:

No known hazards or liabilities exist. (NOTE: A deed of trust for a \$75,000 loan is recorded against the property, but The Wilderness Land Trust will pay this loan off and remove the deed of trust at close to BLM.)

e. Rights Being Offered for Acquisition:

Fee Simple Acquisition of Property

- Water Rights
- Surface Rights Only
- Conservation Easement (e.g., Development Rights)
- Mineral Rights Only
- Access Easement
- Patented Mining Claim(s):
- Other – describe (e.g., well (include well log) and any structure(s))

f. Water Rights: NO

- i. Water rights are appurtenant to the property, but are not being offered for acquisition.
- ii. Details of third-party water rights:
 - (a) Type: certificated, surface
 - (b) Volume: Not to exceed 1.665 acre feet annually
 - (c) Beneficial use: Wildlife water and habitat
 - (d) Location and type of diversion point: Water is diverted from McCullough Spring by means of a tunnel thence through 250 feet of 1¼-inch pipe to a galvanized steel trough 17 feet long, 3 feet wide and 16 inches deep and to a 5-foot diameter circular galvanized steel trough 20 inches deep, where wildlife water in the SE¼ SW¼ Section 26, T.26S., R.61E., M.D.B.&M.
- iii. Water rights information documents included in attachments before the Owner's statement.
- iv. Instruction Memorandum No. NV 2005-077 Number 6.d. and NV-2014-044: Not Applicable. Water rights are not being nominated.

g. Surface Rights Only: NO

- i. Subsurface ownership: CURRENT OWNER
- ii. USA reserved mineral rights and authority: NO
 - (a) Mineral rights reserved under the Taylor Grazing Act of 1934 and /or Stock Raising Homestead Act of 1916: NO

h. Conservation Easement (e.g., Development Rights): NO

i. Mineral Rights Only: NO

j. Access Easement: NO

k. Patented Mining Claims: NO

l. Other: NO

m. Rights to be Reserved:

- Access rights/easements - NO. There are no easements or existing access rights
- Water Rights -
- Mineral interests: - NO. Existing water rights are held under certificate to Clark County
- Development Rights - All mineral interest will return to the U.S.
- Other: Describe

n. Occupancy or Use Rights Held by Others:

Encumbrance – A tunnel exists that diverts water; formerly for stock watering and currently for wildlife watering. BLM holds joint water rights with Clark County and the Nevada Department of Wildlife for this encumbrance and do not convey with acquisition. No existing easements.

o. Third Party Water Rights:

Certificated water rights (Nevada Certificate No. 16520) for beneficial use for wildlife water and habitat are owned by Clark County and do not convey with acquisition.

p. Federally Approved Land Use Plan:

Bureau of Land Management – 1998 Las Vegas Resource Management Plan and Record of Decision, October 5, 1998

Acquisitions Management

Objective

AQ-1. To acquire private lands to enhance the recovery of special status species, protect valuable resources and facilitate the management of adjacent BLM lands. Secure legal and physical on-the-ground access to otherwise inaccessible public lands.

Management Direction - Land Acquisition Needs

Land acquisition needs will generally be processed through the land exchange program; however, if the opportunity arises lands may be acquired by donations, Congressionally appropriated funds, or compensation funds.

AQ-1-a. The following land acquisition priorities are based on finding willing sellers:

1. Private lands required to meet management objectives within designated Areas of Critical Environmental Concern, Wilderness Study Areas, recommended Wilderness Areas, Congressionally designated areas, Threatened and Endangered Species habitat, and areas containing special status species.
2. Lands located within the district, conveyed into private ownership to Aerojet Corporation through P.L. 100-275. The lands involved are located in Coyote Spring Valley and will be retained in Federal ownership as part of Coyote Springs Area of Critical Environmental Concern.
3. Private lands along the Virgin River, south of Riverside.
4. Lands not specifically identified for acquisition could be acquired on a case-by-case basis for the following reasons:
 - a. protect Threatened and Endangered Species and Special Status Species.
 - b. provide resource protection.
 - c. facilitate implementation of the Resource Management Plan.
 - d. provide a more manageable land ownership pattern.
 - e. maintain or enhance public uses and values.

AQ-1-b. The BLM will not acquire contaminated property.

Permit No. 67796 Certificate No. 16520 Book 75 Page 16520

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Michael D. Buschelman, Agent, has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from McCullough Spring for wildlife watering and habitat preservation purposes. The point of diversion of water from the source is as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T.26S., R.61E., M.D.B.& M., or at a point from which the SE corner of Section 36 T.24S., R.62E., M.D.B.&M. bears N. 35°12'22" E., a distance of 71,136.67 feet, situated in Clark County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	Clark County c/o Department of Comprehensive Planning
Source:	McCullough Spring
Manner of Use:	Wildlife Watering and Habitat Preservation
Amount of appropriation:	0.0023 c.f.s., not to exceed 1.665 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	*September 24, 1947

Description of the works of diversion, manner and place of use:

Water is diverted from McCullough Spring by means of a tunnel thence through 250 feet of 1 $\frac{1}{4}$ -inch pipe to a galvanized steel trough 17 feet long, 3 feet wide and 16 inches deep and to a 5-foot diameter circular galvanized steel trough 20 inches deep, where wildlife water in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T.26S., R.61E., M.D.B.&M.

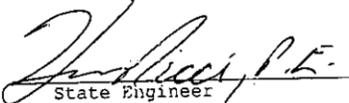
*This certificate changes the manner of use of Permit 12019, Certificate 3238; therefore, the date of priority remains the same as Permit 12019, Certificate 3238.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 11th day of May, A.D., 2005.

gkl/rel


State Engineer

Application No. 12019 Certificate Record No. 3238 Book 10 Page 323d

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS A. C. Marshall, Stockraiser has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from McCullough Spring through tunnel, pipeline, tank and trough for Stockwatering purposes. The point of diversion of water from the source is as follows: SE 1/4 SW 1/4 Section 26, T. 26 S., R. 61 E., M.D.B.&M. or at a point from which the SE Corner of Section 36, T. 24 S., R. 62 E., M.D.B.&M. bears N. 35° 12' 22" E., 71.136.67 feet situated in Clark County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 46, Statutes of 1937 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator A. C. Marshall
Post-office address Searchlight, Nevada
Amount of appropriation 0.0023 c.f.s. or sufficient to water 150 head of cattle
Period of use, from January 1 to December 31 of each year
Date of priority of appropriation September 24, 1947

Description of works of diversion, manner and place of use:
The spring is developed by means of a tunnel and 250 feet of 1-1/4 inch pipe conveys the water to a galvanized watering trough, 3 feet wide at the top, 26 inches at the bottom, 18 inches deep and 17 feet long and a circular galvanized steel trough 5 feet in diameter and 20 inches deep all located in the SE 1/4 SW 1/4 Section 26, T. 26 S., R. 61 E., M.D.B.&M.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I ALFRED MERRITT SMITH, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of April A. D. 1949
Alfred Merritt Smith
State Engineer.

Recorded Apr. 9, 1949. Bk. of Page.
Clark County Records
Water Approps.
Compared H.E.H.

RELATIONSHIP TO PRIOR APPROVED PHASES OR RELATED SNPLMA PROJECTS AND ANTICIPATED FUTURE PHASES

The acquisition of the ± 40-acre McCullough Springs property is a one-time project that will eliminate the last private land parcel between the South McCullough Wilderness and the Piute-Eldorado ACEC, consolidating over 100,000 acres of federal land, and protecting water resources and habitat for special status wildlife and plants (desert bighorn sheep, yellow-toned penstemon), mule deer, and many other species, as well as cultural and recreational resources (rock art, grinding rock, hunting, bird-watching, and hiking).

DELIVERABLES

Primary:

- Acquire title (Fee Simple Acquisition of Property) to McCullough Springs parcel ± 40 acres of habitat that would provide wildlife and public lands connectivity between the South McCullough Wilderness and the Piute-Eldorado ACEC.

Anticipated:

- Apply to acquire water rights pending a determination of the quantity that can be put to beneficial use.

Standard:

- Legal description acceptance
- Appraisal
- Hazardous Materials Assessment
- Preliminary Title Opinion (PTO)
- Executed Purchase Agreement
- Executed Deed

PROJECT TIMEFRAME

3 years

LEVEL OF PROJECT READINESS FOR IMPLEMENTATION

The Wilderness Land Trust owns the property and is a willing seller, ready to transfer the property to BLM. BLM has realty and resources staff ready to complete the acquisition and assume management responsibilities of the parcel if the grant is approved. BLM has obligated in-kind funding in the amount of \$75,000 in order to provide full NEPA analysis regarding the acquisition.

PARTNERSHIPS AND/OR CONTRIBUTED FUNDS

The BLM Las Vegas Field Office commits to allocating and assigning personnel and funding to ensure that compliance with the National Environmental Policy Act (NEPA) is completed in support of the project nomination. This commitment represents an in-kind labor contribution of \$75,000. The NEPA work will be conducted internally utilizing appropriated funds and will be completed prior to 9/15/2021. A written commitment is attached to this nomination package.

FUNDING REQUESTED BUDGET DETAIL

Support for Asking Price

According to correspondence with BLM realty specialists and the seller, there are no recent comparable sales to support the asking price. The attached appraisal is from 2015, and includes a letter from the appraiser, dated 10/7/2020, stating that the appraisal is still accurate. (see Exhibit 1: Appraisal Report.)



3034 S. Durango Drive
Suite 100
Las Vegas, NV 89117
702-242-9369 phone
702-242-6391 fax
valbridge.com

October 7, 2020

It is my professional opinion that our 2015 appraisal of McCullough Spring (Our File #14-0289) is not out-of-date. COVID-19 has created some uncertainties, but Southern Nevada real estate prices remain strong.

Sincerely,

A handwritten signature in blue ink that reads 'Kendal Stewart'. The signature is written in a cursive style with a prominent flourish at the end.

Kendal Stewart
Senior Appraiser
Nevada License #A.0002588-CG
License Expires 04-30-2021

SNPLMA ROUND 18				
ENVIRONMENTALLY SENSITIVE LAND ACQUISITION PROJECT				
ESTIMATED NECESSARY EXPENSES				
Property Name:	McCullough Springs	Agency:	BLM	Date: 11/17/2020
Project #:	N/A in Nomination	Priority #:	N/A in Nomination	
Prepared by:	Kevin Bryan	Phone #:	702-515-5233	
1. Owner Asking Price/Land Purchase Price (Not to exceed fair market value as determined by a Federally approved appraisal.)				
			\$192,000	59.37%
2. Appraisal				
			\$10,000	3.09%
3. Land/Boundary Survey				
			\$0	
4. NEPA (e.g., EA, DNA)				
			\$0	
5. Environmental Site Assessment				
			\$20,000	6.18%
6. FWS Consultation—Endangered Species Act				
			\$0	
7. Water and/or Mineral Rights Analysis (for Title Purposes)				
			\$0	
8. Water Report (perform an assessment of the water right, determine quantity of water to be transferred prior to the appraisal process, and work with current owner to obtain a Change of Beneficial Use from the State Engineer, as needed.)				
			\$0	
9. Mineral Potential Report /Memo (Costs for drilling and testing are not/not allowed; such data gathering if needed for a mineral appraisal is the responsibility of the owner.)				
10. Title Report, Escrow Fees, Misc. Closing Costs				
			\$10,000	3.09%
11. Recording Fees				
			\$100	0.03%
12. Pro-rata Share of Any Pre-Paid Property Taxes or Assessments				
			\$0	
13. Relocation Payments to Eligible Displaced Persons Under the Uniform Act				
			\$0	
14. Agency or Contracted Labor Costs: For acquisition processing including site inspections, document preparation, title evidence review, legal description verification; preparation and review of technical reports such as surveys; preparation of requests for preliminary and final title opinion, escrow closing instructions.				
			\$82,000	25.36%
15. Travel including per diem, when official travel status is required for agency personnel to perform case management (e.g., agency experts to review contracted appraisals, to perform surveys, etc.)				
			\$0	
16. Official Vehicle Use (pro rata cost for use of Official Vehicles when required to carry out case management)				
			\$825	0.26%
17. Other Necessary Expenses (See Appendix B-3, ATTACHMENT C)				
			\$8,460	2.62%
TOTAL:			\$323,385	100.00%
Describe Commitment(s) for Either Cash or In-Kind Contributions to Complete the Nominated Project:				
BLM Labor for completion of NEPA planning: \$75,000 for EA				

PERFORMANCE MEASURES

Outcome: Increase opportunities for public recreation, ensure 100 percent connectivity of the South McCullough Wilderness and the Piute-Eldorado Area of Critical Environmental Concern (ACEC), and conserve important habitat and water resources for wildlife, including BLM designated sensitive species.

- Output: Acquire McCullough Springs property. The SNPLMA Performance Measure is:
 - Performance Measure L-1 Acquisition of Environmentally Sensitive Land (\pm 40 acres)
 - Performance Measure L-7 Wildlife Migratory Corridors Acquired (1 unit)
 - Performance Measure L-9 Sensitive Habitat Acquired (+/- 40 acres)

EC STRATEGIC PLAN VALUES

• Sustainability

Acquisition of this property would allow the BLM to sustain the quality of the outdoor environment through conservation and preservation of cultural and natural resources. It will be important to protect water resources on this property to ensure a healthy ecosystem in which animals and plants can thrive. This would also play a key role in attracting pollinators (bees, bats, birds, etc.) to the site, which are critical to the proliferation of many native plant species utilized by wildlife for food and shelter.

• Connectivity

This property is the only private land parcel located between the South McCullough Wilderness and the Piute-Eldorado ACEC. It is located within a common migration corridor for many wildlife species, including the desert bighorn sheep (a BLM designated special status species). Acquisition of the property would ensure 100 percent connectivity of nearly 100,000 acres of habitat within BLM-managed land, allowing wildlife the freedom of migration and gene flow. It would allow complete connectivity for desert bighorn sheep herds between the McCullough range and Highland range, which is Crucial Bighorn Habitat. This parcel also straddles a drainage that would provide recreational access (hiking, backpacking, hunting, etc.) into the South McCullough Wilderness. If the parcel remains under private ownership this access could be blocked off to the public.

• Community

The acquisition of this property would help to improve the quality of life for the public by enhancing recreational opportunities that connect people with the outdoor environment. It would allow the BLM to protect and possibly enhance the habitat and water resources which are heavily used by wildlife, both game and non-game species. Activities such as hunting, bird watching, and other wildlife viewing would benefit from this.

COMPLIANCE W/DEPARTMENTAL PRIORITIES/STRATEGIC GOALS/EO/SO

Departmental/Agency Priorities and Strategic Goals

Department of the Interior Priorities:

• *Create a conservation stewardship legacy second only to Teddy Roosevelt.*

Purchasing the McCullough Springs property contributes to the Department of Interior goal to create a conservation stewardship legacy second only to Teddy Roosevelt. Acquisition of this property would provide high value plant and wildlife habitat along with a critical water source, the only one in the area. The parcel and surrounding landscape support many plant and animal species, including BLM special status species such as desert bighorn sheep and yellow two-toned penstemon. This property is located within a migration corridor for bighorn sheep and many bird species and it is an important stopover for these animals during seasonal migrations. This acquisition would also allow more efficient management of the South

McCullough Wilderness and the Piute-Eldorado ACEC, as the ± 40-acre parcel is the only private property remaining between the two zones. Acquisition of this parcel was also recommended in the BLM 2005 South McCullough/Wee Thump Wilderness Plan and it supports the BLM strategic goal to provide sound resource management.

• ***Sustainably develop our energy and natural resources.***

Not applicable

• ***Restore trust and be a good neighbor***

Not Applicable

• ***Ensure the tribal sovereignty means something.***

Not Applicable

• ***Increase revenues to support the Department and national interests.***

Not Applicable

• ***Protect our people and the border.***

Not Applicable

• ***Strike a regulatory balance.***

Not Applicable

• ***Reorganize the Department for the next 100 years.***

Not applicable

• ***Achieve our goals and lead our team forward.***

The Bureau of Land Management's mission is to sustain the health, diversity, and productivity of public lands for the use and enjoyment of present and future generations. The purchase of the McCullough Springs property would help to achieve these goals by providing quality habitat and a critical water source for several BLM special status plant and animal species. It would also provide recreational opportunities such as bird-watching, and allow unimpeded access for hunting, hiking, and backpacking throughout the eastern portion of the South McCullough Wilderness.

U.S. Forest Service Priorities: N/A

• ***Uplifting and empowering our employees through a respectful, safe working environment.***

Not applicable.

• ***Being good neighbors and providing excellent customer service.***

Not applicable

• ***Promoting shared stewardship by increasing partnerships and volunteerism.***

Not applicable

• ***Improving the condition of forests and grasslands.***

Not applicable

• ***Enhancing recreation opportunities, improving access, and sustain infrastructure.***

Not applicable

Executive Orders (EO) and Secretarial Orders (SO):

• ***EO No. 13855: Promoting Active Management of America's Forests, Range Lands to Improve Conditions and Reduce Wildfire Risk.***

The acquisition of this property would enable the BLM to conduct weed management practices at this site in the future. This would help to control the spread of invasive plants, which fuel fires, and allow native species the opportunity to repopulate. Since this property has water access, many animals stop here to drink. Controlling the invasive weed population in the area would also limit the spread of weeds via animals throughout adjacent lands.

• ***SO No. 3347: Conservation Stewardship and Outdoor Recreation.***

The acquisition of this property would allow the BLM to offer unexcluded access to the public for many recreational purposes; including hunting, hiking, and wildlife watching. It would also allow the opportunity to control weeds and allow native regeneration, which would attract many game species, including bighorn sheep, mule deer, Gambel's quail, chukar, cottontail rabbit, white-tailed jackrabbit, and more.

• ***SO No. 3356: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes and Territories.***

The acquisition of this property would allow for an increase in outdoor recreation opportunities, including hunting, and improve the management of game species (i.e., bighorn sheep and mule deer) and their habitats for this generation and beyond. It would also open up public access through a drainage that is currently on the private parcel.

• ***SO No. 3362: Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors.***

The McCullough Springs property is located within a vital migration corridor for bighorn sheep herds between their winter ranges, the McCullough Range and the Highland Range. BLM has worked closely with the Nevada Department of Wildlife to study bighorn sheep in this area and to improve the quality of the winter range. They have worked together to install and continue to monitor water developments throughout the range to benefit bighorn sheep and many other wildlife species. Unrestricted wildlife use of this parcel is critical for water access during migration between the ranges. Acquisition of the parcel would also allow for habitat improvement in the form of weed management, allowing native regeneration which is the preferred food source of many game species in the area, including bighorn sheep and mule deer.

• ***SO No. 3366: Increasing Recreational Opportunities on Lands and Waters Managed by the U.S. Department of the Interior***

This parcel straddles a drainage that would provide recreational access into the South McCullough Wilderness. It is one of only two areas on the eastern slope of the South McCullough range for hiking, backpacking, and hunting access. If the parcel remains under private ownership this access could be blocked off to the public.

• ***SO No. 3370: Conservation Stewardship and Increasing Public Access to Urban National Wildlife Refuges.***

Not Applicable

• ***SO No. 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management.***

Although this proposal is intended for environmentally sensitive land acquisition, and it does not include stipulations for active management, it would allow the BLM the opportunity to reduce wildfire risks upon acquisition through active management (i.e., weed management practices).

- ***SO No. 3373: Evaluating Public Access in Bureau of Land Management Public Land Disposals and Exchanges.***

Not Applicable

- ***SO No. 3374: Implementation of the John D. Dingell, Jr. Conservation, Management and Recreation Act.***

Not Applicable

- ***SO No. 3376: Increasing Recreational Opportunities through the use of Electric Bikes.***

Not Applicable

- ***Other Secretarial Order(s) and Directive(s):***

Bureau of Land Management Strategic Goal: Provide sound resource management.

Acquisition of this parcel was also recommended in the BLM 2005 South McCullough/Wee Thump Wilderness Plan and it supports the BLM strategic goal to provide sound resource management.

RANKING CRITERIA

1. Contributes toward preservation of a specially designated species

Factors:

- A. Does the acquisition have a significant contribution toward preservation or recovery of one or more specially designated species present on the property? (Include both plant and animal.)***

Yes, McCullough Springs, adjacent to the parcel are an important water source for Desert Bighorn Sheep, a BLM designated sensitive species. The acquisition will protect the hydrologic function of these springs from development that could jeopardize the availability of water for this species. The acquisition would also allow for protection of yellow two-toned penstemon, a special status plant species that occurs on the property.

- B. Does the acquisition contain habitat which supports one or more special status species?***

Yes. Yellow two-toned penstemon is present on the McCullough Springs property.

- C. Are there one or more species present on the property that are listed as threatened and endangered?***

No

- D. Does the acquisition contribute to creation, conservation, and/or preservation of biodiversity, wetland/riparian area, or watershed?***

Yes, riparian areas such as McCullough Springs, have high conservation values based on the biodiversity present in those rare habitats in the Mojave Desert.

2. Preserves a significant natural, aesthetic, or scientific feature

Factors:

- A. Does the property contain one or more natural, aesthetic, or scientific features?***

Yes, a stand of particularly large desert willows and a scenic, narrow, winding ravine.

- B. Is one or more of the features in A above eligible for special designation? (Do not address plant or animal species.)***

No

C. Does the acquisition make a significant contribution to preserving these values?

Yes. The willows occur almost entirely within the parcel.

D. Does a specific management plan(s) exist for these resource values?

Yes, consistent with the BLM land use plan (1998 Las Vegas Resource Management Plan), once acquired, the subject property will be managed to enhance and sustain sensitive resource values that would contribute to public enjoyment and biological diversity.

3. Preserves significant historic, paleontological, or cultural values

Factors

A. Does the property contain one or more historic, paleontological, or cultural values?

Yes, rock art and a grinding stone are visible. Other cultural resources are likely present beneath the surface.

B. Is one or more sites on the property eligible for a special designation? (Do not address plant or animal species.)

Yes, the rock art would most likely be eligible for the National Register of Historic Places after a formal evaluation. If warranted, an Historical Properties Treatment Plan will be developed to protect these features.

C. Does the acquisition make a significant contribution to preserving these resource values?

Yes, acquisition of the property would allow the BLM to protect and preserve the cultural resources that are present on the property.

D. Does a specific management plan(s) exist for these resource values?

Yes, consistent with the BLM land use plan (1998 Las Vegas Resource Management Plan), once acquired, the subject property will be managed to enhance and sustain sensitive resource values that would contribute to public enjoyment.

4. Enhances recreational opportunities or improves access to Federal or other public lands

Factors:

A. Does acquisition of the property provide recreational opportunities on the land?

Yes. The willow stand provides excellent bird watching and quail hunting opportunities.

B. Does the acquisition provide improved access to Federal or other public lands?

Yes. It would sustain access through the ravine to lands adjacent to and within the South McCullough Wilderness. Private development could block eastern access to a large portion of the Wilderness.

C. Does the acquisition address a public demand for recreational opportunity or a public demand for access to Federal or other public lands?

Yes, this acquisition addresses both a public demand for recreational opportunities and access to public lands as the property provides opportunities for both.

D. Does a specific management plan(s) exist for these resource values?

Yes, consistent with the BLM land use plan (1998 Las Vegas Resource Management Plan), once acquired, the subject property will be managed to enhance recreational opportunities and public access.

5. Provides for better management of Federal lands or better management of resource values

Factors:

A. Does the acquisition provide for better management of Federal lands or better management of resource values?

Yes. Two important springs are located just downstream of this parcel. Due to hydrologic connectivity the preservation of this parcel will provide for better management of these spring. (i.e. prevention of negative impacts to springs from upstream development of perched aquifer).

B. Is the property an in holding in a specially designated area or does the property otherwise consolidate federal ownership?

Yes. It is an inholding that would consolidate a 100,000 plus area of BLM-managed public lands. It would contribute to the durability of the adjacent ACEC as a long-term mitigation recipient site.

6. Estimated post-acquisition management costs (Pick One Only)

Factors:

A. There are no added management costs.

Once acquired, the property will be managed consistent with the adjacent area. BLM is in the process of revising its land use plan to incorporate this inholding as part of the Piute-Eldorado ACEC.

B. There are added management costs but costs are offset by contributions from other entities or future cost savings due to consolidation of Federal lands.

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

Factors:

A. Is the acquisition supported by the County/local government in which the property is located?

Yes, but the latest support letter is dated 04/2018. The property owner was not able to acquire an updated letter prior to this nomination submission. In the 2018 letter, the Clark County Commission Board urged the BLM to strongly consider this acquisition as it meets the category-specific guidance outlined in the SNPLMA and its current Strategic Plan.

B. Is the acquisition supported by environmental, recreational, and/or scientific groups?

Yes. We received written support from the Center for Biological Diversity and Friends of Nevada Wilderness.

C. Is the acquisition supported by Fish & Wildlife Service Ecological Services, State Historic Preservation Office, or other federal, state or tribal governmental entities?

Yes. We received written support from the U.S. Fish and Wildlife Service and the Nevada Department of Wildlife.

D. Does the acquisition further the goals and objectives of the County/local government land use plan or goals/objectives contained in some other official County/local government document?

Yes. The property is in Community District 6 of the South Clark County Plan and surrounded by Open Land and Open Space zones. Policy 50.2 of the County Plan encourages preservation and protection of washes and waterways; and Policy 50.6 encourages the preservation of areas with slopes of 12% or more for parks, open space, conservation and other compatible uses. Most of the McCullough Springs property is either wash or greater than 12% slope.

8. Other Considerations

Factors:

A. Would the acquisition prevent planned development or other incompatible uses?

Yes. Development of underground water on this parcel by a private owner could negatively impact spring water availability for a large number of wildlife species.

B. Have funds been committed from another source to defray some of the costs of acquiring the property?

No

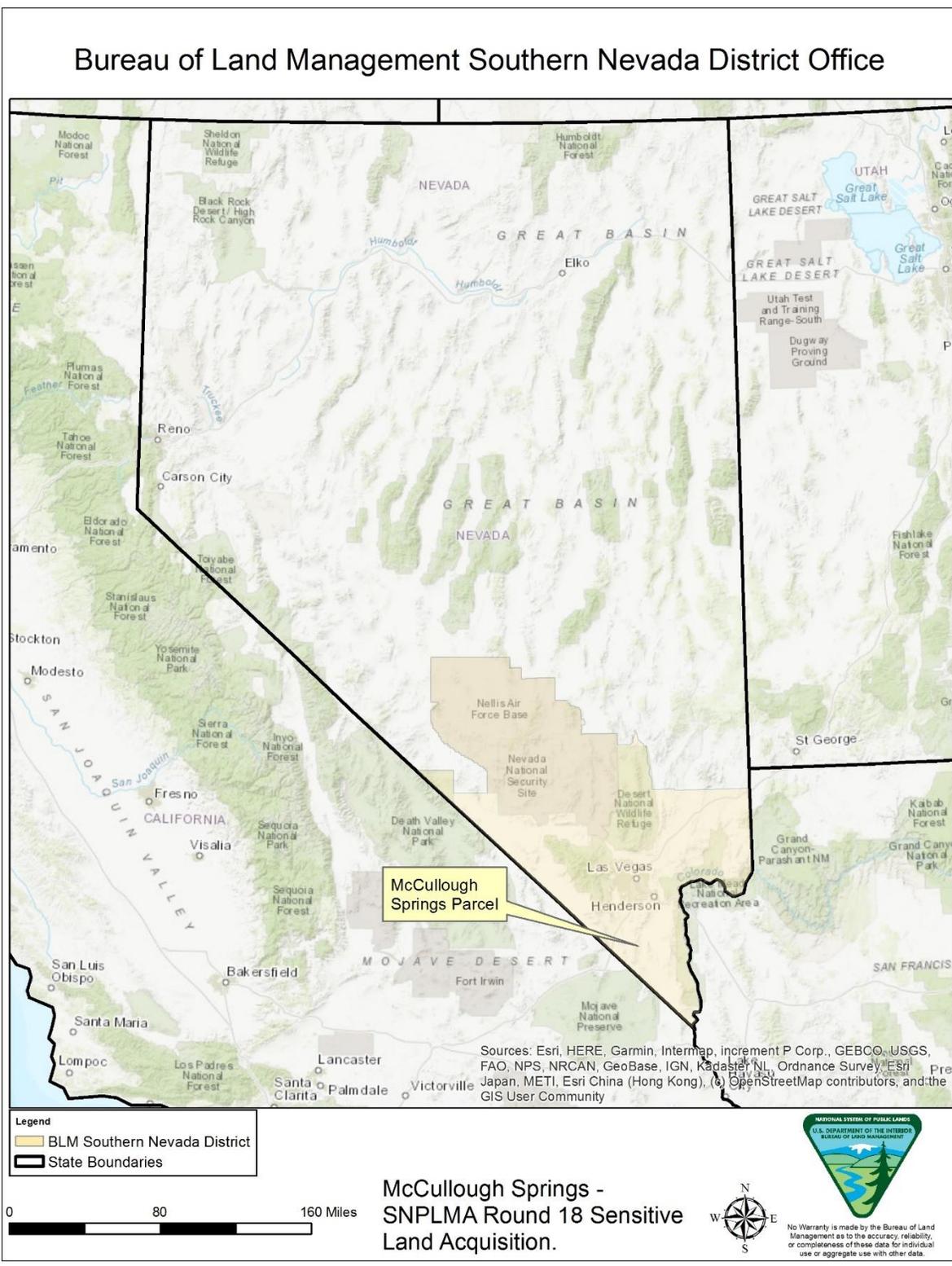
9. Is proposed Federal acquisition in Clark County, Nevada?

Yes. The inholding is located within Clark County, Nevada.

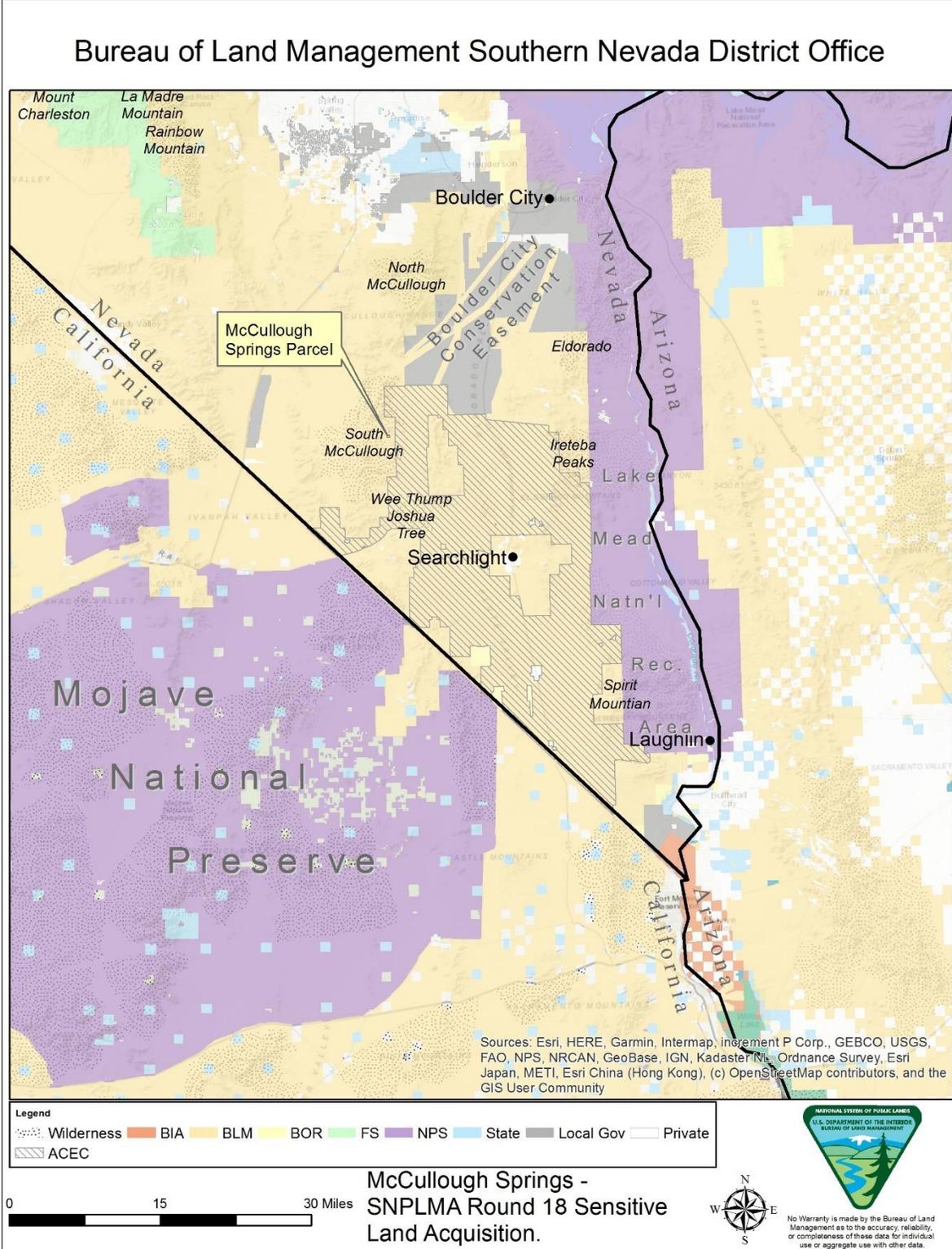
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MAPS

STATE MAP



LOCATION MAP



AERIAL MAP



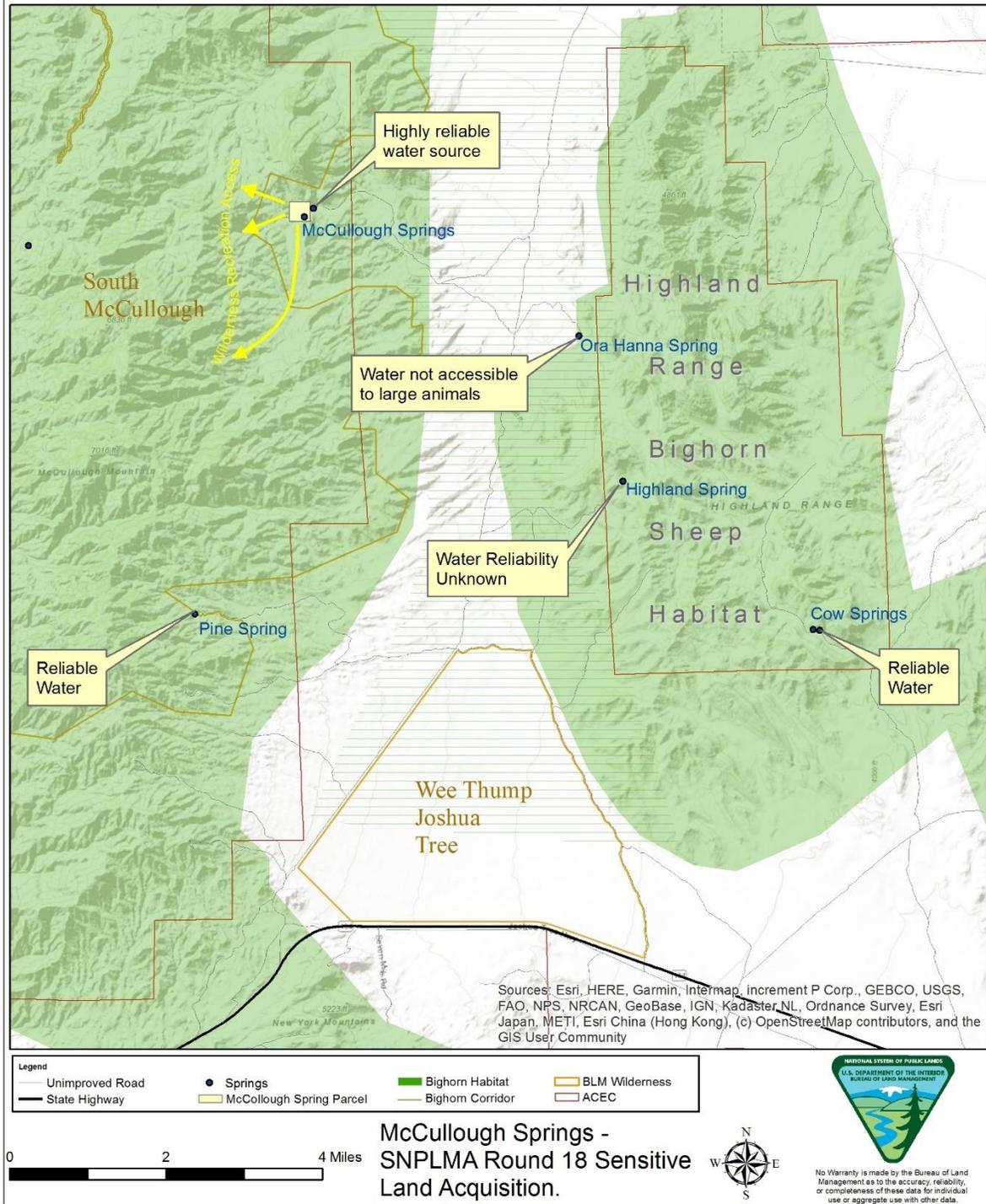
40-Acre Parcel at McCullough Spring
SITE DESCRIPTION

ASSESSOR'S AERIAL PHOTOGRAPHS



MAP SUPPORTING STRATEGIC PLAN VALUES

Bureau of Land Management Southern Nevada District Office



McCullough Springs - SNPLMA Round 18 Sensitive Land Acquisition.

PHOTOS





ACQUISITIONS - OTHER REQUIREMENTS

Socioeconomic Information

1. Number of employees, spouses, and immediate family members that will be impacted by the acquisition due to employment associated with the land. List any employment that would be lost or created as a result of the acquisition.

No economic activity currently exists on the parcel, so no employees or employment will be affected by its acquisition by BLM.

2. Amount of annual property taxes.

Annual assessed property taxes are currently \$203 per year.

3. A description of the existing use(s) of the property.

The property is open space with no current economic use. The property was grazed in the past but has not been grazed for over a decade.

4. Amount of annual revenue generated from enterprises associated with the land. If actual revenue is confidential, list a typical enterprise annual budget. (e.g. revenue from working farms, agricultural or other leases, access fees for recreational facilities, mining operations, etc.).

No annual revenue generated.

5. A summary of local public services being utilized on and provided to the subject property.

No local public services are on or near the property.

6. A summary of local contractors being utilized on the subject property.

No local contractors are being utilized on the subject property.

7. Identify the current city or county land use plan designation(s) for the subject property. If no local government land use plan or master plan is in effect, please so state. In this case, list the current zoning and any anticipated zoning changes in the foreseeable future, if any.

The Clark County Commission Board urges the BLM to strongly consider this acquisition as it meets the category-specific guidance outlined in the SNPLMA and its current Strategic Plan. There is no opposition to the project. The property is in Community District 6 of the South Clark County Plan and surrounded by Open Land and Open Space zones. Policy 50.2 of the County Plan encourages preservation and protection of washes and waterways; and Policy 50.6 encourages the preservation of areas with slopes of 12% or more for parks, open space, conservation and other compatible uses. Most of the McCullough Springs property is either wash or greater than 12% slope.

8. Provide a list of all water rights appurtenant to the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, or if there will be some other disposition of the water rights.

McCullough Spring is located either on or immediately adjacent to the property, but there are no current water rights held by third parties associated with the spring.

9. Provide a list of known mineral rights associated with the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, or if there will be some other disposition of the mineral rights.

None known.

The remainder of the page intentionally left blank.

OWNER STATEMENT



September 14, 2020

Bureau of Land Management
 Southern Nevada District
 Las Vegas Field Office
 4701 N. Torrey Pines Drive
 Las Vegas, NV 89130
 Via e-mail: jpsmith@blm.gov

RE: SNPLMA Round 18 Grant Proposal—Owner’s Willing Seller Statement

Dear Jonathan,

On behalf of The Wilderness Land Trust (“Trust”), I, Aimee Rutledge, Vice President and Senior Lands Specialist, represent The Trust is the legal owner of the approximately 40 acres of real property known as McCullough Springs (Clark County, NV Assessor’s Parcel Number 225-00-002-009). I understand that the property is being nominated for acquisition by a Federal agency under Round 18 of the Southern Nevada Public Land Management Act (SNPLMA).

I have read and signed the document entitled “Federal Acquisition Process” to confirm that I understand the basic process that the Federal government will follow if the above property is selected for acquisition under the SNPLMA. I am willing to consider sale of the above property to the Federal government according to the process described in that document if acceptable terms and conditions can be mutually agreed upon.

I understand that the purchase price would be the value determined by a federal agency-approved professional appraisal performed according to the industry-wide standards (Uniform Appraisal Standards for Professional Appraisal Practices, USPAP) and Federal appraisal standards (Uniform Appraisal Standards for Federal Land Acquisitions, UASFLA). I also understand that I have the right to accept or reject the value established by that appraisal and that there is no negotiation of the appraised value.

This “willing seller” statement, submittal of the nomination, and approval for funding by the Secretary of the Interior, if provided, do not individually or together constitute an agreement for the purchase of the property by the Federal agency. An agreement for sale and purchase of the property shall be entered into only after I have accepted the value and mutual agreement is

The Wilderness Land Trust

P.O. Box 11697, Bainbridge Island, Washington 98110 ~ 206-397-5240, fax 970.963.6067
 California ~ 415.606.5895

Follow our progress from our website
www.wildernesslandtrust.org



reached between the parties to other terms and conditions for sale of the property to the Federal agency.

My signature below indicates a willingness to consider sale of the subject property, but in no way creates an obligation to sell. I understand that I have the right to remove the property from consideration for purchase by the Federal government at any time, and agree to notify the appropriate Federal agency in a timely manner if I decide to do so.

I understand that additional market evidence, including an updated appraisal approved by the Appraisal Valuation Services Office, will be performed prior to purchase and used to determine the fair market value (FMV). The Trust understands that to sell the property it will be necessary to adjust the asking price to FMV once the appraisal is complete and accepted.

Aimee Rutledge, Vice President and Senior Lands Specialist
The Wilderness Land Trust
PO Box 11697
Bainbridge Island, WA 98110
415-606-5895 or 206-397-5240



Signature

September 14, 2020
Date

EXHIBIT 4- CONTINUE
FEDERAL ACQUISITION PROCESS

(Include this page in the nomination package, initialed by the landowner.)

Following is a brief outline of the Federal real property acquisition process. This process is consistent with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). The Uniform Act provides for fair and equitable treatment of persons whose property will be acquired or who will be displaced because of programs or projects financed with Federal funds. If a land nomination is forwarded to and approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Lands Management Act or the Federal Land Transaction Facilitation Act (FLTFA), the acquisition would follow these steps:

1. Evaluation of Real Property. The Acquiring Agency will perform various studies of your property such as an initial and final site inspection and an environmental assessment to identify potential for hazardous materials or substances. The Agency will also review your ownership documents and obtain a preliminary title opinion from a Federal attorney/solicitor after review of a title report and title commitment from a qualified title company. Resolution of unacceptable encumbrances that are identified and cleanup of hazardous materials or other trash and debris on the property will be the responsibility of the owner at the owner's expense and must be completed prior to acquisition of the property by the United States. These and other possible steps that the Agency must take during this process (e.g., boundary survey, correction of errors in the legal description, possible relocation issues, etc.) may affect your compensation and the completion date of the acquisition. The Agency will stay in contact with you throughout the process and will be available to answer any questions that you may have.
2. Appraisal. The agency will obtain and review an appraisal which must meet Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA). The Agency will generally contact you to invite you to attend a pre-appraisal work conference with the appraiser to review the scope of work for the appraisal. The appraiser will make an appointment to inspect your property. You or any representative that you desire will be invited to accompany the appraiser when the property is inspected. The pre-work conference and inspection provide you an opportunity to point out any unusual or hidden features of the property that the appraiser could overlook.
3. Appraisal Review and Approval. Once the appraisal has been completed, a federal review appraiser will review the report to ensure that all applicable appraisal standards and requirements were met. The review and appraisal are provided to the Agency for approval. The approved appraisal will then be used to determine the amount to be offered for your property. This amount will never be less than the market value established through the appraisal process.
4. Offer. The Agency will deliver a written offer for the sale/purchase of the real property. The Agency's offer will generally consist of a written summary statement that includes the amount of compensation (i.e., purchase price), the description of the property and any buildings or improvements that are considered to be part of the real property, and the property rights to be acquired. The Agency will give you a reasonable amount of time to consider the written offer and to ask questions or to request clarification of anything that is not understood. If you believe that all relevant material was not considered during the appraisal, you may present such information at this time.
5. Purchase Agreement. When you reach an agreement with the Agency on the offer, you will be asked to sign an option or a purchase agreement prepared by the Agency. Your signature will affirm that you and the Agency are in agreement concerning the acquisition of the property, including the terms and conditions of the acquisition. If, within a reasonable time, you and the Agency are unable to reach an

agreement on the acquisition of the real property, the Agency's offer will be withdrawn and your property will be removed from the acquisition list.

6. Payment. The final step in the acquisition process is closing escrow and payment for your property. Upon completion of a final inspection of your property and confirmation that an approved policy of title insurance will be issued, the Agency will deposit the appropriate amount of compensation into a previously established escrow account. At this time, you will execute a General Warranty Deed prepared by the Agency and receive payment for your property when escrow closes.

By signature below I confirm that I have read and understand the basics of the Federal land acquisition process.

Aimee Rutledge, Vice President and Senior Lands Specialist
The Wilderness Land Trust



Signature

August 21, 2020
Date

WILLING AGENCY STATEMENT

ATTACHMENT D-1 FORMAT FOR ACQUIRING AGENCY'S AUTHORIZED OFFICER CERTIFICATION FOR FEE SIMPLE ACQUISITION*

I, Shonna Dooman, Field Manager - Bureau of Land Management (BLM) - Las Vegas Field Office, hereby certify that where the McCullough Springs property is concerned:

- 1) A representative of BLM has conducted a preliminary site inspection on April 27, 2018. Based on that inspection, the location and general description of the property presented in this nomination package has been verified as accurate.
- 2) The property is not located within or adjacent to a "federally designated area" as that term is defined in the Federal Land Transaction Facilitation Act of 2000.
- 3) The acquisition of this parcel will facilitate management efficiency of Federal lands because it is the only private property located between the South McCullough Wilderness and the Piute-Eldorado Area of Critical Environmental Concern (ACEC). Acquisition would unify BLM management of over 100,000 acres of federal land in the Wilderness and ACEC.
- 4) Acquisition of the property is consistent with the BLM 1998 Las Vegas Resource Management Plan in force for the area within which the property is located.
- 5) The planned use of the property is protection of sensitive natural and cultural resources, public access to other federal lands, and recreational activities such as hunting, hiking, and wildlife watching.
- 6) The initial assessment of the information in this nomination package and received from the land owner, indicate the property interests to be acquired are sufficient to satisfy the Federal acquisition objectives and, to the best of my knowledge, there are no known legal, physical, or financial issues that would prevent or unnecessarily delay Federal acquisition and management of the property.
- 7) Based on the initial site inspection and interview with the owner,
 - a. The initial assessment of potential liabilities presented in this nomination package has been verified and is accurate to the best of my knowledge;
 - b. I concur that the method employed by the nominating entity to initially assess those liabilities is appropriate; and
 - c. The likely remediation that will be needed and method of accomplishing that remediation as described in the nomination narrative appears accurate.
- 8) Based on the agency's initial site inspection, review of available data, and consultation with agency resource specialists, the resource values of sensitive wildlife and plant species, cultural resources, and scenic value described in this nomination package appear accurate in both quality and quantity or other reliable resource organization such as the USFWS Ecological Services branch to request support on verifying the habitat values. The acquiring

agency has verified claims of habitat for listed species through the following sources: United States Fish and Wildlife Service, Bureau of Land Management, and Nevada Department of Wildlife.

- 9) In the opinion of the agency, acquisition of the property is needed for the following reasons: It protects water resources and riparian and wildlife habitat for desert bighorn sheep (a BLM designated sensitive species), yellow two-toned penstemon (a special status species), and many other plant and wildlife species, protects cultural resources including rock art and grinding stones, and facilitates recreational access for hunting, hiking, and wildlife watching. It sustains a rare natural water source, maintaining wildlife access in perpetuity. These objectives support the SNPLMA goals of sustaining the quality of the outdoor environment, connecting people to nature, and improving the quality of life for the public. These reasons are consistent with responses in the nomination package to applicable assessment questions.
- 10) Additional market evidence, including an updated appraisal approved by the Appraisal Valuation Services Office, will be performed prior to purchase and used to determine the fair market value (FMV). The owner has agreed to adjust the asking price to FMV once the appraisal is complete and accepted.
- 11) The agency has attached a cost estimate sheet which estimates the total acquisition cost, including the asking price and necessary expenses as \$372,080.
- 12) The agency has completed an initial assessment of the on-the-ground management requirements associated with the property and, either on its own or in combination with significant non-federal contributions, has the resources to manage this property if acquired.
- 13) The agency is prepared to accept management responsibility for the McCullough Springs property on the date purchase is completed.
- 14) The agency has the staffing resources to acquire the property within the three-year standard timeframe if approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Land Management Act.
- 15) The agency certifies that it has submitted a copy of the complete nomination package to the local government jurisdiction with a cover letter requesting the local government's review and comments, if any, by the date the final comment period closes, and offering to meet with the appropriate local government official(s) regarding the nomination if desired.



 Shonra Dooman
 BLM Field Manager, Las Vegas Field Office

Date 9/11/2020

Bureau of Land Management
 Name of Agency that will manage the property

Kevin Bryan

Name of local agency contact person for this nomination

*When BLM is the acquiring agency, Field Offices must refer to IM No. NV-2005-062 for “Nomination for Acquisition” for guidance on evaluating lands proposed for nomination and additional information to be included in the “Acquiring Agency’s Authorized Officer Certification.” In addition, Field Offices must refer to IM No. NV-018-020 to complete the nomination and review process.

NOTIFICATION TO COUNTY GOVERNMENT



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Southern Nevada District Office
Las Vegas Field Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>



In Reply Refer To:
NVS01000

October 8, 2020

Chair Marilyn Kirkpatrick
Clark County Board of Commissioners
500 S. Grand Central Pkwy.
Las Vegas, NV 89155

RE: McCullough Springs Environmentally Sensitive Land Acquisition

Dear Chair Kirkpatrick,

This letter is to advise you that Bureau of Land Management is nominating the real property known as McCullough Springs in Round 18 of the Southern Nevada Public Land Management Act (SNPLMA). The Wilderness Land Trust is the current property owner.

Purpose of Nomination:

Acquisition of this private inholding would unify BLM management of over 100,000 acres of federal land in the South McCullough Wilderness and Piute-Eldorado Area of Critical Environmental Concern (ACEC). It also protects water resources and riparian and wildlife habitat for desert bighorn sheep (a BLM designated sensitive species), yellow two-toned penstemon (a special status species), mule deer, and many other wildlife species, protects cultural resources including rock art and grinding stones, and facilitates recreational access for hunting, birdwatching, and hiking. It sustains a rare natural water source, maintaining wildlife access in perpetuity.

These objectives support the SNPLMA goals of sustaining the quality of the outdoor environment, connecting people to nature, and improving the quality of life for the public.

General Description and Location of the Property:

The subject property is located at McCullough Springs, approximately 10 miles west of U.S. 95, and 25 miles southwest of the U.S. 93/U.S. 95 intersection, in the South McCullough Mountains in Clark County, Nevada. The north slope of the McCullough Mountains creates the south boundary of the Las Vegas Valley, and the mountains extend south from the City of Henderson for 40 miles. The McCullough Range contains the Sloan Canyon National Conservation Area as well as the North and South McCullough Mountain Wilderness Areas. The McCullough Mountains are on the west side of the Eldorado Valley, and the Eldorado Mountains

INTERIOR REGION 8 • LOWER COLORADO BASIN

ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

(location of the Piute-Eldorado ACEC) on the east side of the valley. The north slope of the McCullough Mountains, as indicated, is in the City of Henderson and is developed with master planned communities such as Anthem, Seven Hills, McDonald Ranch, and Green Valley Ranch. The rest of the McCullough Mountain Range is away from much human interference, but, nonetheless, close to two million residents in the Las Vegas Valley.

Legal Description and APN: The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 26 South, Range 61 East, MDB&M, Clark County, Nevada. (Also known as Clark County APN 225-00-002-009).

Size in Acres: +/- 40

Rights Being Offered: Fee Simple Acquisition of Property - This includes all surface (land) and subsurface (mineral) rights.

Acquiring Federal Agency: Bureau of Land Management

If you have any questions, please feel free to contact me at your convenience.
Phone: 702-515-5233, Email – kcbryan@yahoo.com

Sincerely,



Kevin Bryan
Wildlife Biologist
Las Vegas Field Office

COUNTY NOTIFICATION CONFIRMATION RECEIPT



October 13, 2020

Dear Kevin Bryan:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 0090 0002 0376 3036.

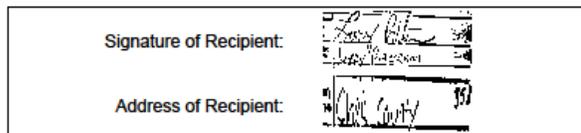
Item Details

Status:	Delivered, PO Box
Status Date / Time:	October 13, 2020, 7:13 am
Location:	LAS VEGAS, NV 89155
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	1.0oz
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Recipient Signature



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Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

IN-KIND LETTER



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Southern Nevada District Office
Las Vegas Field Office
4701 N. Torrey Pines Drive
Las Vegas, Nevada 89130
<http://www.blm.gov/nevada>

OCT 16 2020

In Reply Refer To:
Public Law 105-263
(NVS01000)

Robert Wandel
Assistant District Manager – SNPLMA Division
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130

Mr. Wandel:

The Bureau of Land Management (BLM), Las Vegas Field Office (LVFO) is submitting the Southern Nevada Public Land Management Act (SNPLMA) Round 18 nomination for the acquisition of the 40-acre McCullough Springs property. This nomination will address and support habitat enhancement, cultural resources, and public access priorities. It involves multiple priority sub-types.

The proposal will conserve and restore natural resources through the protection of hydrological spring functions which provide water for desert bighorn sheep, migrating birds, and other wildlife. Acquisition of the property will also ensure unimpeded future access to the eastern portion of the South McCullough Wilderness for hunting, hiking, bird-watching, and backpacking.

As part of this nomination submission, the BLM LVFO commits to allocating and assigning personnel and funding to ensure that compliance with the National Environmental Policy Act (NEPA) is completed in support of the project nomination. This commitment represents an in-kind labor contribution of \$75,000. NEPA compliance will be completed prior to 9/15/2021. In addition, the LVFO commits to ensuring that the project is carried out and the goals of the proposal are accomplished.

Sincerely

Shonna Dooman
Field Manager
Las Vegas Field Office

INTERIOR REGION 8 • LOWER COLORADO BASIN

ARIZONA, CALIFORNIA*, NEVADA*

* PARTIAL

LETTERS OF SUPPORT



CENTER for BIOLOGICAL DIVERSITY

Because life is good.

September 1, 2020

Shonna Dooman
Field Manager, Las Vegas Field Office
4701 North Torrey Pines Dr.
Las Vegas, NV 89130
sdooman@blm.gov

Dear Ms. Dooman:

The Center for Biological Diversity supports the Bureau of Land Management pursuing the acquisition of McCullough Spring for conservation purposes, using funds from the Southern Nevada Public Lands Management Act (SNPLMA) fund, or from other sources.

McCullough Spring is a regionally important resource for wildlife, providing abundant water resources for bighorn sheep and mule deer, among other creatures. Adjacent to both the Piute-Eldorado ACEC and the South McCullough Wilderness, it is a small inholding of private land currently owned by a non-profit who acquired it for conservation purposes. The acquisition of the property by BLM would provide additive value for the conservation investments BLM has already made in the area, and would provide an integral addition to the adjacent protected areas.

Thank you for your consideration of this matter.

Patrick Donnelly
Nevada State Director
Center for Biological Diversity
7345 S. Durango Dr., B-107, Box 217
Las Vegas, NV 89113
702.483.0449 | pdonnelly@biologicaldiversity.org

September 1, 2020

Robert Wandel
Assistant District Manager - SNPLMA Division
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130-2301



FRIENDS of NEVADA WILDERNESS

Dear Mr Wandel:

RE: Support letter for the acquisition of the McCullough Springs parcel

Friends of Nevada Wilderness continues to whole-heartedly support the acquisition by the Bureau of Land Management (BLM) of the 40-acre private inholding through the Southern Nevada Public Land Management Act (SNPLMA) nomination process. This inholding commonly referred to as the McCullough Springs property is vacant land surrounded by BLM-administered land, and situated less than one-half mile east of the South McCullough Wilderness Area. Friends of Nevada Wilderness was very active in protecting South McCullough as Wilderness in 2002. We continue to work in with Clark County and others as part of a potential public lands bill for the county. We hope that if legislation moves forward it would be possible to expand the boundaries of the South McCullough Wilderness to include this important spring as part of the Wilderness.

Friends of Nevada Wilderness in 2015 helped partner with The Wilderness Land Trust to acquire the property and The Wilderness Land Trust is now the willing seller desiring to convey fee title to the land to the BLM.

Acquisition of the McCullough Springs property is consistent with the BLM 1998 Las Vegas Resource Management Plan, as it would enhance sensitive resource values that would contribute to public enjoyment and biological diversity. Acquisition would also enhance recreational opportunities and public access and improve management of public land through the consolidation of Federal ownership.

If you have any questions, please feel to reach out to me at on my cell 775 750-6119. Thank you so much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Shaaron Netherton".

Shaaron Netherton
Executive Director
Friends of Nevada Wilderness



United States Department of the Interior



FISH AND WILDLIFE SERVICE
 Southern Nevada Fish and Wildlife Office
 4701 North Torrey Pines Drive
 Las Vegas, Nevada 89130

IN **REPLY REFER TO:**
 0SENV500-2020-CPA-0004

September 2, 2020
Via email only

Memorandum

To: Field Manager
 Bureau of Land Management, Las Vegas Field Office
 Las Vegas, Nevada

From: Field Supervisor
 Southern Nevada Fish and Wildlife Office
 Las Vegas, Nevada

Subject: Nomination and Acquisition of the McCullough Springs Parcel (**APN 225-00-002-009**; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T26S, R61E **MDBM**, Clark County, Nevada) with Southern Nevada Public Land Management Act (SNPLMA) Funds

Digitally signed by KELLIE BERRY
 BERRY
 Date: 2020.09.02 13:42:31
 -07'00'

I am writing you in support of the subject proposal for SNPLMA funds to acquire the McCullough Springs Ranch property. Acquisition by the Bureau of Land Management (BLM) of the McCullough Springs parcel (40 acres) would provide high-value wildlife habitat with a critical water source in the desert. The parcel's acquisition would also consolidate and make more efficient BLM's management of resources in the surrounding South McCullough Wilderness and Piute-El Dorado Area of Critical Environmental Concern. Acquisition of this parcel was also recommended in BLM's 2005 South McCullough/Wee Thump Wilderness Plan.

At an elevation just over 4,100 feet, habitat value of the property is highlighted by its rugged and varied topographical relief. The vicinity exhibits a mixed shrub community dominated by creosote bush and blackbrush accented with succulents like Mojave yucca and buckhorn cholla which give-way to a higher elevation pinyon-juniper dominated community. Mature catclaw acacia, desert willow, and Mojave sage complement the main wash and side drainages. McCullough Spring itself is a key and critically important water source year round for wildlife, particularly desert bighorn sheep. Mule deer, bobcat, coyote, gray fox, mountain lion, desert cottontail, red-spotted toad, Gambel's quail, and a lengthy list of migratory birds including Phainopepla and Golden Eagle.

This environmentally sensitive property is also surrounded by BLM-managed land juxtaposed between the Piute-Eldorado ACEC and the South McCullough Wilderness. As such, its acquisition would link 100,000 acres of resource lands managed by the BLM, greatly contributing to the conservation of Nevada's important desert and spring ecosystems. For all of these reasons, the property's acquisition by BLM makes sense.

If you have questions or I can be of further assistance regarding this matter, please contact me at (702) 515-5244 or via email at Glen_Knowles@fws.gov.

cc: Aimee Rutledge, The Wilderness Land Trust



STEVE SISOLAK
Governor

STATE OF NEVADA
DEPARTMENT OF WILDLIFE

6980 Sierra Center Parkway, Suite 120
Reno, Nevada 89511
Phone (775) 688-1500 • Fax (775) 688-1495

TONY WASLEY
Director

LIZ O'BRIEN
Deputy Director

JACK ROBB
Deputy Director

September 1, 2020

NDOW-SR#: 21-026

Shonna Dooman, Field Manager
BLM - Las Vegas Field Office
4701 N. Torrey Pines Drive
Las Vegas, NV 89130

Re: Nomination and Acquisition of the McCullough Springs Parcel (APN 225-00-002-009; SE¼ SW¼ Section 26, T26S, R61E MDBM, Clark County, Nevada) with Southern Nevada Public Lands Act (SNPLMA) Funds

Dear Shonna:

The Nevada Department of Wildlife (NDOW) understands the Bureau of Land Management (BLM) continues its interest in acquiring the approximately 40-acre vacant parcel. The property is surrounded by BLM-managed land juxtaposed between the Piute-Eldorado ACEC and the South McCullough Wilderness. We recounted the property changed hands in 2015 to The Wilderness Land Trust who acted on its inherent and strategic conservation value. And, the BLM's 2005 *South McCullough/Wee Thump Wilderness Plan* recommended the parcel's purchase.

NDOW has long recognized this property's high-value wildlife habitat and supported purchase of the property by means of the SNPLMA process approximately 14 years ago, and again in 2018. At just over 4,100 feet elevation, the property is highlighted by its rugged and varied topographical relief. The vicinity exhibits a mixed shrub community dominated by creosote bush and blackbrush accented with succulents like Mojave yucca and buckhorn cholla which give way to the higher elevation pinyon-juniper dominated community. Mature catclaw acacia, desert willow, and Mojave sage complement the main wash and side drainages at McCullough Spring. The Spring proper is a key and critically important year-round water source for wildlife, particularly desert bighorn sheep, a BLM – Nevada sensitive species.

While at least 10 other water sources are within two to three miles, McCullough Spring is primary in serving area wildlife. Additional to desert bighorn sheep are mule deer, bobcat, coyote, gray fox, mountain lion, desert cottontail, red-spotted toad, Gambel's quail, and a lengthy list of migratory birds including Phainopepla and Golden Eagle. Should a comprehensive wildlife survey be performed, a notable diversity of medium to small-size mammals (bats not outstanding), reptiles, and invertebrate pollinators would be documented.

Should access to McCullough Spring remain in primitive condition, and managed for its relative remoteness with light anthropogenic disturbances, the property would greatly further the benefits of conserving desert bighorn habitat, and desert spring ecosystem services inclusive of the area's

Dooman, S. (NDOW-SR#: 21-026)

2

September 1, 2020

other natural waters reflected by local floral and faunal assemblages. The property's consolidation into public domain lands makes sense.

Should there be any additional assistance needed regarding this correspondence, please contact me.

Sincerely,



D. Bradford Hardenbrook
Supervisory Habitat Biologist
Nevada Department of Wildlife, Southern Region
3373 Pepper Lane, Las Vegas, Nevada 89120
702.668.3960 Desk; bhrdnbrk@ndow.org

cc: Aimee Rutledge, The Wilderness Land Trust
Michelle Lieber, BLM – SNDO
NDOW, Files



Nevada Conservation League

April 17, 2018

Gayle Marrs-Smith, Field Manager
 BLM-Las Vegas Field Office
 4701 N. Torrey Pines Drive
 Las Vegas, NV 89103

Re: Nomination and Acquisition of the McCullough Springs Parcel (APN 225-00-002-009; SE¼ SW¼ Section 26, T26S, R61E MDBM, Clark County, Nevada) with Southern Nevada Public Lands Act (SNPLMA) Funds

Dear Ms. Marrs-Smith:

On behalf of Nevada Conservation League's members and supporters, we write today to endorse the acquisition by the US Bureau of Land Management (BLM) of the McCullough Springs parcel. This would provide high-value wildlife habitat with a critical water source in the desert. The parcel's acquisition would consolidate and make more efficient BLM's management of resources in the surrounding South McCullough Wilderness and Piute-El Dorado Area of Critical Environmental Concern. Acquisition of this parcel was recommended in BLM's 2005 *South McCullough/Wee Thump Wilderness Plan*.

At an elevation just over 4,100 feet, habitat value of the property is highlighted by its rugged and varied topographical relief. The vicinity exhibits a mixed shrub community dominated by creosote bush and blackbrush accented with succulents like Mojave yucca and buckhorn cholla which give-way to a higher elevation pinyon-juniper dominated community. Mature catclaw acacia, desert willow, and Mojave sage complement the main wash and side drainages. McCullough Spring itself is a key and critically important water source year round for wildlife, particularly desert bighorn sheep. Additional to desert bighorn sheep are mule deer, bobcat, coyote, gray fox, mountain lion, desert cottontail, red-spotted toad, Gambel's quail, and a lengthy list of migratory birds including Phainopepla and Golden Eagle.

The property is surrounded by BLM-managed land juxtaposed between the Piute-Eldorado ACEC and the South McCullough Wilderness. Should access for visitors remain in primitive condition, and managed for its relative remoteness with light anthropogenic disturbance, the property would greatly further the benefits of conserving desert bighorn habitat, and desert spring ecosystem services inclusive of the area's other natural waters depended upon by local flora and fauna populations. This property's acquisition by BLM and consolidation into public domain lands makes sense.

Sincerely
 Andy Maggi, Executive Director, Nevada Conservation League.



September 9, 2020

Robert Wandel
Assistant District Manager - SNPLMA Division
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130-2301

Aimee Rutledge
Vice President and Senior Lands Specialist
The Wilderness Land Trust

Dear Mr. Wandel and Ms. Rutledge,

Conservation Lands Foundation is in full support of the Bureau of Land Management's acquisition of the 40-acre private inholding known as McCullough Springs property, through the Environmentally Sensitive Lands Acquisition category of the Southern Nevada Public Lands Management Act (SNPLMA). The McCullough Springs property is surrounded by land administered by the BLM and situated near the South McCullough Wilderness.

The McCullough Springs property was acquired by The Wilderness Land Trust, and they are now willing to sell the property to BLM through the SNPLMA process. The acquisition of the property by BLM through SNPLMA is consistent with the current Resource Management Plan and it would improve management of the area, as well as enhance public access for recreational opportunities and conservation efforts.

Please feel free to contact me if I can answer any questions.

Sincerely,



Bertha Gutierrez
Nevada Associate Program Director
Conservation Lands Foundation
479-871-8364 cell
bertha@conservationlands.org

EXHIBIT 1
APPRAISAL REPORT



Valbridge
PROPERTY ADVISORS

An Appraisal Report

40-Acre Parcel at McCullough Spring
South McCullough Mountains
Clark County, Nevada 89124

Report Date: September 21, 2015



FOR
William J. Schmerber
1215 E. Eldorado Lane
Las Vegas, Nevada 89123

Valbridge Property Advisors |
Lubawy & Associates, Inc.

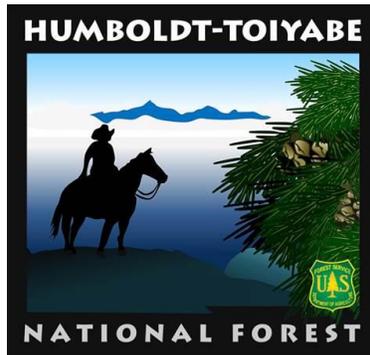
3034 S. Durango Drive, Suite 100
Las Vegas, Nevada 89117
702-242-9369
702-242-6391 fax

valbridge.com

Valbridge Job No.:
NV01-15-0184-001

Southern Nevada Public Land Management Act
Environmentally Sensitive Land Acquisitions
Round 18

US Forest Service Humboldt-Toiyabe



Torino Ranch Conservation Easement

Amount Requested: \$10,103,900
Asking Price: \$10,000,000

Name of Property: Torino Ranch

Time Frame: 3 years

Location: 36.1681° -115.5791°

County & Assessor Parcel Number (APN): Clark County, 135-34-000-005

Number of Acres: ± 42.44 acres

Congressional District: NV-4

Nominating Entity & Acquiring Federal Agency

U.S. Forest Service

Humboldt-Toiyabe National Forest

Contact:

Project Manager

Heidi Garcia

1200 Franklin Way

Sparks, NV 89431

(775) 447-4539

heidi.garcia@usda.gov

Owner Information

Lovell Canyon Residential LLC

4455 Wagon Trail Avenue

Las Vegas, NV 89118

702-258-4474

brett@btorino.com

Owner's Representative

Pauline van Betten

Realtor

Realty ONE Group

702-232-3965

paulinevanbetten@gmail.com

PURPOSE STATEMENT

The U.S. Forest Service (USFS) would acquire a conservation easement on a ± 42.44 acre private in-holding referred to as the Torino Ranch (Ranch), located within the boundary of the Spring Mountains National Recreation Area (SMNRA). What happens to this property in the future could determine the patterns of use that will occur in Lovell Canyon, the adjacent La Madre Mountain Wilderness, Upper Lovell Canyon, and the back side of Mt. Charleston. Presently, the property is serving as the great protector of these wilderness lands on the back side of Mt. Charleston. Utilizing a conservation easement to protect the conservation attributes allows the Ranch to remain in private ownership to continue the youth camp for children with life threatening illnesses and disabilities while providing a contribution to the local economy and maintaining the ecological balance in Lovell Canyon.

BACKGROUND INFORMATION TO SUPPORT THE NEED

a. Legal Description: Section 34, Township 20 South, Range 57 East, Mount Diablo Meridian, Clark County, Nevada.

The land referred to herein below is situated in the County of Clark, State of Nevada, and described as follows:

THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH,

RANGE 57 EAST, M.D.B.&M.

TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF

SECTION 34, TOWNSHIP 20 SOUTH, RANGE 57 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER;

THENCE NORTH 88°58'21" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) A DISTANCE OF

153.37 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 19°14'58" EAST A DISTANCE OF 452.89 FEET;

THENCE NORTH 53°22'56" WEST A DISTANCE OF 161.06 FEET;

THENCE SOUTH 24°28'40" WEST A DISTANCE OF 571.08 FEET TO SAID SOUTH LINE;

THENCE SOUTH 88°58'21" EAST ALONG SAID SOUTH LINE A DISTANCE OF 216.62 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM SAID LAND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE

SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) IN SECTION 34, TOWNSHIP 20 SOUTH, RANGE 57 EAST, M.D.B.&M.

b. General Description of the Nominated Property

Torino Ranch is one of the most scenic alpine sites in Nevada with a spectacular view of the back bowl of Mt. Charleston. Extensive landscaping and nurturing over the years has created a magical place, a serene and peaceful oasis. Since the Ranch has very low intensity use and the landscaping has been maturing for some 25-years, a verdant oasis and ecosystem has been created that attracts a wide variety of wildlife. The oasis serves a critical need to the numerous species who rely on its valuable resources in the Mojave Desert. The 42.44 (+/-) acre parcel is located at the end of the Lovell Canyon Road, which is the major

access to the southeastern portion of the SMNRA. The Property is bordered on two sides (west and east) by the 47,279-acre La Madre Mountains Wilderness Area.

Property facilities include: extensively landscaped, fully irrigated grounds including over 700 indigenous, exotic, and non-native trees; some 100 fruit trees in addition to some 500 lilac bushes, roses, white peonies, honeysuckle, wisteria, and ranunculus; numerous waterfalls and stream rivulets; a tall stone and wood-beamed entryway; greenhouse used to cultivate and maintain beds of organic produce; two lakes with sandy beaches and bentonite clay linings covered with thick plastic linings along with thatched Palapas to provide shade; swimming pool; 24 cabins; 4 restrooms and showers facilities; outdoor amphitheater; outdoor eating area, medical building; lodge with commercial kitchen; sky garden stairway; guest residential home; and owner home.

Over the last several decades, the Ranch has been the site of summer camps for critically ill and disabled children diagnosed with cancer, autism, HIV/AIDS, sickle cell, renal, blood and immunologic diseases, and siblings of children diagnosed with cancer. These camps have been free of charge through the sponsorship of the Brett Torino Foundation, Project Sunshine Nevada Organization, and the Nevada Childhood Cancer Foundation. Torino Ranch is known as the only medically supervised camp of its kind in Nevada. The primary purpose of the camps has been to provide life-enriching support and experiences for children with special needs and for their families who might not have access to positive environments for their kids to enjoy typical childhood activities. The Ranch is like a 5-star resort, developed to the highest standard and meticulously maintained.

c. Brief Summary of Resource Values:

There was a biological resource inventory of the Ranch performed in 2007. At that time, there were 112 bird species, 20 mammal species, 5 butterfly species and 5 reptile species that were inventoried on the property. The survey particularly discovered three special status species, the Palmer's Chipmunk, Northern Goshawk, and Phainopepla. If the property were surveyed today, it is possible that additional sensitive species covered by the Clark County MSHCP are present due to the maturity of the habitat. For example, there are Shasta Blue Butterflies actively present on the property; however, it is unknown whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered.

The property serves as an oasis and important watering hole for wildlife and is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountains lions, foxes, squirrels, rabbits and an abundance of birds, including golden eagles and several varieties of hawks. It is also a haven for pollinators such as bees, butterflies, and dragonflies. As a result of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive which are not present on adjacent lands.

Although there are a number of non-native trees and plants, none are known to be invasive as to their spread to adjacent lands and do provide substantial cover for wildlife. The property serves as an oasis and important watering hole for wildlife as well as cover for numerous species. Acquisition of the conservation easement would protect the water sources and ecological resources of the land. The property has become a critical wildlife corridor between the east and west sections of the La Madre Mountain Wilderness Area.

d. Known Hazardous Materials, Safety, Legal, or Other Liabilities:

There are no known hazardous material, safety, health, or other liability issues associated with the acquisition of a conservation easement on Torino Ranch in-holding. This assessment is based on the owner's knowledge of historical uses of the property over the last 25-years he has had ownership, and owner's knowledge that there are no legal or title issues with the property. Since this remains private properties, there is no liability to the USFS in managing the conservation easement.

e. Rights Being Offered for Acquisition:

- Fee Simple Acquisition of Property
- Water Rights
- Surface Rights Only
- Conservation Easement (e.g., Development Rights)
- Mineral Rights Only
- Access Easement
- Patented Mining Claim(s):
- Other – describe (e.g., well (include well log) and any structure(s))

f. Rights to be Reserved:

- Access rights/easements
- Water Rights
- Mineral interests:
- Development Rights
- Other: Describe

g. Occupancy or Use Rights Held by Others:

Property rights would be held/retained by the property owner.

h. Third Party Water Rights:

Water rights would not be acquired.

i. Federally Approved Land Use Plan:

The Torino Ranch is a private in-holding within the SMNRA. Management direction comes from three primary documents: General Management Plan (GMP) for the SMNRA (USFS 1998); the Clark County Multiple Species Habitat Conservation Plan (MSHCP; 2000), and the Conservation Agreement (CA) for the SMNRA. Both the CA in 1998 and the MSHCP in 2000, are documents of which the USFS became a signatory, along with USFWS and Clark County. These three documents reflecting current management direction are important since they include conservation measures that provide a foundation for analysis of impacts on special status species habitat. Another important document is the Spring Mountains Landscape Analysis performed for the USFS by Entrix under contract. This analysis documents existing conditions and information for the 85 special status species of plants, vertebrate wildlife, insects, and snails that are potentially present on the Spring Mountain National Recreation Area of which Lovell Canyon is a part.

The GMP sets site specific goals, objectives, standards, and guidelines for the National Recreation Area. Acquisition of private in-holdings in fee or conservation easements within the boundary of the SMNRA is consistent with the GMP. One of the objectives outlined in the Plan is to “prevent new encroachments through property boundary management and land adjustment.” The GMP notes that many of the private lands within the SMNRA are situated close to wilderness boundaries, further compounding the difficulty of maintaining the wilderness character of these areas. This is the case at Torino Ranch in relationship to the La Madre Mountain Wilderness Area that lies partly within the SMNRA and partly within the Red Rock Canyon National Conservation Area.

The GMP also calls for increased levels of recreation development and services and increased multi-use trails and campsites at appropriate locations. This is a part of the Recreation Area that has no developed recreation facilities, except for a trailhead adjacent to the ranch. Acquisition of a conservation easement on the Torino Ranch retains the quality of the recreation experience for the Lovell Canyon Trailhead

facility adjacent to the Ranch and the loop trail system that is accessed from the trailhead and protects the serenity of the canyon and Lovell Canyon Road. Those hiking the Lovell Canyon Loop Trail get sweeping views of the Ranch property.

The CA calls for the identification and pursuit of purchases or exchanges of National Forest in-holdings that will benefit the species of concern and other sensitive ecological resources. The Clark County MSHCP recommendations in which the USFS is a signatory partner, calls for a number of recommendations regarding SMNRA lands. Like the CA, the MSHCP calls for the USFS to identify and pursue purchases or exchanges of National Forest in-holdings that will benefit the species of concern and other sensitive ecological resources.

Other recommendations of relevance to this acquisition are:

- Maintain or restore the health and size of riparian areas at natural water sources and at human-made water sources where native and desired non-native species have become accustomed to using them.
- Acquire available land within the SMNRA through purchase, exchange, or donate, to protect natural resources, provide public recreation opportunities, and increase efficiency of land management
- Provide sufficient habitat to support the continued existence of desired non-native species so long as their presence does not limit the viability of native species.
- Prevent the destruction or adverse modification of critical threatened and endangered (T&E) species habitat, recover populations of T&E species, and avoid the listing of additional species as T&E by maintaining populations and ecological processes necessary to their sustainability.
- Assert claims to water that benefits recreation development, in-stream flow, wildlife, T&E and sensitive species and species of concern.
- Provide additional developed recreation facilities in appropriate locations to encourage use away from Upper Kyle and Lee Canyons.
- Emphasize new facilities on the west side of the SMNRA.
- All private lands within the SMNRA outside of developed subdivisions are suitable for acquisition, through purchase, exchange, or donation.
- Maintain large undisturbed blocks of vegetation in an unfragmented condition without any new roads or motorized trails including Lovell Wash/Yount/Rose Springs Area.
- Maintain or enhance ecosystem health, function, sustainability, and diversity (plant, animal, and community).
- Protect natural and heritage resources and natural processes that enhance backcountry/wilderness recreational opportunities, including prohibiting consumptive uses of wilderness resources except where authorized by law or regulation.

j. Conservation Easement Summary Response:

What are the natural resources the conservation easement will protect? *Examples might be: protect floodplain from development detrimental to the watershed, riparian areas, wetlands, or marshes; prevent development that would cause erosion detrimental to water quality, etc.; riparian areas and vegetation such as creeks, rivers and the vegetation and environment along the banks; habitat for threatened and endangered species; aesthetic qualities or historic view sheds of the valley/mountain.*

The conservation easement is designed to protect the ecological integrity of the property by prohibiting uses that could significantly change the existing character of the property. It would protect the primary vegetative cover and water features that create habitat for wildlife on the property and are used by wildlife in the general area for water and food. There are two lakes covering over 1.5 acres and numerous small waterfalls and stream rivulets. There are some 700 indigenous, exotic, and non-native trees, including a dozen redwood trees which have grown to be 40 feet. The property also has around 100 fruit trees. In addition, there are some 500 lilac bushes, roses, white peonies, honeysuckle, wisteria, and ranunculus. The property has become a wildlife corridor, connecting the east and west sides of the La Madre Wilderness Area. The property is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountains lions, squirrels, rabbits and an abundance of birds, including golden eagles and several hawk species.

Additionally, it is a haven for pollinators such as bees, butterflies, and dragonflies. Also, because of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive which are not present on adjacent lands. The biological inventory done on the property in 2007 indicated that there were 112 bird species, 20 mammal species, 6 butterfly species, and 5 reptile species present. The ecology here has developed over a 25-year period. Although there are a number of non-native trees and plants, none are known to be invasive as to their spread to adjacent lands and do provide good cover for wildlife. The conservation easement does not allow for any fencing that would prohibit wildlife movement through the property or access to the lake. This has been a no-kill zone for any wildlife for 25-years. The easement also does not allow for major topographical changes to property.

If threatened and endangered species (T&E species) use the land, how will the conservation easement impact their use of the land, either positively or negatively? *Example: The land may be a breeding ground, provide migratory pathways or access, provide winter habitat, etc. If the conservation easement will likely require fencing for protection of certain resources from grazing cattle which will remain on the property, will that fence negatively or positively impact the continued use of the property by the T&E species.*

A biological resource inventory was performed in 2007 and the Palmer's Chipmunk, Northern Goshawk, and Phainopepla were present. Since the property has matured since that time, there is a possibility that there may be additional special status species present. The area is a haven for butterflies, including at least one blue butterfly species. There are Shasta Blue Butterflies actively present on the property, but it is not known whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered. It is possible that there may be two other candidate butterfly species, the Nevada Admiral Butterfly (*Limenitis weidemeyerii nevadae*) and Carole Silverspot (*Speyeria zerene carolae*) present on the property as they have been found on adjacent lands. If it is confirmed that there are T&E species present, the Conservation Easement is designed to protect the existing landscape features and habitat.

What are the primary rights to be acquired by the Federal agency? *Examples might be: all commercial, industrial, and residential development rights; right to identify uses that are not consistent with the purpose of the conservation easement; prior approval over disposition of water rights; prior approval over modifications to vegetation in a riparian area or a forested area.*

The conservation easement would specifically prohibit: all commercial uses not associated with camp and other nonprofits, a housing subdivision, timber harvest, major modifications to topography, and fencing which impedes animal migration or access to the lake. It would specifically allow for operation of a nonprofit youth camp, various other nonprofit activities, and supporting infrastructure.

What are the geographic boundaries of the proposed easement? Describe the location and number of acres compared to the total size of the property; the map required elsewhere in the nomination should depict the likely location of the easement on the property. Consider nominating only the area around the most critical resources to be protected, rather than the entire property.

The Conservation easement covers the entire 42.44 (+/-) acres. The proposed acquisition is the entire ownership.

How does the size and configuration of the easement facilitate protection of the resources? Explain how the size (versus bigger or smaller area) and configuration are appropriate to effectively protect the resources which the easement is supposed to protect.

The conservation easement would cover the entire 42.44 (+/-) acres which allow easier monitoring of the easement. The easement would assure that the existing topography and landscaping would not be significantly altered. This is important since the ecosystem on the property has evolved over the past 25-years and the species have adjusted to the landscaping and the habitat created. Additionally, the easement would protect the visual resources of the property.

What protective actions to be granted to the Federal agency? Examples might be: reasonable access to inspect, monitor, and ability to enforce the easement; right to require restoration of damage from activities which aren't allowed under the conservation easement; prior approval of any building or construction on the property even within an allowed building footprint to ensure the construction is consistent with the easement for such things as size, height, purpose, style.

The USFS would acquire all rights not retained by the landowner. The USFS would acquire the right to inspect the easement property annually, or more frequently if immediate action is necessary to investigate suspected violation. The USFS would acquire the right to enforce the easement in federal court.

What uses will the landowner be likely to want to continue? Examples might be: grazing, agriculture use for growing specific crops.

The landowner wants continued operation of a nonprofit youth camp and other nonprofit activity. The landowner desires continued use of the property as a single-family residence. Other uses the landowner wishes to continue include, among other things; maintain, repair, remodel, and replace existing structures, water lines and similar structures; responsibility for maintenance and upkeep of the property and facilities; existing roads; retain water rights for permitted purposes; normal agriculture associated with the greenhouse and adjacent growing areas; ability to board personal horses; exclusive use, possession and enjoyment; fencing which allows movement of wildlife across the property; use of the property for camps and retreats and associated nonprofit commercial activities; and perform restoration or rehabilitation for conservation values.

Will the CE be likely to identify a building footprint and the curtilage or area around the current improvements? If the answer is yes, explain, what restrictions would likely be placed on new development or improvements within this area.

Yes, the easement would identify the general building footprint within a defined cartilage.

What restrictions are expected to be placed on how the property can be used? *Examples might be: no energy development such as wind energy towers, no cell towers, no subdivision of the land, no commercial development other than allowed for continued agricultural use, no removal of trees or vegetation in the riparian zone without prior approval of the acquiring agency.*

The conservation easement would specifically prohibit: all commercial uses not associated with the nonprofit, housing subdivision, timber harvest, major modifications to topography, and construction of non-wildlife friendly fencing. It would specifically allow for operation of a nonprofit youth camp and other nonprofit activities and supporting infrastructure.

Will the conservation easement allow regular public access to sites on the property or to other public land? *CEs on property adjacent to recreational areas such as parks, national or state forests, or rivers/streams, may want to consider providing an easement to allow public access to such recreational areas. When applicable, public access restricted to a certain area might also be considered to allow for viewing specific historical, cultural, scenic or other significant sites on the property. If such public access were to be included explain how the access could be limited in order to protect the owner's property and how the agency could assist through management of the CE.*

The conservation easement would not allow for general public use. However, the allowed uses retained by the owner for camps and events does serve the community. Over the last several decades, the Torino Ranch has been the site of summer camps for critically ill children diagnosed with cancer, HIV/AIDS, sickle cell, renal, blood and immunologic diseases, and siblings of children diagnosed with cancer. These camps have been free of charge through the sponsorship of the Bret Torino Foundation, Project Sunshine Nevada Organization, and the Nevada Childhood Cancer Foundation. Torino Ranch is known as the only medically supervised camp of its kind in Nevada. The primary purpose of the camps has been to provide life-enriching support and experiences for children with special needs and for their families who might not always have access to positive environments for their kids to enjoy typical childhood activities. It is expected that this use would continue but is not a requirement in the conservation easement.

What are the benefits of acquiring a conservation easement over fee acquisition?

The property includes considerable prior development; however, the development has been done in a way which generally maintains the property's conservation values. Generally, it would be preferable to acquire the Ranch in fee simple, but the landowner is interested in seeing the current youth camp opportunities and the USFS is generally not in the business of providing those services. It would also not be in the public interest to acquire the property and then remove all the improvements. A conservation easement is the preferred tool to preserve the significant conservation values of the Ranch while keeping it in private ownership. The majority of the State of Nevada is presently in public ownership. Using a conservation easement tool to protect the conservation attributes keeps the Ranch in private ownership and provides a contribution to the local economy.

Will historical structures or sites on the property be protected to preserve their historic and/or cultural significance? *Consider including historic structures where a conservation easement could protect the historic nature by ensuring that future repairs, renovations, expansions or improvements maintain the historic nature of the property.*

There are no historical structures on the property.

RELATIONSHIP TO PRIOR APPROVED PHASES OR RELATED SNPLMA PROJECTS AND ANTICIPATED FUTURE PHASES

N/A - There are no previous phases. The acquisition is a stand-alone project.

DELIVERABLES

Primary:

- Acquire a conservation easement comprising approximately 42.44 acres.

Standard:

- NEPA compliance
- Conduct site inspection
- Obtain title commitment
- Appraisal to determine market value
- Phase 1 Environmental Site Assessment to determine the presence of Recognized Environmental Conditions
- Boundary survey to determine final acreage and the legal descriptions of the special land use zones that documents the initial condition of the conservation values onsite and status of land uses.

PROJECT TIMEFRAME

3 years

LEVEL OF PROJECT READINESS FOR IMPLEMENTATION

A willing, conservation-minded landowner is ready and eager to proceed granting a conservation easement and the USFS has the staffing capacity for performing all tasks related to the acquisition.

PARTNERSHIPS AND/OR CONTRIBUTED FUNDS

None

FUNDING REQUESTED BUDGET DETAIL

Support for Asking Price

For current planning and nomination purposes only, support for the asking price is provided by comparable sales and related data collected in September 2020. The final purchase price will be established by an appraisal prepared by a mutually acceptable, appropriately qualified appraiser following USA appraisal standards.

Comparable Property No. 1:

Location of the Comparable Property:

Red Rock Canyon - Hwy 159

Clark County, Nevada

APN 174-02-000-002

Land Division 78-83 PT Lot 1

T. 22 S., R. 58 E., S2

Number of Acres: 63.86

Date of Sale: 4/2019

Sales Price: \$25,000,000

Seller: Bonnie Springs Family LP

Buyer: B S R 6276 LLC

Type of Purchase: Fee Simple

Nature of the Comparable Property: Located within Red Rock Canyon National Conservation Area
Zoned: Rural
Planned Land Use: Commercial Tourist
Buyer's Proposed/Intended Use: Luxury home lot sites, restaurant, event center, motel

Comparable Property No. 2

Location of the Comparable Property:
Hwy 159 adjacent to Red Rock Canyon
Clark County, Nevada
APN 164-04-511-001
T. 22 S., R. 58 E., S2
Number of Acres: 103.82
Date of Sale: 12/2019
Sales Price: \$63,000,000
Seller: Howard Hughes Company
Buyer: Greystone Nevada Inc.
Type of Purchase: Fee Simple
Nature of the Comparable Property: Vacant Land located adjacent to Red Rock Canyon National Conservation Area
Land Use: Residential
Buyer's Proposed/Intended Use: Luxury Home Development

Comparable Property No. 3

Location of the Comparable Property:
Intersection of Sunset and Pecos
Clark County, Nevada
APN 177-01-502-020
T. 22 S., R. 61 E., S1
Number of Acres: 36.12
Listed for Sale on Open Market
Listing Price: \$29,900,000
Seller Name: Smoketree Group LLC
Type of Sale: Fee Simple
Nature of the Comparable Property: Assemblage of suburban property to create a world class horse property in Las Vegas, NV.
Zoned: Rural
Planned Land Use: Rural Neighborhood Preserve

SNPLMA ROUND 18				
ENVIRONMENTALLY SENSITIVE LAND ACQUISITION PROJECT				
ESTIMATED NECESSARY EXPENSES				
Property Name:	Torino Ranch	Agency:	USFS	Date: 8/31/2020
Project #:	N/A in Nomination	Priority #:	N/A in Nomination	
Prepared by:	Heidi Garcia	Phone #:	775-352-1241	
1. Owner Asking Price/Land Purchase Price (Not to exceed fair market value as determined by a Federally approved appraisal.)		\$10,000,000		98.97%
2. Appraisal		\$32,000		0.32%
3. Land/Boundary Survey		\$6,000		0.06%
4. NEPA (e.g., EA, DNA)		\$5,000		0.05%
5. Environmental Site Assessment		\$5,000		0.05%
6. FWS Consultation—Endangered Species Act		\$2,500		0.02%
7. Water and/or Mineral Rights Analysis (for Title Purposes)		\$3,000		0.03%
8. Water Report (perform an assessment of the water right, determine quantity of water to be transferred prior to the appraisal process, and work with current owner to obtain a Change of Beneficial Use from the State Engineer, as needed.)		\$0		
9. Mineral Potential Report /Memo (Costs for drilling and testing are not/not allowed; such data gathering if needed for a mineral appraisal is the responsibility of the owner.)		\$0		
10. Title Report, Escrow Fees, Misc. Closing Costs		\$10,000		0.10%
11. Recording Fees		\$300		0.00%
12. Pro-rata Share of Any Pre-Paid Property Taxes or Assessments		\$3,000		0.03%
13. Relocation Payments to Eligible Displaced Persons Under the Uniform Act		\$0		
14. Agency or Contracted Labor Costs: For acquisition processing including site inspections, document preparation, title evidence review, legal description verification; preparation and review of technical reports such as surveys; preparation of requests for preliminary and final title opinion, escrow closing instructions.		\$30,000		0.30%
15. Travel including per diem, when official travel status is required for agency personnel to perform case management (e.g., agency experts to review contracted appraisals, to perform surveys, etc.)		\$7,000		0.07%
16. Official Vehicle Use (pro rata cost for use of Official Vehicles when required to carry out case management)		\$100		
17. Other Necessary Expenses (See Appendix B-3, ATTACHMENT C)		\$0		
TOTAL:		\$10,103,900		100.00%

PERFORMANCE MEASURES

Outcome: Preserve approximately ± 42.44 acres known as the Torino Ranch property to ensure habitat is protected for approximately 167 species of plants, insects, and animals. Achieving the following output will accomplish this outcome:

- Output (Primary or Anticipated Deliverable): Acquire a conservation easement and conduct regular monitoring to ensure compliance with the terms of the easement. The SNPLMA Performance Measures include:
 - Performance Measure L.4 – Conservation Easements Acquired: ± 42.44 acres acquired as a conservation easement to protect its ecological values.
 - Performance Measure L.7 – Wildlife Migratory Corridor: The easement would sustain the existing wildlife corridor through the property.
 - Performance Measure L.8. – T&E habitat Acquired: The easement would protect ± 42.44 acres of habitat presently used by several special status species – Palmer’s Chipmunk, Northern Goshawk and Phainopepla. There are also Shasta Blue Butterflies actively present on the property, but it is unknown whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered.
 - Performance Measure L.9. – Sensitive Habitat Acquired: As stated above, the easement would protect ± 42.44 acres of habitat presently used by several special status species – Palmer’s Chipmunk, Northern Goshawk and Phainopepla. There are also Shasta Blue Butterflies actively present on the property, but it is unknown whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered.

EC STRATEGIC PLAN VALUES

- **Sustainability**

Acquisition of the Torino Ranch conservation easement would assure that the key ecological values of the Ranch are sustained in perpetuity. The ecology of the Ranch lands has evolved over a 25-year period and today is a very healthy and resilient landscape because of the efforts of the landowner. Also, the substantial 169-acre feet of water rights held by the landowner means there is sufficient water to maintain the ecological niches that have been created. This helps assure cover for wildlife and maintenance of the wildlife corridor between the east and west sides of the La Madre Wilderness Area and into the back basin of Mt. Charleston. It also assures that the Ranch would not be developed in a manner that adversely impacts visitor use of Upper Lovell Canyon.

Development of this property for a housing subdivision, resort, casino, or as a major RV resort, dude ranch, event center, wedding venue, marijuana cultivation, or other commercial uses could disrupt the existing recreational use patterns in the area and create the need for increased and intense USFS management. Presently, Lovell Canyon is experiencing increased visitation due to population increases in Las Vegas and Pahrump and increased use of recreation on public lands due to the pandemic. Recreational shooting and OHV use have been a constant management problem for the USFS. Development of a major RV resort, housing subdivision, or other commercial activities, could exacerbate this problem and create potential conflicts between the commercial customers and recreation users. Stresses put on the integrity and condition of Lovell Canyon Road due to overloaded traffic and heavy RV vehicles would place an untenable and perpetual economic burden on the USFS.

- **Connectivity**

The Ranch provides connectivity between the east and west boundaries of the La Madre Wilderness Area in the Lovell Canyon area and this connectivity would be retained in the conservation easement. The Ranch has served as a no kill zone for wildlife over the past 25-years. The owner has taken great care to avoid introducing toxic chemicals into the environment. Additionally, very low intensity use has created a quiet haven for a plethora of wildlife. As a result, wildlife moves freely through the property between the

east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston. There are no fences on the property that impede wildlife movement. Some wildlife simply utilize the property as a watering hole or safe route between the east and west sections of the La Madre Wilderness Area while other species use the property as their primary residence because of the substantial cover available and the water and food sources. There are some 100 fruit trees as well as grapes, berries and other food sources.

- **Community**

Protecting the key ecological values and avoiding incompatible development of the property would protect the integrity of the area for the recreational user community, particularly those using the extensive loop-trail system accessible from the adjacent Lovell Canyon Trailhead. Hikers on this network have expansive views of the back basin of Mt. Charleston and the Ranch is visible along much of the trail system. Changing the use of the Ranch would adversely change the viewshed for those hikers and horseback riders enjoying the trail system. Additionally, preventing intense increased traffic on Lovell Canyon Road is essential to providing quiet enjoyment for those recreating in the area.

COMPLIANCE W/DEPARTMENTAL PRIORITIES/STRATEGIC GOALS/EO/SO

Departmental/Agency Priorities and Strategic Goals

Department of the Interior Priorities:

- ***Create a conservation stewardship legacy second only to Teddy Roosevelt.***

Acquisition of the Torino Ranch conservation easement would assure that the key ecological values of the Ranch are sustained in perpetuity.

- ***Sustainably develop our energy and natural resources.***

Not applicable

- ***Restore trust and be a good neighbor.***

Over the past decade, the Lovell Canyon area has been receiving increasing use as a result of growth in Pahrump and in the southwestern portion of the Las Vegas Valley. The area has particularly been hit hard by indiscriminate recreational shooting and dumping and by illegal OHV use. The problem with indiscriminate shooting in Lovell Canyon forced the USFS to issue a temporary emergency shooting closure in 2017 for 32,000 acres in the canyon. In 2019, Clark County legislated a permanent shooting closure in Lovell Canyon. This closure allows the USFS to proceed with a formal decision-making process to determine what dispersed recreation activities are appropriate in Lovell Canyon and how they can be managed.

Since the closure was implemented, a number of conservation and user groups have come together to help clean-up Lovell Canyon. Since the initial closure, the USFS along with nonprofit, local, state, and federal partners have conducted seven clean-up efforts in Lovell Canyon and removed over 10 dumpsters full of trash. This has built up a community of citizens and organizations that care about the future of Lovell Canyon. Community organizations including Clark County School District, The Sierra Club, Friends of Nevada Wilderness, Get Outdoors Nevada, Biological Diversity, Save Red Rock and their committee Save Lovell Canyon, and community sponsors have adopted each mile of the Canyon for clean-up. Acquiring a conservation easement on the Torino Ranch would help meet the intent of maintaining the integrity of Upper Lovell Canyon and increasing partnership support.

- ***Ensure the tribal sovereignty means something.***

Not applicable

- ***Increase revenues to support the Department and national interests.***

Not Applicable

- ***Protect our people and the border.***

Not Applicable

- ***Strike a regulatory balance.***

Acquiring a conservation easement, rather than fee title, would assure that the ecological values are protected yet keep the property in private ownership and on the tax rolls. This strikes a good regulatory balance.

- ***Modernize our infrastructure.***

Not applicable.

- ***Reorganize the Department for the next 100 years.***

Not applicable

- ***Achieve our goals and lead our team forward.***

The conservation easement acquisition is a prime example of an effective public/private partnership to achieve conservation goals. This is one of the national goals of the USFS.

USFS Priorities:

- ***Uplifting and empowering our employees through a respectful, safe working environment.***

Not applicable.

- ***Being good neighbors and providing excellent customer service.***

The conservation easement is a valuable tool for achieving conservation goals in the area, while keeping the land in private ownership. It would assure that the conservation values are protected in perpetuity, even if the land changes ownership. This helps in being good neighbors.

- ***Promoting shared stewardship by increasing partnerships and volunteerism.***

The conservation easement vehicle is a shared stewardship arrangement as it defines what can and cannot take place on the property. Additionally, a partnership with current and future owners of the property assure that the site can be used in the future for USFS fire-fighting activity including utilizing water from the 1.5-acre lakes.

- ***Improving the condition of forests and grasslands.***

Acquisition of a conservation easement would assure connectivity between the east and west sides of the La Madre Wilderness Area. This would not only benefit wildlife movement but protect the visual integrity of the area. Presently, the Torino Ranch is a green oasis and is visually attractive and peaceful which enhances the recreational experience in the area. Incompatible commercial development or a high-density private subdivision and overflow into adjacent La Madre Wilderness Area would change the quality of the recreation experience as well as potentially creating user conflicts. Substantial increase in traffic on Lovell Canyon Road would increase roadkill, bring disruptive noise pollution, and additional garbage in the area.

- ***Enhancing recreation opportunities, improving access, and sustain infrastructure.***

Acquisition of a conservation easement on the Torino Ranch would sustain the quality of the recreational experience in Upper Lovell Canyon by protecting against incompatible development that would create a visual intrusion and create possible user conflict issues. Development of a large RV Resort, for example, could substantially add to the number of OHV vehicles in the area which has proven to be a significant management issue for the USFS in Lovell Canyon. Experience shows that many RV users also pull trailers with OHV vehicles and use the RV campsite as a base to explore the area. This could lead to a

proliferation of user created trails in the Lovell Canyon area since enforcement is an issue in this more remote part of the SMNRA. Intense use of Lovell Canyon Road by hundreds of RV users daily would degrade the paved road, increase congestion and noise pollution, result in increased roadkill and generally destroy quiet recreational enjoyment of Lovell Canyon.

Executive Orders (EO) and Secretarial Orders (SO):

• ***EO No. 13855: Promoting Active Management of America's Forests, Range Lands to Improve Conditions and Reduce Wildfire Risk.***

The conservation easement acquisition would meet the intent of actively managing the property through a partnership with the private sector, in this case, a private landowner. This can be particularly important in managing any wildfire in the area. The Ranch has key water availability in the two lakes that can be of use to the USFS in fighting fires in the area. Torino Ranch has always been available as a staging area for fire-fighting efforts for the many fires in the Spring Mountain Range. The landowner has not only provided use of the helipad, housing and food for fire fighters, but most importantly has allowed use of the 1.5-acres of lake water to fight the fires. The conservation easement would ensure that the USFS can utilize this facility to fight forest fires in perpetuity.

• ***SO No. 3347: Conservation Stewardship and Outdoor Recreation.***

The purpose of this Order is to enhance conservation stewardship, increase outdoor recreation, and improve the management of game species and their habitat. The easement acquisition would enhance conservation stewardship as well as improve the management of game species. The easement would allow for free movement of wildlife across the property and provide cover and food for some small upland game species. It would protect the wildlife corridor between the east and west sides of the La Madre Mountain Wilderness Area.

• ***SO No. 3356: Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes and Territories.***

The conservation easement itself would not allow public hunting or fishing on the property; however, would serve to protect important wildlife habitat which can enhance hunting opportunities on adjacent lands. It would also conserve the free movement of wildlife across the property.

• ***SO No. 3362: Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors.***

The restrictions to be outlined in the conservation easement would improve the quality of big-game winter range and migration corridor habitat. The easement would protect the corridor through the property that big game such as mule deer, elk, and bighorn sheep use. The easement would restrict any fencing that would preclude free movement of wildlife across the property.

• ***SO No. 3366: Increasing Recreational Opportunities on Lands and Waters Managed by the U.S. Department of the Interior.***

Although the conservation easement would not allow for public access to the property itself, it would positively benefit recreation by maintaining the quality of the recreation experience in the area. It would provide a wildlife corridor to allow free movement of wildlife across this private tract and benefit hunting opportunities in the area.

• ***SO No. 3370: Conservation Stewardship and Increasing Public Access to Urban National Wildlife Refuges.***

Not applicable.

• ***SO No. 3372: Reducing Wildfire Risks on Department of the Interior Land Through Active Management.***

This order relates to reducing wildfire risks. Over the years, the present landowner has cooperated with the USFS in reducing wildfire risks and allowed use of the helipad and water from the 1.5-acres of lakes to be used in fighting fires throughout the Spring Mountain Range including the recent Carpenter Fire which destroyed over 28,000 acres of forest in the SNMRA and Lovell Canyon area. This partnership is expected to continue and can be defined in the conservation easement.

• ***SO No. 3373: Evaluating Public Access in Bureau of Land Management Public Land Disposals and Exchanges.***

Not applicable.

• ***SO No. 3374: Implementation of the John D. Dingell, Jr. Conservation, Management and Recreation Act.***

Not applicable.

• ***SO No. 3376: Increasing Recreational Opportunities through the use of Electric Bikes.***

Not applicable.

• ***Other Secretarial Order(s) and Directive(s):***

Unaware of any other orders and directives.

RANKING CRITERIA

1. Contributes toward preservation of a specially designated species

Factors:

A. Does the acquisition have a significant contribution toward preservation or recovery of one or more specially designated species present on the property? (Include both plant and animal.)

Yes, a biological survey was conducted on the Torino Ranch property in 2007. There were 112 bird species, 20 mammal species, 5 butterfly species, and 5 reptile species inventoried on the property. The primary purpose of the conservation easement is to protect this healthy and resilient ecosystem.

A second assessment was performed which was The Nature Conservancy's (TNC) Mojave Desert Ecological Assessment. This assessment provides a rigorous, scientifically sound basis for determining where the highest overall ecological values intersect. TNC utilized an integrated approach in preparing the assessment and for the overall goal of "the long-term survival of all viable native species and community types." This Assessment identifies areas that are important for the continued survival of the full suite of the Mojave's biological diversity. The Assessment divides all Mojave Desert lands into four categories: Ecologically Core, Ecologically Intact, Moderately Degraded, & Highly Coveted. The lands adjacent to the Torino Ranch represent the two highest category—Ecologically Core and Ecologically intact, most being in the ecologically core category.

The ecologically core category include lands with low levels of human disturbance which supports conservation targets and whose protection is critical for the long-term conservation of the Mojave Desert ecoregion's biological diversity. The ecologically intact category includes lands with low levels of human disturbance or which support conservation targets and which requires a level of protection that will enable it to continue to support ecological processes and provide connectivity.

B. Does the acquisition contain habitat which supports one or more special status species?

Yes, there are three special status species present - the Palmer's Chipmunk, Northern Goshawk, and Phainopepla. There may be other special status species present since the biological survey was originally performed in 2007. For example, there are Shasta Blue Butterflies actively present on the property, but it is unknown whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered.

C. Are there one or more species present on the property that are listed as threatened and endangered?

The most recent biological survey of the property was performed in 2007. Without a more recent survey, it is unknown whether there are any threatened or endangered species on the property or adjacent lands that could be impacted by adverse development of the Torino Ranch. Shasta Blue Butterflies are actively present on the property, but it is not known whether this is the subspecies Mt. Charleston Blue Butterfly that is listed as endangered.

D. Does the acquisition contribute to creation, conservation, and/or preservation of biodiversity, wetland/riparian area, or watershed?

Yes, the property contributes to conservation of biodiversity as it provides a corridor for wildlife movement and is used by many native wildlife species. The conservation easement would provide permanent protection for the key ecological values on the property.

2. Preserves a significant natural, aesthetic, or scientific feature

Factors:

A. Does the property contain one or more natural, aesthetic, or scientific features?

Yes, the Torino Ranch has an abundance of water. Underground water on the property is shallow and abundant, with over 169-acre feet of water rights. The major wash coming through the canyon runs through the Ranch. Torino Ranch is in a highly scenic portion of the Spring Mountains, with sweeping vistas in all directions as can be seen from the photos included in the nomination. The property is covered with a forest of pine trees and nonnative trees, shrubs and flowers and over 1.5-acres of lakes, and numerous other water features which add to the aesthetics of the property and serves as habitat for a plethora of animals.

B. Is one or more of the features in A above eligible for special designation? (Do not address plant or animal species.)

There is not a particular feature on the property that warrants special designation, although it could be argued that this is an "ecological preserve" that has developed over a period of some 25-years and has uniqueness that is different from any other private property on USFS lands in Nevada. However, the value of the property to the overall health of the SMNRA is significant. The property plays a very important role in helping to protect the integrity of the adjacent La Madre Mountain Wilderness Area, buffering it from inappropriate development and serving as a wildlife corridor allowing movement of wildlife between the east and west sections.

C. Does the acquisition make a significant contribution to preserving these values?

Yes, the habitat would be protected through the conservation easement and provide an appropriate buffer to the adjacent La Madre Mountain Wilderness Area. The conservation easement would be designed to protect the ecological integrity of the property and not allow uses that could significantly change the existing character of the property.

D. Does a specific management plan(s) exist for these resource values?

Yes, the SMNRA General Management Plan (GMP), Clark County Multi-Species Habitat Conservation Plan (MSHCP), and the Springs Mountains Landscape Analysis recognize the resource values and provide direction on their management.

3. Preserves significant historic, paleontological, or cultural values

Factors

A. Does the property contain one or more historic, paleontological, or cultural values?

Cultural surveys have not been performed for this property to determine whether there may be cultural sites present. However, we do know that the SMNRA is a very rich landscape in terms of diversity of cultural resources. The Spring Mountains themselves, and Mt. Charleston in particular, are known as the place of creation for the Nuwuvi people whose modern descendants include the Southern Paiute. According to information in the Spring Mountain Landscape Analysis, the Southern Paiute people believe that essential power or energy (puha) flows through the mountains in channels, and water in any form such as springs, rain, and snow is closely associated with puha.

In general, there is a connection between higher elevation and puha and this property is at a higher elevation. Other important uses of the land by the original inhabitants include sites for toolmaking, healing places, rites of passage sites, and ceremonial dance sites. Although the tribes have not been contacted about this acquisition, it's believed that they would be supportive as it would preclude undesirable private development and associated restrictions on access to the area.

B. Is one or more sites on the property eligible for a special designation? (Do not address plant or animal species.)

Without a survey, it is unknown whether there may be sites eligible for special designation.

C. Does the acquisition make a significant contribution to preserving these resource values?

In case cultural surveys in the future identify important cultural sites, the restrictions in the conservation easement should help protect the sites from incompatible private development.

D. Does a specific management plan(s) exist for these resource values?

The SMNRA GMP provides guidance for cultural resource values.

4. Enhances recreational opportunities or improves access to Federal or other public lands

Factors:

A. Does acquisition of the property provide recreational opportunities on the land?

The acquisition of the conservation easement would not provide additional recreational opportunities on the land, rather, eliminate the potential for inappropriate development on the property which could adversely impact the recreational experience in Upper Lovell Canyon. The acquisition would protect the integrity of the adjacent Lovell Canyon Trailhead from adverse private development. This trailhead provides an extensive loop trail system accessing the back side of Mt. Charleston, including the La Madre Mountain Wilderness Area and the Mt. Charleston Wilderness Area. The conservation easement would also preserve the tranquil nature of Lovell Canyon Road

B. Does the acquisition provide improved access to Federal or other public lands?

The property is an in-holding within the SMNRA. The property is presently used for camps for kids with serious illness or disabilities. These camps are free to all participants and are a highly desirable

use and a wonderful asset to the community. The present use of the camps would be allowed to continue as part of the conservation easement; however, this use is not guaranteed in the future as part of the agreement. What would be guaranteed in the conservation easement are restrictions on uses that would adversely impact the general character of the property or that would create additional adverse management issues for the USFS.

Key forest-wide goals set forth in the GMP include, increased recreation opportunities; protecting wilderness values and providing quality wilderness experiences; and adjusting land ownership to optimize public benefits and administration. Acquisition of the conservation easement on the Torino Ranch property would satisfy two of the three goals.

C. Does the acquisition address a public demand for recreational opportunity or a public demand for access to Federal or other public lands?

The acquisition indirectly addresses a public demand for recreational opportunity. The National Visitor Use Management Survey (NVUM) performed on the Recreation Area in 2006 found that there was a high demand for additional recreational opportunity. This is particularly true in the southern and western portion of the National Recreation Area where little formalized facilities exist. That is why the Lovell Canyon and the Lovell Canyon Trailhead are getting increasing use. It is important to protect the integrity of this backcountry use by not allowing inappropriate development to occur on Torino Ranch. The Ranch is highly visible from the Lovell Canyon Trail.

D. Does a specific management plan(s) exist for these resource values?

Yes, the SMNRA GMP and Westside Management Plan speak to the need for diversifying the locations for providing recreation facilities. The GMP also calls for increased levels of recreation development and service and increased multi-use trails and campsites at appropriate locations, generally away from the Kyle and Lee Canyon corridors. It is anticipated that recreation use in Upper Kyle Canyon will increase, so it is important to maintain the quality of the recreation experience. Keeping the Torino Ranch ecological landscape protected and well maintained contributes to maintaining the quality of the recreational experience in Upper Lovell Canyon. The Ranch is highly visible from the trails originating from the adjacent Lovell Canyon Trailhead.

5. Provides for better management of Federal lands or better management of resource values

Factors:

A. Does the acquisition provide for better management of Federal lands or better management of resource values?

Yes, the property is within the SMNRA and adjacent on two sides to the La Madre Mountain Wilderness Area which is jointly managed by the USFS and the Bureau of Land Management. Additionally, the management and expense of maintenance of USFS Road 357, Lovell Canyon Road, would be reduced with a conservation easement and the prevention of high traffic counts.

B. Is the property an in holding in a specially designated area or does the property otherwise consolidate federal ownership?

Yes, the property is an in-holding within the SMNRA and would consolidate USFS control of incompatible development in Upper Lovell Canyon. The conservation easement would consolidate USFS ownership in the area and assure compatible development through the restrictions to be outlined in the easement.

6. Estimated post-acquisition management costs (Pick One Only)

Factors:

A. There are no added management costs.

N/A.

B. There are added management costs but costs are offset by contributions from other entities or future cost savings due to consolidation of Federal lands.

There would be added management costs by acquiring the conservation easement since monitoring of the conservation easement would be required to ensure compliance with the terms of the agreement and work to rectify any noncompliance issues. However, there would be efficiencies in areas such as fire management.

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

Factors:

A. Is the acquisition supported by the County/local government in which the property is located?

Clark County provided a letter of support for the acquisition. The advantage of utilizing a conservation easement on the property is that remains in private ownership and tax base.

B. Is the acquisition supported by environmental, recreational, and/or scientific groups?

Considering the valuable resources located on the Torino Ranch and the essential habitat it supports, twenty-three letters were provided in support of a conservation easement acquisition by the USFS. Seven of the twenty-three letters are included within the nomination package, and the remaining sixteen letters of support are available upon request.

The following entities have provided support for the potential acquisition and are included in the nomination: Clark County Commissioner; Conservation Lands Foundation; Get Outdoors Nevada; Friends of Sloan Canyon; National Parks Conservation Association; Southern Nevada Conservancy; and Friends of Nevada Wilderness.

Letters of support were provided by: Save Red Rock; Alan O'Neill, retired Lake Mead Superintendent; Lizette Gozo, Supportive Citizen, John Zaby, CIT Bank; Anthony Laws, Forza Consulting; William Blumenthal, Hansel Mechanical; Greg Herlean, Horizon Trust; Jeff Gordon, Nevada Childhood Cancer Foundation; Ken Alber, PENTA; Scott Silber, Direct Compounding; Ron Hall, S&H Architecture; Vince Dubois, Southwest Specialty Contractors; Sunshine Nevada Organization; Nevada Conservation League; and Collaboration Center Foundation; however, were not included in the nomination and are available upon request.

C. Is the acquisition supported by Fish & Wildlife Service Ecological Services, State Historic Preservation Office, or other federal, state or tribal governmental entities?

Although the Ecological Services Office was not contacted, it is believed they would support the acquisition. The belief is based on the fact that the acquisition is consistent with the management prescriptions required of the USFS in the Section 10(a) permit from the U.S. Fish & Wildlife Service for the Clark County MSHCP.

D. Does the acquisition further the goals and objectives of the County/local government land use plan or goals/objectives contained in some other official County/local government document?

Yes, the acquisition furthers the goals of the Clark County MSHCP, Clark County Sensitive Lands Report, and the Clark County Perimeter Open Space Plan.

8. Other Considerations

Factors:

A. Would the acquisition prevent planned development or other incompatible uses?

Yes, the acquisition would avoid development of the parcel for private purposes that are inconsistent with protecting the present ecological values.

B. Have funds been committed from another source to defray some of the costs of acquiring the property?

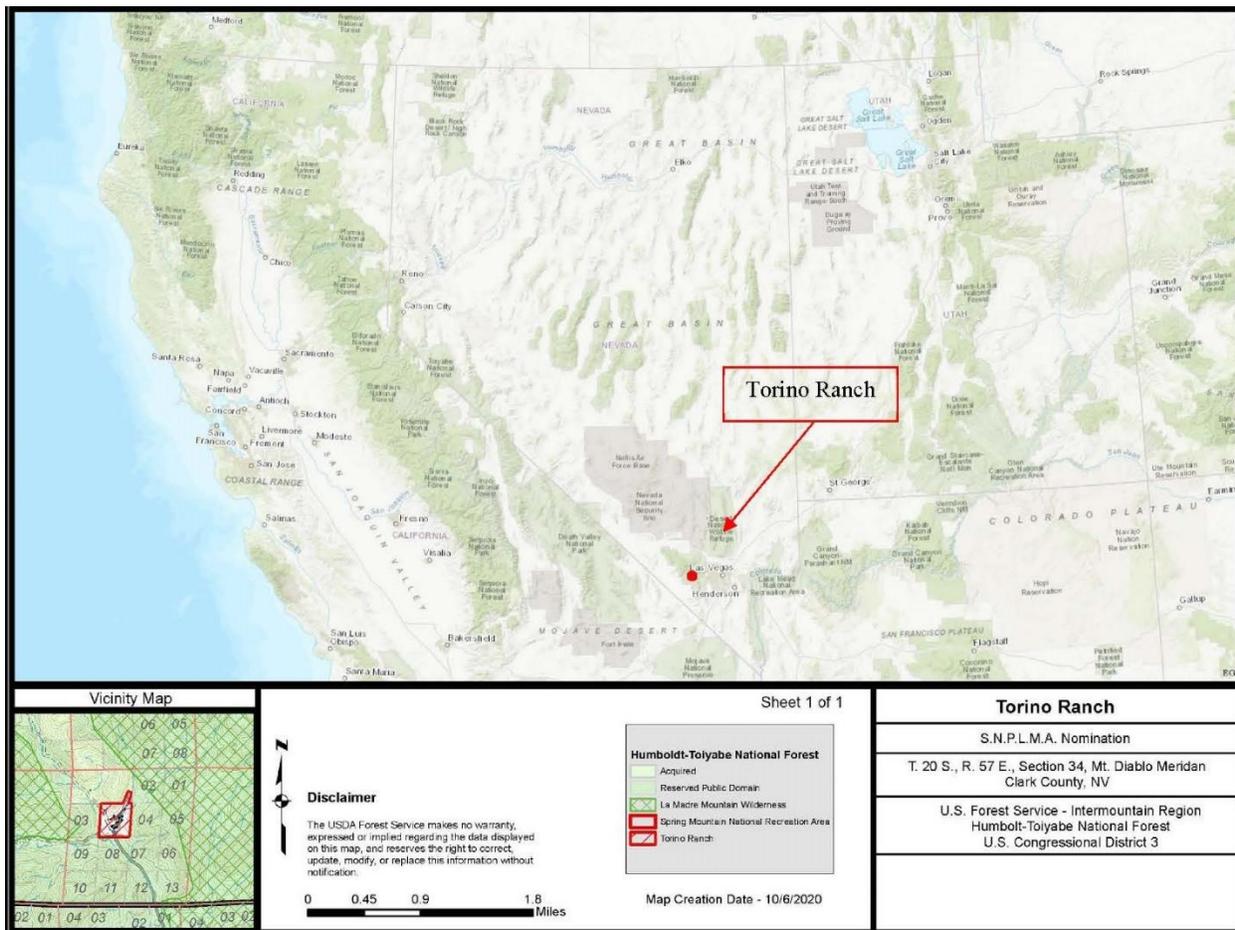
No.

9. Is proposed Federal acquisition in Clark County, Nevada? Yes

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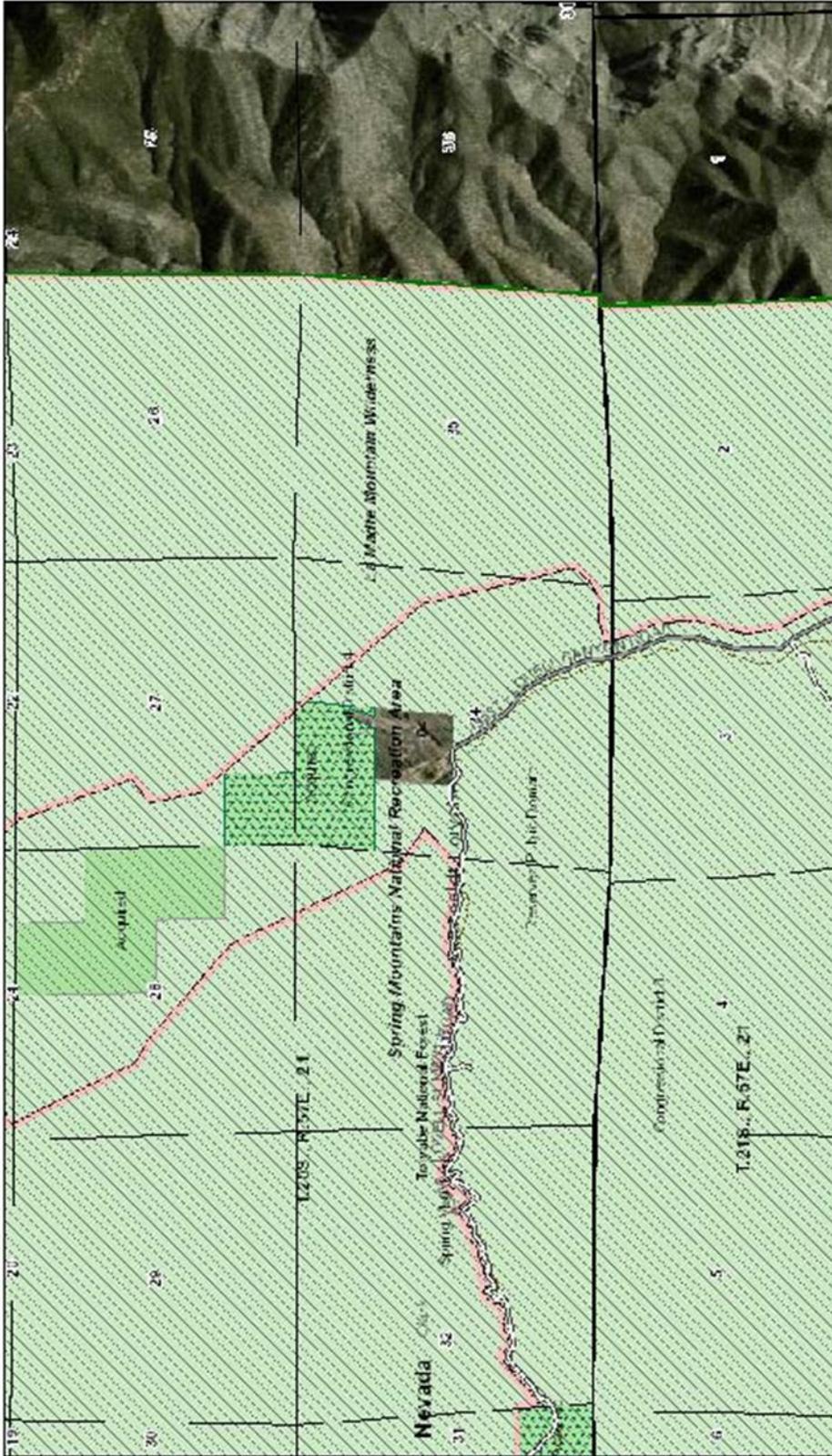
MAPS

STATE MAP



LOCATION MAP

Torino Ranch T. 20 S., R. 57 E., Section 34



August 28, 2020

— National Forest System Trails
 — Gravel Road, Suitable for Passenger Car, Surface Ownership
 — National Forest System Roads closed to motorized uses — Dirt Road, Suitable for Passenger Car
 — Road, Not Maintained for Passenger Car
 — Paved Road

[Green Hatched] Acquired
 [Brown Hatched] Disposed

[Blue Hatched] National Forest System Trails
 [Black Hatched] National Forest System Roads closed to motorized uses

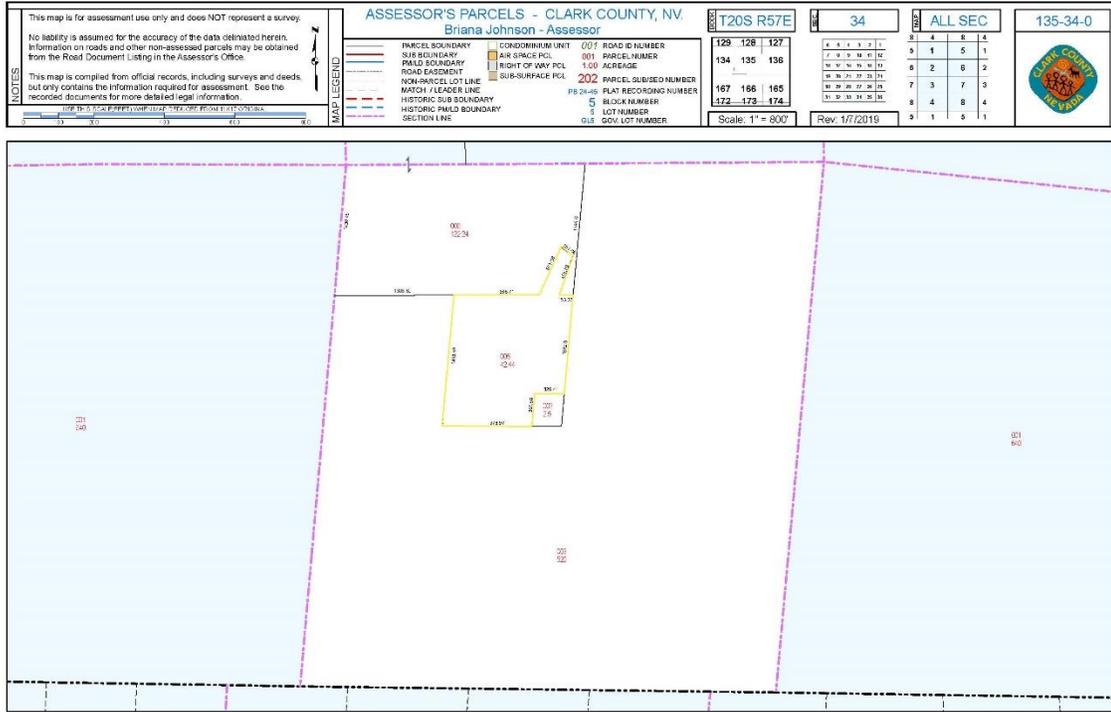
[Red Dashed Line] Gravel Road, Suitable for Passenger Car, Surface Ownership
 [Solid Black Line] Dirt Road, Suitable for Passenger Car
 [Dashed Black Line] Road, Not Maintained for Passenger Car
 [Solid Black Line] Paved Road

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Source: Esri, Imagery, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community. The USDA Forest Service makes no warranty, expressed or implied, including the verities of merchantability and fitness for a particular purpose, nor assumes any liability or responsibility for the accuracy, reliability, completeness or utility of these graphical data, or for the interpreter or Web Application for ArcGIS.

1:36,112
 0 0.25 0.5 1 mi
 0 0.4 0.8 1.6 km

PARCEL MAP



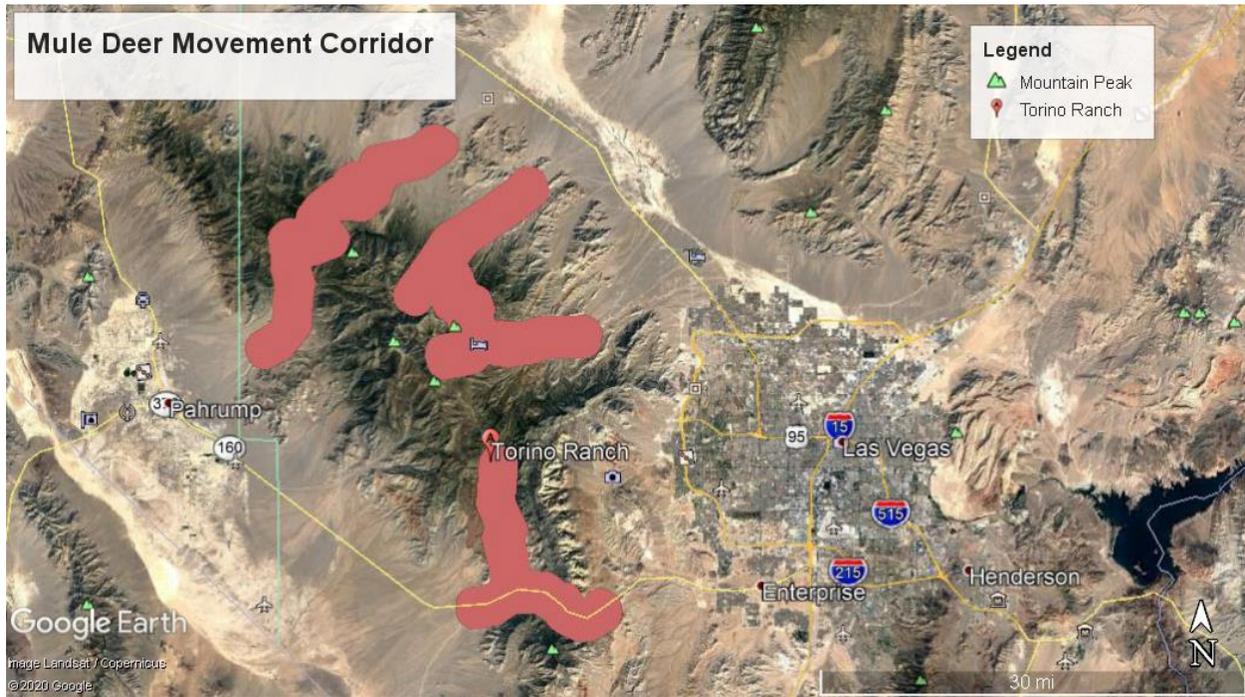
AERIAL MAPS



TORINO RANCH



MAP SUPPORTING STRATEGIC PLAN VALUES



PHOTOS



Larger Lake



Beach Area at Larger Lake



Smaller Lake



Smaller Lake



Torino Ranch from the Lovell Loop Trail



Cabin Area

ACQUISITIONS - OTHER REQUIREMENTS

Socioeconomic Information

1. Number of employees, spouses, and immediate family members that will be impacted by the acquisition due to employment associated with the land. List any employment that would be lost or created as a result of the acquisition.

No employees are impacted by acquisition of the conservation easement.

2. Amount of annual property taxes.

The property would remain in private ownership and on the tax role. Acquisition of the conservation easement would not affect the present property tax paid by the landowner.

3. A description of the existing use(s) of the property.

Over the last several decades, the Torino Ranch has been the site of summer camps for critically ill children diagnosed with cancer, HIV/AIDS, sickle cell, renal, blood and immunologic diseases, their siblings of children who are diagnosed with cancer. These camps have been free of charge through the sponsorship of the Bret Torino Foundation, Project Sunshine Nevada Organization, and the Nevada Childhood Cancer Foundation. Torino Ranch is known as the only medically supervised camp of its kind in Nevada. The primary purpose of the camps has been to provide life-enriching support and experiences for children with special needs and for their families who might not always have access to positive environments for their kids to enjoy typical childhood activities. The camps are temporarily cancelled because of the Covid-19 restrictions.

4. Amount of annual revenue generated from enterprises associated with the land. If actual revenue is confidential, list a typical enterprise annual budget. (e.g. revenue from working farms, agricultural or other leases, access fees for recreational facilities, mining operations, etc.)

There is presently no income generated on the Ranch.

5. A summary of local public services being utilized on and provided to the subject property.

The Ranch utilizes electric service to the property from Valley Electric. This use would not be impacted by acquisition of a conservation easement.

6. A summary of local contractors being utilized on the subject property.

The conservation easement would not adversely impact local contractors doing work on the property.

7. Identify the current city or county land use plan designation(s) for the subject property. If no local government land use plan or master plan is in effect, please so state. In this case, list the current zoning and any anticipated zoning changes in the foreseeable future, if any.

The property is presently zoned for Residential Agriculture (RA) and Recreation Vehicle Park (RVP). The RA covers 25.87-acres and allows for one residence/acre and commercial agricultural activities. The RVP covers 16.57 acres and allows for development of a recreation vehicle park and a myriad of commercial activities. There is presently no effort to change the zoning but this could change in the future. Future owners of the property could request higher density zoning as this frequently occurs in Clark County and is often successful.

8. Provide a list of all water rights appurtenant to the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, or if there will be some other disposition of the water rights.

There are two water rights connected to this property, both certified by the Nevada Division of Water Resources. The first is a 155-acre water right 64301. The certificate is #17460. The second is a 14.05-acre water right 42709. The certificate is #12945. These water rights will be retained by the owner.

9. Provide a list of known mineral rights associated with the land. Note whether these are being offered for sale as part of the nomination, if they'll be reserved by the owner, if they are owned by or will be sold to a third-party, if minerals are reserved by USA list under which authority (e.g. Taylor Grazing Act of 1934 and/or Stock Raising Homestead Act of 1916), or if there will be some other disposition of the mineral rights.

There are no mineral rights associated with this property.

OWNER STATEMENT

Authentisign ID: C0D6AD6C-D122-4F8B-AACB-C2F7E23ADC36

FORMAT FOR OWNER STATEMENT INDICATING WILLINGNESS TO CONSIDER SALE TO THE FEDERAL GOVERNMENT

TO: William A. Dunkelberger
U.S. Forest Service
Humboldt-Toiyabe National Forest
1200 Franklin Way
Sparks, NV 89431

Mr. Dunkelberger:

I, Lovell Canyon Residential LLC, am the legal owner of the approximately 42.44 acres of real property known as Torino Ranch, 1 Lovell Canyon Road, Las Vegas, NV APN 135-34-000-005. I understand that the property is being nominated for acquisition by a Federal agency under Round 18 of the Southern Nevada Public Land Management Act (SNPLMA).

I have read and signed the document entitled "Federal Acquisition Process" to confirm that I understand the basic process that the Federal government will follow if the above property is selected for acquisition under the SNPLMA. I am willing to consider sale of the above property to the Federal government according to the process described in that document if acceptable terms and conditions can be mutually agreed upon.

I understand that the purchase price would be the value determined by a federal agency-approved professional appraisal performed according to the industry-wide standards (Uniform Appraisal Standards for Professional Appraisal Practices, USPAP) and Federal appraisal standards (Uniform Appraisal Standards for Federal Land Acquisitions, UASFLA). I also understand that I have the right to accept or reject the value established by that appraisal and that there is no negotiation of the appraised value.

This "willing seller" statement, submittal of the nomination, and approval for funding by the Secretary of the Interior, if provided, do not individually or together constitute an agreement for the purchase of the property by the Federal agency. An agreement for sale and purchase of the property shall be entered into only after I have accepted the value and mutual agreement is reached between the parties to other terms and conditions for sale of the property to the Federal agency.

My signature below indicates a willingness to consider sale of the subject property, but in no way creates an obligation to sell. I understand that I have the right to remove the property from consideration for purchase by the Federal government at any time, and agree to notify the appropriate Federal agency in a timely manner if I decide to do so.

Name and Address of Owner:

Brett Torino Manager
Lovell Canyon Residential, LLC
4455 Wagon Trail Avenue
Las Vegas, Nevada 89118
(702) 496-0034

 
Brett Torino, Mgr, Lovell Canyon Residential LLC
Signature 9/11/2020 6:30:33 AM PDT

09/11/2020
Date

FEDERAL ACQUISITION PROCESS

(Include this page in the nomination package, signed by the landowner(s))

Following is a brief outline of the Federal real property acquisition process. This process is consistent with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act). The Uniform Act provides for fair and equitable treatment of persons whose property will be acquired or who will be displaced because of programs or projects financed with Federal funds. If a land nomination is forwarded to and approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Lands Management Act, the acquisition would follow these steps:

Evaluation of Real Property. The Acquiring Agency will perform various studies of your property such as an initial and final site inspection and an environmental assessment to identify potential for hazardous materials or substances. The Agency will also review your ownership documents and obtain a preliminary title opinion from a Federal attorney/solicitor after review of a title report and title commitment from a qualified title company. Resolution of unacceptable encumbrances that are identified and cleanup of hazardous materials or other trash and debris on the property will be the responsibility of the owner at the owner's expense and must be completed prior to acquisition of the property by the United States. These and other possible steps that the Agency must take during this process (e.g., boundary survey, correction of errors in the legal description, possible relocation issues, etc.) may affect your compensation and the completion date of the acquisition. The Agency will stay in contact with you throughout the process and will be available to answer any questions that you may have.

Appraisal. The agency will obtain and review an appraisal which must meet Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA). The Agency will generally contact you to invite you to attend a pre-appraisal work conference with the appraiser to review the scope of work for the appraisal. The appraiser will make an appointment to inspect your property. You or any representative that you desire will be invited to accompany the appraiser when the property is inspected. The pre-work conference and inspection provide you an opportunity to point out any unusual or hidden features of the property that the appraiser could overlook.

Appraisal Review and Approval. Once the appraisal has been completed, a federal review appraiser will review the report to ensure that all applicable appraisal standards and requirements were met. The review and appraisal are provided to the Agency for approval. The approved appraisal will then be used to determine the amount to be offered for your property. This amount will never be less than the market value established through the appraisal process.

Offer. The Agency will deliver a written offer for the sale/purchase of the real property. The Agency's offer will generally consist of a written summary statement that includes the amount of compensation (i.e., purchase price), the description of the property and any buildings or improvements that are considered to be part of the real property, and the property rights to be acquired. The Agency will give you a reasonable amount of time to consider the written offer and to ask questions or to request clarification of anything that is not understood. If you believe that all relevant material was not considered during the appraisal, you may present such information at this time.

Purchase Agreement. When you reach an agreement with the Agency on the offer, you will be asked to sign a purchase option or a purchase agreement prepared by the Agency. Your signature will affirm that you and the Agency are in agreement concerning the acquisition of the property, including the terms and conditions of the acquisition. If, within a reasonable time, you and the Agency are unable to reach an agreement on the acquisition of the real property, the Agency's offer will be withdrawn and your property will be removed from the acquisition list.

Payment. The final step in the acquisition process is closing escrow and payment for your property. Upon completion of a final inspection of your property and confirmation that an approved policy of title insurance will be issued, the Agency will deposit the appropriate amount of compensation into a previously established escrow account. At this time, you will execute a General Warranty Deed prepared by the Agency and receive payment for your property when escrow closes.

Authentisign ID: C0D6AD6C-D122-4F8B-AACB-C2F7E23ADC35

By Signature below I confirm that I have read and understand the basics of the Federal land acquisition process.

[Name, Title of Owner(s), and Date]

Authentisign
Brett Torino, Mgr, Lovell Canyon Residential LLC 
Signature 9/11/2020 5:30:43 AM PDT

09/11/2020
Date

Brett Torino Manager, Lovell Canyon Residential LLC
Title

WILLING AGENCY STATEMENT

Format for Acquiring Agency's Authorized Officer Certification for Conservation Easement

I William A. Dunkelberger, Forest Supervisor of the Humboldt-Toiyabe National Forest hereby certify that where the Torino Ranch property is concerned:

- 1) A representative of U.S. Forest Service has conducted a cursory site inspection on September 2, 2020. Based on that inspection, the location and general description of the property presented in this nomination package has been verified as accurate.
- 2) The property is located within or adjacent to a "federally designated area" as that term is defined in the Federal Land Transaction Facilitation Act of 2000 and this information is stated correctly in the nomination package.
- 3) The property is an in-holding within the Spring Mountains National Recreation Area and consolidates U.S. Forest Service (USFS) control of incompatible development in Upper Lovell Canyon. The conservation easement consolidates USFS ownership in the area and assures compatible development through the restrictions that will be outlined in the easement.
- 4) Acquisition of a conservation easement on the property is consistent with the General Management Plan for the SMNRA (USFS 1998); approved Federal land-use plan in force for the area within which the property is located.
- 5) The planned use of the property is for a conservation easement to protect significant resources. Some of the significant resources that will be protected are: Prairie Falcon, Northern Harrier, Sharp Shinned Haw, Cooper's Hawk, Ferruginous Hawk, Western Screech Owl, Western Flycatcher, Gray Flycatcher, Dusky Flycatcher, Great Horned Owl, Red-Naped Sapsucker, Mule Deer, Gray Fox, White Tailed Antelope Squirrel, Western Tiger Swallowtail Butterfly, White Checkered Skipper Butterfly, California Kingsnake, Pinion Pine, Sagebrush, Blue Banana Yucca, Plains Prickly Pear, Indian Paintbrush, Blazing Star, Scarlet Columbine, Juniper Mistletoe, Single Leaf Pinion Pine, Utah Juniper, and Curl Leaf Mount Mahogany.
- 6) The initial assessment of the information in this nomination package and received from the landowner, indicate the property interests to be acquired (conservation easement) and resources to be protected are sufficient to satisfy the Federal acquisition objectives and, to the best of my knowledge, there are no known legal, physical, or financial issues that would prevent or unnecessarily delay Federal acquisition and management of the conservation easement.
- 7) Based on the initial site inspection and interview with the owner,
 - a. The initial assessment of potential liabilities presented in this nomination package has been verified and is accurate to the best of my knowledge;
 - b. I concur that the method employed by the nominating entity to initially assess those liabilities is appropriate; and
 - c. The likely remediation that will be needed and method of accomplishing that remediation as described in the nomination narrative appears accurate.
- 8) Based on the agency's initial site inspection, review of available data, and consultation with agency resource specialists, the resource values described in this nomination package for protection through the conservation easement appear accurate in both quality and quantity or other reliable resource organization such as the USFWS Ecological Services branch to request support on verifying the

habitat values. The acquiring agency has verified that no listed species exist in the area of this property.

- 9) In the opinion of the agency, acquisition of the conservation easement is needed for the following reasons: The property has become a wildlife corridor and serves as an oasis and important watering hole for wildlife as well as cover for certain species. It is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountains lions, squirrels, rabbits, golden eagles, and several varieties of hawks. It is a haven for pollinators such as bees, butterflies, and dragonflies. Because of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive which are not present on adjacent lands. The ranch has served as a no kill zone for wildlife over the past 25-years. As a result, wildlife moves freely through the property between the east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston.
- 10) The agency has reviewed the owner’s asking price utilized agency staff familiar with market values in the area and determined that a reasonable value range based on available market evidence is between \$10,000,000 and \$15,000,000. The agency further confirms the asking price is within the reasonable value range.
- 11) The agency has attached a cost estimate sheet which estimates the total acquisition cost, including the asking price and necessary expenses of \$10,103,900.
- 12) The agency has completed an initial assessment of the workload associated with establishing base line conditions and the long-term costs and workload of monitoring and managing the easement, and, either on its own or in combination with significant non-federal contributions, has the resources to manage the conservation easement if acquired.
- 13) The agency is prepared to accept management responsibility for the conservation easement on the Torino Ranch property on the date purchase is completed.
- 14) The agency has the staffing resources or will contract the resources needed to acquire the easement within the three-year time standard timeframe if approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Land Management Act.

By: William A. Dunkelberger
 Forest Supervisor
 Humboldt-Toiyabe National Forest

(FOR) William A. Dunkelberger  Date _____
 Authorized Officer Name

U.S. Forest Service
 Name of Agency that will manage the property

Heidi Garcia
 Name of local agency contact person for this nomination

NOTIFICATION TO COUNTY GOVERNMENT



United States
Department of
Agriculture

Forest
Service

Humboldt-Toiyabe National Forest

1200 Franklin Way
Sparks, NV 89431
775-331-6444

File Code: 5440
Date: October 6, 2020

Justin Jones
Commissioner District 7
Clark County Board of Commissioners
500 S. Grand Central Parkway
Las Vegas, NV 89155-1741

Dear Commissioner Jones:

This letter is to notify you that the U.S Forest Service will nominate a project referred to as Torino Ranch for Round 18 of the Southern Nevada Public Land Management Act of 1998 (SNPLMA). The nominated property is an in-holding within the Spring Mountains National Recreation Area (SMNRA) of the Humboldt-Toiyabe National Forest located in Clark County, Nevada.

Property Owner: Lovell Canyon Residential, LLC, Brett Torino

General Location of Property: Torino Ranch is located along the east side of the Spring Mountains. The property sits approximately 5,800 feet in elevation and is located 7 miles southeast of Mt. Charleston and 23 miles west of the Las Vegas Strip as the crow flies.

Property Description: Torino Ranch (Ranch) is one of the most scenic alpine sites in Nevada with a spectacular view of the back bowl of Mt. Charleston. Extensive landscaping and nurturing over the years has created a serene and peaceful oasis. Since the Ranch has very low intensity use and the landscaping has been maturing for some 25-years, a verdant oasis and ecosystem has been created that attracts a wide variety of wildlife.

The oasis serves a critical need to the numerous species who rely on its valuable resources in the Mojave Desert. The property is located at the end of the Lovell Canyon Road, which is the major access to the southeastern portion of the SMNRA. The property is bordered on two sides (west and east) by the 47,279-acre La Madre Mountains Wilderness Area.

Legal Description: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, Township 20 South, Range 57 East, Mount Diablo Meridian, Clark County, Nevada

County & Assessor Parcel Number (APN): Washoe County, APN 135-34-000-005

Number of Acres: 42.44 (+/-)

Rights Being Offered: Conservation Easement

Acquiring Federal Agency: U.S. Forest Service

Purpose of the Nomination: The property has become a wildlife corridor and serves as an oasis and important watering hole for wildlife as well as cover for certain species. It is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountains lions, squirrels, rabbits and an abundance of birds, including golden eagles and several varieties of hawks. The property is also a haven for pollinators such as bees, butterflies, and dragonflies. Also, because of the abundant water features on



Justin Jones

2

the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive, which are not present on adjacent lands.

The Ranch has served as a no-kill zone for wildlife over the past 25-years. As a result, wildlife move freely through the property between the east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston. The biological inventory performed on the property in 2007 indicated that there were 112 bird species, 20 mammal species, 6 butterfly species, and 5 reptile species present. There are at least 3 Nevada Special Status species that use the property, the Palmer's Chipmunk, Phanopepla, and Northern Goshawk. If the property were surveyed today, it is possible that additional sensitive species covered by the Clark County Multi-Species Habitat Conservation Plan are present due to the maturity of the habitat.

If the Ranch is sold without conservation easement restrictions, inappropriate private development could occur which could disrupt recreation patterns in Upper Lovell Canyon and the back side of Mt. Charleston, particularly if the property were used for such purposes as a housing subdivision, RV resort, and OHV development. The property is being nominated to avoid additional fragmentation along the spine of the Spring Mountains. The acquisition would also reduce future management issues and burdens for the U.S. Forest Service in the areas such as fire safety and adjacent use impacts.

Please let us know if you support this project being nominated for SNPLMA Round 18. If you have any questions, please contact Heidi Garcia, project manager, by phone at (775) 447-4539 or email heidi.garcia@usda.gov.

Sincerely,

WILLIAM A. DUNKELBERGER
Forest Supervisor

COUNTY NOTIFICATION CONFIRMATION RECEIPT

From: [Meggan Holzer](#)
To: [Garcia, Heidi - FS](#)
Subject: RE: Torino Ranch Conservation Easement - Notification to County from U.S. Forest Service
Date: Wednesday, October 7, 2020 4:35:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Heidi,

I have received your email and the information that was attached.

Meggan Holzer
Rural Towns Liaison
to Commissioners Brown & Jones
 500 S. Grand Central Pkwy
 Las Vegas, NV 89155
meggan@clarkcountynv.gov
 Office 702-455-0341 Cell 702-373-3924

From: Garcia, Heidi - FS [mailto:Heidi.Garcia@usda.gov]
Sent: Wednesday, October 7, 2020 8:56 AM
To: Meggan Holzer <Meggan.Holzer@ClarkCountyNV.gov>
Subject: Torino Ranch Conservation Easement - Notification to County from U.S. Forest Service
Importance: High

Hi Meggan:

I hope you are doing well. I am sending this email to you with a letter attached directed to Commissioner Jones. The letter is notifying Clark County Commissioner Justin Jones regarding the U.S. Forest Service intent to nominate a project for Round 18 of the Southern Nevada Public Management Act. The project is to acquire a conservation easement at the Torino Ranch property. Upon receipt of this email, can you please respond to confirm it was received? Please let me know if you have any questions. Thank you.

Respectfully,

Heidi Garcia



Heidi Garcia
Nevada Zone Lead
Landownership Adjustment
Forest Service
Humboldt-Toiyabe National Forest
 o: 775-352-1241
 c: 775-447-4539
heidi.garcia@usda.gov
 1200 Franklin Way
 Sparks, NV 89431

LETTERS OF SUPPORT



JUSTIN C. JONES
Commissioner

Board of County Commissioners

CLARK COUNTY GOVERNMENT CENTER
500 S GRAND CENTRAL PKY
BOX 551601
LAS VEGAS NV 89155-1601
(702) 455-3500 FAX: (702) 383-6041

September 9, 2020

Robert Wandel, SNPLMA Manager
Attention: Gianna Vaccaro
BLM Las Vegas District
4701 North Torrey Pines Drive
Las Vegas, NV 89130

Dear Robert:

I am writing to support the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.44-acre Torino Ranch, which lies in Commission District F, in SNPLMA Round 18.

Acquisition of the Torino Ranch conservation easement will assure that the key ecological values of the ranch are sustained in perpetuity. I had the opportunity to visit the Ranch again last weekend and it is one of the most scenic alpine sites in Nevada, with a spectacular view of the back bowl of Mount Charleston. The conservation easement would prohibit uses that could significantly change the existing character of the property. The ecology of the ranch lands has evolved over a 25-year period and today is a very healthy and resilient landscape because of the efforts of the landowner. Extensive landscaping and nurturing over the years has created a magical place, a verdant oasis that is both serene and peaceful.

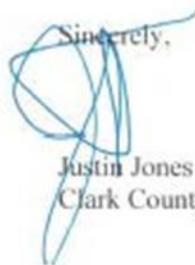
The property has become a wildlife corridor and serves as an oasis and important watering hole for wildlife as well as cover for certain species. It is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountains lions, squirrels, rabbits and an abundance of birds, including golden eagles and several varieties of hawks. It is also a haven for pollinators such as bees, butterflies, and dragonflies. Also, because of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive which are not present on adjacent lands. The ranch has served as a no kill zone for wildlife over the past 25 years. As a result, wildlife move freely through the property between the east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston.

The biological inventory done on the property in 2007 indicated that there were 112 bird species, 20 mammal species, 6 butterfly species, and 5 reptile species present. There are at least 3 Nevada Special Status species that use the property, the Palmer's Chipmunk, Phanopepla, and Northern Goshawk. If the property were surveyed today, it is possible that additional sensitive species covered by the Clark County Multi-Species Habitat Conservation Plan are present due to the maturity of the habitat.

If the Ranch is sold without conservation easement restrictions, inappropriate private development could occur which could disrupt recreation patterns in Upper Lowell Canyon and the back side of Mt. Charleston, particularly if the property were used for such purposes as a housing subdivision, RV resort, and OHV development. Key forest-wide goals set forth in the General Management Plan include: increased recreation opportunities; protecting wilderness values and providing quality wilderness experiences; and adjusting land ownership to optimize public benefits and administration. Acquisition of the conservation easement on the Torino Ranch property would satisfy three of the four goals. The easement would not increase recreation opportunity but would help protect against development that could disrupt recreation or in the case of an OHV Facility, intensify a use that is already causing management issues for the Forest Service in Lovell Canyon. What is guaranteed in the conservation easement are restrictions on uses that would adversely impact the general character of the property or that would create additional adverse management issues for the Forest Service.

Acquisition of the conservation easement is a good use for SNPLMA funds and I hope that it can be accomplished as part of Round 18.

Sincerely,



Justin Jones
Clark County Commissioner, District F

September 8, 2020

Robert Wandel
 Conservation Initiatives Program Manager
 SNPLMA Division
 Bureau of Land Management
 4701 N. Torrey Pines Dr.
 Las Vegas, NV 89130



FRIENDS of NEVADA WILDERNESS

I am writing to support the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.44-acre Torino Ranch in SNPLMA Round 18. The property is being nominated to avoid additional fragmentation along the spine of the Spring Mountains. Acquisition of the conservation easement is a good use for SNPLMA funds

Acquisition of the Torino Ranch conservation easement will assure that key Wilderness and ecological values of the ranch are sustained in perpetuity. The Ranch is one of the most scenic alpine sites in Nevada with a spectacular view of the back bowl of Mount Charleston. The conservation easement would prohibit uses that could significantly change the existing character of the property. The ecology of the ranch lands has evolved over a 25-year period and today is a very healthy and resilient landscape because of the efforts of the landowner.

The property has become a wildlife corridor and serves as an oasis and important watering hole for wildlife as well as cover for certain species. It is known to attract an abundance of wildlife such as elk, deer, bighorn sheep, bobcats, mountain lions, squirrels, rabbits, golden eagles, and several varieties of hawks. It is a haven for pollinators such as bees, butterflies, and dragonflies. Because of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. These amphibians need water, or a moist environment, to survive which are not present on adjacent lands. The ranch has served as a no kill zone for wildlife over the past 25 years. As a result, wildlife move freely through the property between the east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston.

If the Ranch is sold without conservation easement restrictions, inappropriate private development could occur, disrupting recreation patterns in the Spring Mountains, particularly if the property were used for a housing subdivision, RV resort, or OHV development. Key forest-wide goals set forth in the General Management Plan include: protecting Wilderness values and providing quality Wilderness experiences; increased recreation opportunities; and adjusting land ownership to optimize public benefits and administration. Acquisition of the conservation easement on the Torino Ranch property would satisfy three of the four goals. The easement would help protect against development that could disrupt recreation or intensify OHV use, which is already causing management issues for the Forest Service. The conservation easement guarantees restrictions on uses that would adversely impact the general character of the property or that would create additional adverse management issues for the Forest Service.

Please feel free to contact us with any questions or for further information.

Thank you,

Grace Palermo

Grace Palermo
 Southern Nevada Programs Director
 Friends of Nevada Wilderness



September 9, 2020

Robert Wandel, SNPLMA Manager
Attention: Gianna Vaccaro
BLM Las Vegas District
4701 North Torrey Pines Drive
Las Vegas, NV 89130

Dear Mr. Wandel

On behalf of the National Park Conservation Association (NPCA), I write to support the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.44-acre Torino Ranch in SNPLMA Round 18. NPCA is a non-profit organization founded in 1919, and represents nearly 1.4 million members and supporters who care deeply about America's shared natural and cultural heritage. Broadly, NPCA's mission is to protect and enhance America's National Park System and other national conservation assets through advocacy and policy making.

The NPCA has had an active presence in Nevada over the past several decades and is familiar with the Torino Ranch property and its significance ecologically, and as a gateway property for the west side of the Spring Mountains National Recreation Area. Acquisition of the Torino Ranch conservation easement will assure that the key ecological values of the ranch are sustained in perpetuity. The conservation easement would prohibit uses that could significantly change the existing character of the property. The ecology of the ranch lands has evolved over a 25-year period and today is sanctuary because of the efforts of the landowner.

The ranch has served as a no kill zone for wildlife over the past 25 years and there are no fences to block the movement of wildlife. As a result, wildlife such as elk, deer, bighorn sheep, mountain lion, fox, and bobcat move freely through the property between the east and west sections of the La Madre Wilderness Area and into the back basin of Mt. Charleston and the Mt. Charleston Wilderness Area. The property has become an important wildlife corridor and serves as an oasis and important watering hole for wildlife, including several Nevada Special Status species.

The future disposition of the Torino Ranch is a big concern locally since it is private ownership and could be sold at any time. There is no question that the Torino Ranch is a keystone property in that what happens to this property in the future could determine the patterns of use that will occur in Upper Kyle Canyon and the back side of Mt. Charleston. The primary purpose of the

conservation easement is to protect this healthy and resilient landscape that connects the east and west sides of the adjacent La Madre Mountain Wilderness Area. Presently, the property is serving as the protector of these wilderness lands on the back side of Mount Charleston. There have been offers to purchase the property, which means we are at an important crossroads. There is a window of opportunity to acquire the rights necessary to protect the public interest and the landowner is presently open to overlaying a conservation easement on the property.

We do not want to lose this opportunity to protect this property from incompatible development and ensure that the key values are protected in perpetuity. We support acquisition of the conservation easement as a good use of SNPLMA funds.

Sincerely,

A handwritten signature in cursive script that reads "Neal Desai".

Neal Desai
Senior Program Director, Pacific Region
National Parks Conservation Association

Cc:

Representative Susie Lee
Representative Dina Titus
Senator Jacky Rosen
Alan O'Neill, advisor, National Parks Conservation Association

August 21st, 2020



Robert Wandel
Conservation Initiatives Program Manager
SNPLMA Division
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130

Re: SNPLMA Round 18 Proposal – Torino Ranch Conservation Easement

Southern Nevada Conservancy would like to express our support for the Torino Ranch Conservation Easement proposal authored by the US Forest Service.

The Torino Ranch property is in an essential location that benefits wildlife habitat, water resources and diverse recreational values. Located in the upper portions of Lovell Canyon, a north/south canyon that allows wildlife an important migration corridor west of the rugged Red Rock escarpment and connects the high elevations of the Spring Mountain range to the north and the lower reaches of the range towards Mt. Potosi to the south. The ranch additionally has access to some of the most valuable water resources in the canyon. Lastly, the ranch serves as a buffer from intense motorized use in the southern part of the canyon to Wilderness recreational experiences that exist to the north.

Nevadans are fortunate that the current owner of the property values the aforementioned qualities of the area and has sought to keep them intact. A conservation easement would ensure that the land in and around Torino Ranch would be managed in a similar manner into the foreseeable future, providing wildlife and recreationists a guarantee for generations to come. If the ranch is sold without conservation easement restrictions, inappropriate development could occur in the canyon, forever altering the landscape and its use.

Southern Nevada Conservancy values the goals sought to be achieved through this proposal and forward-looking nature of this proposal by the Forest Service.

Please feel free to contact us with any questions or further information.

Thank you,

A handwritten signature in blue ink that reads "Jose Witt".

Jose Witt
Executive Director
Southern Nevada Conservancy
jwitt@snconservancy.org



September 9, 2020

Robert Wandel
Assistant District Manager - SNPLMA Division
Attn: Gianna Vaccaro
Bureau of Land Management
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130-2301

Dear Mr. Wandel,

Conservation Lands Foundation fully supports the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.33-acre Torino Ranch through the Southern Nevada Public Land Management Act (SNPLMA) Round 18.

The acquisition of the Torino Ranch conservation easement would permanently preserve the wilderness values of the property, as it has become an important wildlife corridor thanks to its strict no-kill zone management.

The Torino Ranch acquisition is key to the healthy future of the Upper Lovell Canyon, as it would prevent any future incompatible development that may be detrimental to wilderness and recreational values of the area. If the property were to be sold without conservation easement restrictions, private development would disrupt wildlife and recreation patterns in the Upper Lovell Canyon and the surrounding areas, especially if the property were developed as a housing subdivision, an OHV development, or an RV resort.

The conservation easement acquisition through SNPLMA is consistent with General Management Plan goals of protecting wilderness values and providing quality wilderness experiences, and adjusting land ownership to optimize public benefits and administration. Acquisition of the Torino Ranch is an excellent use of SNPLMA funds.

Please feel free to contact me if I can answer any questions.

Sincerely,



Bertha Gutierrez
Nevada Associate Program Director
Conservation Lands Foundation
479-871-8364 cell
bertha@conservationlands.org



September 10, 2020

Robert Wandel, SNPLMA Manager
 Attention: Gianna Vaccaro
 BLM Las Vegas District
 4701 North Torrey Pines Drive
 Las Vegas, NV 89130

Dear Mr. Wandel:

I am writing on behalf of Get Outdoors Nevada in support of the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.44-acre Torino Ranch in SNPLMA Round 18.

Get Outdoors Nevada is a non-profit organization whose mission is to connect Nevadans and visitors from all backgrounds and ages to the state's diverse outdoor places. Many of our efforts and programs focus on the needs and lives of families and school children, especially those who are at-risk and often have limited opportunity to experience the great outdoors. We empower residents and visitors alike by promoting options for healthy and happy lifestyles through outdoor adventures.

Acquisition of the Torino Ranch conservation easement will assure that the Ranch, one of the most scenic alpine sites in Nevada with a spectacular view of the back bowl of Mount Charleston, is sustained in perpetuity for our community. The conservation easement preserves the existing character of the property, which is a magical place. This verdant oasis is both serene and peaceful – qualities we now appreciate more than ever.

The property attracts wildlife and birds including elk, deer, bighorn sheep, bobcats, golden eagles and a variety of hawks. It is also a haven for pollinators such as bees, butterflies, and dragonflies. Because of the abundant water features on the site, there is a significant amphibian population such as frogs, toads, and salamanders. Indeed, the biological inventory done on the property in 2007 indicated that there were 112 bird species, 20 mammal species, 6 butterfly species, and 5 reptile species present. There are at least 3 Nevada Special Status species that use the property, the Palmer's Chipmunk, Phanopepla, and Northern Goshawk. If the property were surveyed today, it is possible that additional sensitive species covered by the Clark County Multi-Species Habitat Conservation Plan are present due to the maturity of the habitat.

If the Ranch were sold without conservation easement restrictions, inappropriate private development could occur which could disrupt recreation patterns in Upper Lowell Canyon and the back side of Mt. Charleston, particularly if the property were used for such purposes as a housing subdivision, RV resort, and OHV development. Key forest-wide goals set forth in the General Management Plan include: increased recreation opportunities; protecting wilderness values and providing quality wilderness experiences; and adjusting land ownership to optimize public benefits and administration. Acquisition of the conservation easement on the Torino Ranch property would satisfy three of the four goals. The easement would not increase recreation opportunity but would help protect against development that could disrupt recreation or in the case of an OHV Facility, intensify a use that is already causing management issues for the Forest Service in Lovell Canyon. What is guaranteed in the conservation easement are restrictions on uses that would adversely impact the general character of the property or that would create additional adverse management issues for the Forest Service.



I strongly support the nomination of this conservation easement. Thank you for your consideration. Please do not hesitate to contact me at (702) 997-3350 or by email at mbaca@getoutdoorsnevada.org with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to be 'M. Baca', is positioned below the word 'Sincerely,'.

Executive Director
Outside Las Vegas Foundation,
DBA Get Outdoors Nevada





September 8, 2020

Robert Wandel, SNPLMA Manager
Attention: Gianna Vaccaro
BLM Las Vegas District
4701 North Torrey Pines Drive
Las Vegas, NV 89130

Dear Mr. Wandel,

On behalf of the Friends of Sloan Canyon, I am writing to support the nomination by the U.S. Forest Service to acquire a conservation easement on the 42.44 acre Torino Ranch in SNPLMA Round 18.

I am aware of the visitation pressures facing the Lovell Canyon area and the problems the Forest Service has encountered in managing this part of the Spring Mountains National Recreation Area. The Lovell Canyon area over the past decade is receiving increasing use as a result of growth in Pahrump and in the southwestern portion of the Las Vegas Valley. The area has particularly been hit hard by indiscriminate recreational shooting and dumping and by illegal OHV use and dispersed camping pressures. The problem with indiscriminate shooting in Lovell Canyon forced the U.S. Forest Service to issue a temporary emergency shooting closure for 32,000 acres in the canyon. This closure allows the Forest Service to go through a formal decision-making process to determine what dispersed recreation activities are appropriate in Lovell Canyon and how they can be managed. Since the closure was put in place, several conservation and user groups have come together to help clean-up Lovell Canyon. Since the initial closure, the Forest Service along with nonprofit, local, state, and federal partners have conducted three clean-up efforts in Lovell Canyon. This has built up a community of citizens and organizations that care about the future of Lovell Canyon. Organizations has adopted each mile of the Canyon for clean-up.

There is no question that the Torino Ranch should be considered a keystone property as to what may happen in Upper Lovell Canyon and the back side of Mt. Charleston in the future. Right now, the property is serving as the great protector of the wilderness lands on the back side of Mount Charleston. There have been offers to purchase the property which means this is an important crossroads as to what will be the final dispensation of this property. There is a window of opportunity to acquire the rights necessary to protect the public's interest. If the wrong type of development occurs on the ranch, it can set into motion uses in the future that could have a very detrimental impact on the integrity of this important ecological sky island.

2505 Anthem Village Drive, Suite E275, Henderson, NV 89052 • 702.907.6099 • friendsofsloan.org



The wrong development and uses could create a management nightmare for the Forest Service and be disruptive of the existing and future recreation patterns in the area.

Acquisition of the Torino Ranch conservation easement will assure that the key ecological values of the ranch are sustained in perpetuity. The Ranch has evolved into an ecological oasis and sanctuary. It serves as an essential wildlife corridor between the east and west sides of the La Madre Wilderness area and the back side of Mt. Charleston for species such as elk, deer, bighorn sheep, mountain lion, bobcats, and fox. It is also home to several Nevada Special Status species such as the Palmer's Chipmunk. Acquiring a conservation easement on the Torino Ranch helps meet the intent of maintaining the integrity of Upper Lovell Canyon and increasing partnership support. Acquisition of a conservation easement on the Torino Ranch does sustain the quality of the recreational experience in Upper Lovell Canyon by protecting against incompatible development that would create a visual intrusion and create adverse user conflict issues. Hikers and equestrians using the extensive loop-trail network accessible from the adjacent Lovell Canyon Trailhead have expansive views of the back basin of Mt. Charleston and the Torino Ranch.

We cannot lose this opportunity to do the right thing in protecting this property from incompatible development. The recent acquisition of Bonnie Springs at Red Rock Canyon NCA by private interests for residential development demonstrates the importance of acting quickly to acquire private in-holdings that can seriously compromise the federal land management agency's ability to management overall area in the best public interest.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Stanger', written over a horizontal line.

Jim Stanger

President, Friends of Sloan Canyon

TITLE COMMITMENT

 <p>Commitment</p>	<p>ALTA Commitment for Title Insurance</p> <p>ISSUED BY First American Title Insurance Company</p> <p>File No: 9015-2601658</p>
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COMMITMENT FOR TITLE INSURANCE

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE

IMPORTANT-READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, *First American Title Insurance Company*, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company


Dennis J. Gilmore, President



Greg L. Smith, Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Form 5030000 (1-31-17)	Page 1 of 12	ALTA Commitment for Title Insurance (8-1-16) Nevada
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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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Form 5030000 (1-31-17)	Page 2 of 12	ALTA Commitment for Title Insurance (8-1-16)	Nevada
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6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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 <p>First American Title</p> <p>Schedule A</p>	<p>ALTA Commitment for Title Insurance</p> <p>ISSUED BY First American Title Insurance Company</p> <p>File No : 9015-2601658</p>
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Transaction Identification Data for reference only:

Issuing Agent: First American Title Insurance Company
 Issuing Office: 2500 Paseo Verde Parkway, Suite 120
 Henderson, NV 89074

Issuing Office's ALTA® Registry ID:
 Commitment No.: 9015-2601658
 Property Address: 1 LOVELL CANYON RD, , NV
 Revision No.:

Inquiries Should Be Directed To:

Debbie M. Jackson

Phone: (702)731-4131

Email: TitleSouthernNevada@firstam.com

Issuing Office File No.: 9015-2601658

SCHEDULE A

1. Commitment Date: August 19, 2020 8:00 AM
2. Policies to be issued:
 - (a) ALTA Owner's Policy
 Proposed Insured: To Be Determined
 Proposed Policy Amount: \$1,000.00
3. The estate or interest in the Land described or referred to in this Commitment is

Fee

4. The Title is, at the Commitment Date, vested in: Lovell Canyon Residential Limited Liability Company, a Nevada limited liability company
5. The Land is described as follows:

See Exhibit "A" attached hereto and made a part hereof



By:
 Debbie M. Jackson
 Authorized Signatory

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 <p>Schedule BI & BII</p>	<p>ALTA Commitment for Title Insurance</p> <p>ISSUED BY First American Title Insurance Company</p> <p>File No: 9015-2601658</p>
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Commitment No.: 9015-2601658

SCHEDULE B, PART I

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Releases(s) or Reconveyance(s) of Item(s): NONE
6. Other: NONE
7. You must give us the following information:
 - A. Any off record leases, surveys, etc.
 - B. Statement(s) of Identity, all parties.
 - C. Others: NONE

The following additional requirements, as indicated by "X", must be met:

8. Provide information regarding any off-record matters, which may include, but are not limited to: leases, recent works of improvement, or commitment statements in effect under the Environmental Responsibility Acceptance Act, Civil Code Section 850, et seq.

The Company's Owner's Affidavit form (attached hereto) must be completed and submitted prior to close in order to satisfy this requirement. This Commitment will then be subject to such further exceptions and/or requirements as may be deemed necessary.

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9. An ALTA/NSPS survey of recent date, that complies with the current minimum standard detail requirements for ALTA/NSPS land title surveys, must be submitted to the Company for review. This Commitment will then be subject to such further exceptions and/or requirements as the Company may deem necessary.
10. The following LLC documentation is required from Lovell Canyon Residential Limited Liability Company, a Nevada limited liability company.

Prior to the close of escrow or the issuance of any policy of title insurance, we will require that copies of the Articles of Organization, the Operation Agreement and the Current Appointment of Manager of Lovell Canyon Residential Limited Liability Company, a Nevada Limited Liability Company, be submitted to the Company for examination.

Evidence of proper filing and good standing in the State of Nevada of Lovell Canyon Residential Limited Liability Company.

11. The following partnership documentation is required from :
12. The following documentation is required from corporation:
13. Based upon the Company's review of that certain partnership/operating agreement dated for the proposed insured herein, the following requirements must be met:
- Any further amendments to said agreement must be submitted to the Company, together with an affidavit from one of the general partners or members stating that it is a true copy, that said partnership or limited liability company is in full force and effect, and that there have been no further amendments to the agreement. This Commitment will then be subject to such further requirements as the Company may deem necessary.
14. A copy of the complete lease, as referenced in Schedule A, #3 herein, together with any amendments and/or assignments thereto, must be submitted to the Company for review, along with an affidavit executed by the present lessee stating that it is a true copy, that the lease is in full force and effect, and that there have been no further amendments to the lease. This Commitment will then be subject to such further requirements as the Company may deem necessary.
15. Approval from the Company's Underwriting Department must be obtained for issuance of the policy contemplated herein and any endorsements requested thereunder. This Commitment will then be subject to such further requirements as may be required to obtain such approval.
16. Potential additional requirements, if ALTA Extended coverage is contemplated hereunder, and work on the Land has commenced prior to close, some or all of the following requirements, and any other requirements which may be deemed necessary, may need to be met:

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- 17. The Company's "Mechanic's Lien Risk Addendum" form must be completed by a Company employee, based upon information furnished by the appropriate parties involved.
- 18. The Company's "Indemnity Agreement I" must be executed by the appropriate parties.
- 19. Financial statements from the appropriate parties must be submitted to the Company for review.
- 20. A copy of the construction contract must be submitted to the Company for review.
- 21. The Company reserves the right to perform an inspection of the Land to verify that there has been no commencement of work or delivery of materials involving either existing or new improvements located on the Land.

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 <p>First American Title</p> <p>Schedule BI & BII (Cont.)</p>	<p>ALTA Commitment for Title Insurance</p> <p>ISSUED BY</p> <p>First American Title Insurance Company</p> <p>File No : 9015-2601658</p>
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Commitment No. : 9015-2601658

SCHEDULE B, PART II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company :

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and that are not shown by the Public Records.
5. Unpatented mining claims, (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights or, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

Exceptions 1-6 will be omitted on extended coverage policies

7. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
8. Water rights, claims or title to water, whether or not shown by the Public Records.

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9. Any taxes that may be due, but not assessed, for new construction which can be assessed on the unsecured property rolls, in the office of the County Assessor, per Nevada Revised Statute 361.260.
10. Any taxes that may be due as provided under NRS 361.4725.
11. Reservations and provisions as contained in Patent from the United States of America, recorded September 29, 1936, in Book 23, Page 46 of Official Records, as Instrument No. [63894](#).
12. An Easement for perpetual avigation for right of flight, for the passage of aircraft in the air space above the surface of the said premises, together with the right to cause in said air space such noise as may be inherent in the operation of aircraft, now known or hereafter used for navigation of or flight in the air, as conveyed to the County of Clark, recorded February 16, 1995, in [Book 950216 as Instrument No. 00643](#) of Official Records.
13. An Easement for perpetual avigation for right of flight, for the passage of aircraft in the air space above the surface of the said premises, together with the right to cause in said air space such noise as may be inherent in the operation of aircraft, now known or hereafter used for navigation of or flight in the air, as conveyed to the County of Clark, recorded March 13, 1995, in [Book 950313 as Instrument No. 00438](#) of Official Records.
14. The effect of a map purporting to show the land and other property, filed in [File 144, Page 0018](#) of Record of Surveys.
 - And amended by that certain Certificate of Amendment recorded January 11, 2005 in [Book 20050111 as Instrument No. 01113](#) of Official Records.
15. Covenants, conditions, and restrictions in a Private Road Easement issued under the Federal Land Policy and Management Act recorded May 14, 2018, in [Book 20180514 as Instrument No. 00937](#) of Official Records.
16. The lack of a right of access to and from the land.
17. We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.
18. Any facts, rights, interests or claims which would be disclosed by a correct ALTA/NSPS Survey.
19. Rights of parties in possession of the land by reason of unrecorded leases and all parties claiming by, through or under said lessees or tenants, if any, that would be disclosed from an inquiry of the parties, or by an inspection of the land.

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INFORMATIONAL NOTES

NOTE: Taxes for the fiscal year July 1, 2020 through June 30, 2021, including any secured personal property taxes collected therewith.
 APN 135-34-000-005
 Total tax: \$2,350.96 (Paid)

NOTE to proposed insured lender only: No Private transfer fee covenant, as defined in Federal Housing Finance Agency Final Rule 12 CFR Part 1228, that was created and first appears in the Public Records on or after February 8, 2011, encumbers the Title except as follows: None

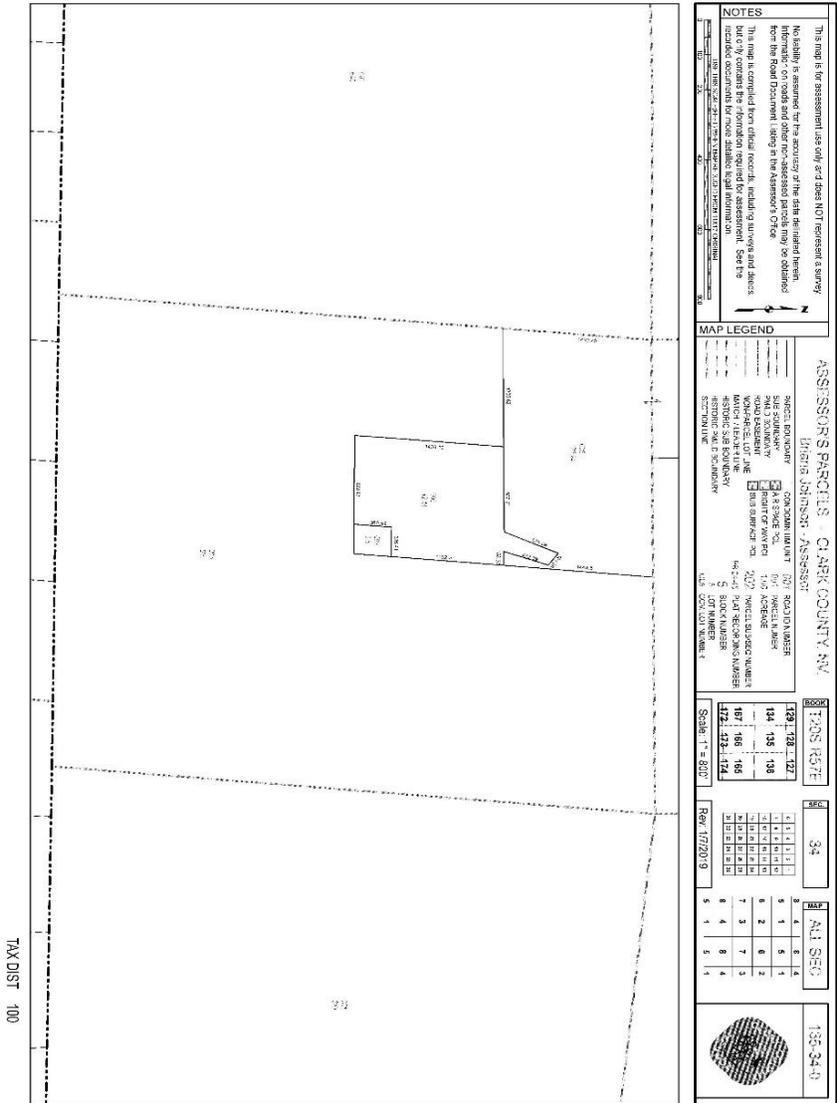
The map attached, if any, may or may not be a survey of the Land. First American Title Insurance Company expressly disclaims any liability for loss or damage that may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

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 <p>First American Title</p> <p>Exhibit A</p>	<p>ISSUED BY First American Title Insurance Company</p> <p>File No: 9015-2601658</p>
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Issuing Office File Number:

The land referred to herein below is situated in the County of Clark, State of Nevada, and described as follows:

THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 57 EAST, M.D.B.&M.

TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 57 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER;

THENCE NORTH 88°58'21" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 153.37 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 19°14'58" EAST A DISTANCE OF 452.89 FEET;

THENCE NORTH 53°22'56" WEST A DISTANCE OF 161.06 FEET;

THENCE SOUTH 24°28'40" WEST A DISTANCE OF 571.08 FEET TO SAID SOUTH LINE;

THENCE SOUTH 88°58'21" EAST ALONG SAID SOUTH LINE A DISTANCE OF 216.62 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM SAID LAND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) IN SECTION 34, TOWNSHIP 20 SOUTH, RANGE 57 EAST, M.D.B.&M.

ALSO KNOWN AS PARCEL 1 PER RECORD OF SURVEY, FILE NO. 144, PAGE NO. 18, RECORDED DECEMBER 30, 2004.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION PREVIOUSLY APPEARED IN THAT CERTAIN DOCUMENT RECORDED APRIL 01, 2005 IN BOOK 20050401 AS INSTRUMENT NO. 04834, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

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