



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
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In Reply Refer To:  
2710 (NVS00550)

## DECISION MEMORANDUM

To: SNPLMA Executive Committee

Through: SNPLMA Partners Working Group

From: Karla D. Norris, Assistant District Manager, SNPLMA Division *Karla D. Norris*

Subject: Process for Submitting a Land Acquisition Nomination Outside of the Standard Process for Nominations during Rounds

### Background

At the Executive Committee (EC) meeting on August 6, 2014, the EC determined that for the foreseeable future, rounds will be on a biennial basis. Hence, Round 16 will open for project nominations in the fall of 2016. The issue of the acquisition of "high value" lands was discussed, and it was agreed that the EC would consider nominations for "high value" land acquisitions outside of the standard process for project nominations during a funding round. Further, the EC defined "high value" land acquisitions as those that contribute to the sustainability of the landscape and/or connectivity of habitat and migratory corridors for sensitive species, and those values are at risk of being lost to development.

### Issue

Currently, the only process contained in the Implementation Agreement (IA) for the consideration of projects for funding outside of the standard round is intended to utilize Special Account Reserve (SAR) funds to "serve as a response to urgent safety issues that pose an imminent threat and require immediate remediation, and respond to unique opportunities or unanticipated circumstances that require fast action." Section VII.E.2. "Rules for SAR Requests for a New Urgent or Emergency Project," (pages 41-42), describes this process as follows:

"Requests for funding of new projects from the SAR must include all the documentation for a nomination within the same project category that was required during the current round of SNPLMA. In addition, the request should include a cover letter which explains the special circumstances that warrant consideration for funding from the SAR. Requests are to be submitted to the SNPLMA Division. The Division will coordinate a quick review of the SAR/project request by the pertinent Subgroup and the PWG. Requests that are recommended by

the PWG are then forwarded to the EC for consideration for recommendation to the Secretary for approval.”

### **Analysis**

During the same EC meeting referred to above, the members determined that they would likely recommend to the Secretary of the Department of the Interior funding of approximately \$30 million for projects in Round 15 with a SAR of \$3 million. Furthermore, the EC indicated that it wishes to consider high value land acquisition opportunities even if they exceed the designated funding amount of the Round.

The language in the IA, quoted above, provides that projects can only be funded outside the normal round using SAR funds. Therefore, without modification, current IA rules would limit high value land acquisitions submitted between Round 15 and Round 16 to the amount of SAR approved for Round 15. This could have an impact on the submission of otherwise worthy nominations with an expected value greater than the proposed \$3 million SAR and also potentially use all SAR funding for a single land acquisition project.

The IA therefore needs to be revised to define the process for the submission of high-value land acquisition projects outside of the normal Round or SAR process.

### **Recommendation**

Revise the IA to provide a clear and transparent process for recommending high value land acquisitions for funding outside of the standard round process as follows:

1. Include the EC’s definition of “high-value” and clarify that high value land acquisitions can be submitted under three categories: Environmentally Sensitive Land Acquisitions, Parks, Trails, and Natural Areas; and Multi-Species Habitat Conservation Plan.
2. Use revenue available for allocation in the Special Account rather than the SAR to fund high value land acquisitions submitted outside the standard round process, which will allow the EC to recommend worthy projects to the Secretary regardless of the dollar amount.
3. Since land acquisitions are generally of a time sensitive nature, there is a need to better define the process and timeframes for consideration of high value land acquisitions as follows:
  - A. The nominating entity/partner will submit a complete nomination package based on the current requirement for the Round (currently Round 15) with a cover letter describing the special circumstances that warrant consideration outside of the standard round process.
  - B. For environmentally sensitive lands the nomination package must also include items which in the standard process are submitted separately. These are:
    - i. Preliminary title report and documents,
    - ii. Acquiring agency statement accepting the nomination, and
    - iii. Estimated necessary Expense form
  - C. The SNPLMA Division will review the nomination package within 14 calendar days and notify the partner if additional information is needed.
  - D. The SNPLMA Division will send the nomination package to the pertinent subgroup (Environmentally Sensitive Land Acquisitions or Parks, Trails, and Natural Areas)

and request that they score the project based on current ranking criteria within 14 calendar days. The Multi-Species Habitat Conservation Plan category does not currently have a subgroup process, so these nominations would be forwarded to the Partners Working Group.

- E. The nomination package and the compilation of the ranking criteria will be sent to the Partners Working Group (PWG). The PWG will make a funding recommendation to the EC within 14 calendar days.
- F. The result of said funding recommendation will be distributed to the public, via a press release and posting on the SNPLMA website for a comment period of 30 calendar days.
- G. The result of the PWG funding recommendation and public comment(s) will be forwarded to the EC. The EC will develop its final recommendation for funding of the project within 14 calendar days.
- H. If the EC's decision is to recommend funding the project, the SNPLMA staff will then prepare a recommendation package within 30 calendar days and forward it to the BLM Washington Office for vetting and submittal to the Secretary of the Department of the Interior. If the project is not recommended for funding by the EC, the partner will be notified, in writing, within 7 calendar days of the EC decision.

**Action Needed**

Partners Working Group members should vote on the above recommendation via email and/or voice vote during conference calls or meetings with Raul Morales, Chair of the SNPLMA Partners Working Group with a copy to the SNPLMA Division. Once all votes have been submitted or 14 days have passed, the Working Group's decision will be finalized by the Working Group Chair and forwarded to the Executive Committee for final decision.

**Partners Working Group Decision**

The signature below indicates the decision made by majority vote on the above SNPLMA Division recommendation.

BY: Raul Morales, SNPLMA Partners Working Group Chair

 _____	<u>11/30/15</u> _____
Approve SNPLMA Division Recommendation	Date

_____	_____
Approve Alternate Recommendation (Refer to rationale provided below.)	Date

_____	_____
Disapprove (Refer to rationale provided below.)	Date

If the Partners Working Group (PWG) disagrees with the SNPLMA Division recommendation and/or approves an alternate action, please explain below:

**Executive Committee Decision**

By Signature, indicate the majority vote decision on the above recommendation of the Partners Working Group (PWG).

BY: Amy Lueders, SNPLMA Executive Committee Chair

**Acting**   
\_\_\_\_\_  
Approve PWG Recommendation  
Mary Laub, Acting SD

2/24/15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Approve Alternate Action  
(Refer to rationale provided below.)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Disapprove PWG Recommendation  
(Refer to rationale provided below.)

\_\_\_\_\_  
Date

If the Executive Committee disagrees with the Partners Working Group recommendation and/or approves an alternate action, please explain below:

The Executive Committee will notify the Partners Working Group of its decision and return the original signed document to the SNPLMA Division to be maintained in the administrative record.