

# **SNPLMA ROUND 16**

## **NOMINATION PACKAGE REQUIREMENTS FOR ACQUISITION OF ENVIRONMENTALLY SENSITIVE LAND AND INTERESTS IN LAND**

**The Round 16 Nomination Period is March 1, 2016 through April 29, 2016**

**Please read all instructions and requirements carefully.**

**Nominations which do not fully comply  
with these instructions, requirements, and due dates will be deemed  
incomplete and will not be accepted.**

### **I. ELIGIBILITY REQUIREMENTS**

Any entity may nominate land and/or interests in land (such as conservation easements, water rights, mineral rights, etc.) located in the State of Nevada for acquisition by an eligible Federal agency provided the nomination includes:

- (1) An “Owner Statement,” signed by the owner of record, indicating a willingness to have the property nominated through the SNPLMA process and to consider sale of the property (see Section VI.5 for detailed information and see Exhibit 4 for content/format);
- (2) An “Acquiring Agency’s Authorized Officer Certification” accepting the nomination and confirming certain information within the nomination including confirming the asking price is reasonable. (See Section VI.8 for detailed information and see Exhibit 5 for content/format.); and
- (3) A statement confirming that the property is identified for acquisition or the resources for protection in a federally approved land management plan.

### **II. ROUND 16 NOMINATION LIMITATIONS AND DIRECTION**

A. Nominations are limited to three (3) submissions per entity per category.

- The only exception to this is the Hazardous Fuels category where eligible entities are limited to three submissions per entity per legislative area (the Lake Tahoe Basin, the Carson Range in Douglas and Washoe Counties and Carson City, and the Spring Mountains in Nevada.).

B. Interagency projects (those with two or more participating entities) must identify a lead agency.

- The lead agency must be qualified under the Focus List rules within the project category.
- An interagency project nomination will count as one of the lead agency’s three nominations.
- Other entities may participate in the interagency project even if otherwise unqualified within the category under the Focus List rules.
- No more than three (3) interagency projects per category for which any participating

agency does not otherwise qualify to receive funding will be included in the Round 16 final recommendation for funding to the Secretary of the Interior.

- C. Entities are to limit nominations to the **best value option** for a viable project. That is, nominated projects are to be cost effective while maintaining quality. In addition, nominating entities are to ensure that the projected cost estimates are as accurate as possible.
- D. Except where provided by the SNPLMA legislation relative to the ENLRP category, nominations may not identify non-eligible Federal agencies, organizations or other entities as proposed to receive project funds through contracts and/or agreements to implement or assist in implementing the project.
- E. The EC emphasized that the SNPLMA Strategic Plan for 2015-2019 is the guiding document for all nominations in Round 16. The EC has identified three values on which to focus SNPLMA implementation over the next five years: sustainability, connectivity, and community. These three values are going to be applied in ranking of project nominations. **Therefore, every nomination must explain which of the three values is/are promoted by the project and, if so, in what way.** In drafting the explanations, consider the following guidance:
- Implementation of the SNPLMA Program will contribute to the three values by emphasizing projects that:
    - Restore and protect healthy and resilient landscapes that connect important habitats and protect the integrity of the human and biological communities;
    - Provide outdoor recreation opportunities that improve the quality of life for the public and encourage interaction with nature; and
    - Incorporate durability, relevancy, and shared support to ensure benefits in the near and long term.
  - The above areas of emphasis are addressed through two redefined Goals in the Draft Strategic Plan:
    - Goal 1: Conserve the quality of the outdoor environment by conserving, preserving, and restoring natural and cultural resources.
    - Goal 2: Improve the quality of life for all publics in urban and rural communities by enhancing recreational opportunities that connect people with the outdoor environment.
- E. In addition to any maps that may be required under category-specific guidance, nominations are to include a map that supports the proposed benefits of the project relative to the draft Strategic Plan values of sustainability, connectivity, or community. For example, an environmentally sensitive land acquisition claiming contribution to opening or maintaining access to a migratory corridor would include a map showing the location of the migratory corridor in relation to the nominated lands. ENLRP or Fuels projects would include a map showing other similar projects completed, planned, or underway in the same general area as a way of demonstrating connectivity of the projects over the landscape.

### **III. GENERAL FORMATTING AND SUBMITTAL REQUIREMENTS**

- A. **Nomination period duration is 60 days, beginning Tuesday, March 1, 2016 and ending Friday, April 29, 2016.** Nomination packages must be received by close of business, 4:30p.m. Pacific Time on April 29, 2016. Late submissions cannot be considered.

The nomination process for Round 16 will be expedited with a goal of obtaining approval by the end of the 2016 calendar year.

***NOTE Due to the earlier opening and expedited process for Round 16, in order to provide optimum opportunity for all eligible entities to benefit from the SNPLMA funding program, the SNPLMA EC has determined that Round 17 will open for nominations in March of 2017.***

- B. All *Environmentally Sensitive Lands Acquisitions* nomination packages are to be submitted to:

Elizabeth (Libby) White  
SNPLMA Land Acquisition Program Manager  
SNPLMA Division  
BLM Southern Nevada District Office  
4701 N. Torrey Pines Dr.  
Las Vegas, NV 89130

- C. Submit one hard copy and one electronic copy (CD or jump drive) of the nomination. Text should be created in MS Word '97 or higher with a 1" margin on all sides in either 12-point or 11-point font size, printed double sided on 8-1/2" X 11" paper, including maps. The electronic version must match the hard copy version. Hard copies should be clipped, not stapled, hole-punched or bound.
- D. All images should be integrated into the Word document to create a single electronic document. Photographs should be grouped together, two per page, at the end of the document, rather than scattered throughout the text. Photographs, maps, and letters should be scanned in .jpg format and inserted into the text document.
- E. Original .jpg images of photos and maps should also be included separately on the CD or jump drive, so they are readily available for use in the nomination database for production of the Executive Summaries and for use in PowerPoint presentations produced during the nomination cycle.
- F. All nomination packages, including electronic versions, become the property of the BLM Southern Nevada District Division of SNPLMA Acquisition, Improvement and Conservation Programs and will not be returned.
- G. All instructions, requirements and due dates must be met for the nomination to be accepted. However, time permitting after the nomination due date, nominators will be notified if their nomination package is incomplete or otherwise does not meet requirements and allowed a brief period **until May 6, 2016, to provide missing or updated information.** If missing information as identified and requested by the SNPLMA Program Manager is not received by this due date, the nomination will not be accepted and will not be forwarded for consideration.

Ranking criteria for each category can be found at:

<http://www.blm.gov/nv/st/en/snplma/implementation.html>

#### **IV. ROUND 16 NOMINATION CONTENT REQUIREMENTS -- ALL CATEGORIES**

- A. Indicate the project timeframe in years and months. Standard timeframes approved by the EC are: Land Acquisitions = 2 years; ENLRP = 4 years; PTNA, Capital Improvements, MSHCP, and Conservation Initiatives = 5 years; Fuels = 6 years. If the nomination proposed a longer timeframe than the standard for the category, the nomination must fully justify the scope and time required as opposed to scoping the project to be completed within the standard timeframe.

Please do not indicate definitive dates in your application, as delays in processing funding instruments can affect your ability to initiate projects.

- B. A cover page including the following: the submitting entity's name and logo, if applicable; the SNPLMA round and category; the project title which reflects and captures the nomination content; the amount requested; contact person/project manager with phone, fax, and e-mail.
  - C. Include a latitude and longitude location reference point for purposes of locating the project area on a map on the SNPLMA website, using degrees, minutes, and seconds (e.g. N 36° 52' 45" /W 112° 12' 10").
  - D. Nominations must clearly describe the relationship of the nominated project to previous phases and anticipated future phases, if any. Provide the estimated total cost of all phases of the project; confirm that the current nomination will result in a stand-alone, viable project and acknowledge that there is no guarantee or expectation of funding for future phases. The project title may only include the term "phase" when the project is a direct phase of a previously approved SNPLMA project, or if the project is the first phase of a series of stand-alone future nomination phases.
  - E. Nominations are to address whether or not there will be contributed funds directly applicable to completion of the project within the timeframe and scope of the proposed project. Funds from other sources to complete work prior to the project or for post-completion activities such as operations and maintenance or later enhancements are not considered contributed funds.
    - i. If either an in-kind or cash contribution is identified, a written commitment must be documented on official letterhead or stationery of the contributor and submitted as part of the nomination. In addition, the Estimated Cost Worksheet should reflect the amount of the contribution in the space provided at the bottom of the form. Do not include the amount of contributed funds in the amount requested for the project.
    - ii. In-kind contributions include volunteer labor, professional services, or contributed material and equipment. Project nominations that identify in-kind contributions must submit a breakdown of the valuation of these contributions. The breakdown of these contributions may include:
      - (1) Volunteer labor valuations should be computed at the rate used by the Department of the Interior, which is currently \$21.36 per hour;
      - (2) Salaried employees' actual hourly rates plus the value of any fringe benefits received;
      - (3) Actual costs for material, equipment and supplies.
- Agency/entity overhead costs may not be included in determining in-kind contributions.
- F. **Nominations in all categories must contain a specific statement of the purpose of the project; that is a "Purpose Statement."** The purpose statement must be clear and specific following a "who, what, where, why" format that identifies:
  - The eligible agency/entity that will carry out the project.
  - The action to be taken (e.g., construction of a facility, park, or trail; refurbish picnic area "A;" restoration of a historic structure; excavation of a cultural site; acquisition of land; protection of paleontological resources; conduct environmental awareness training for educators; etc.).

- The physical location where the project will be carried out. The statement must identify the specific facility, physical plant, or other physical location within a specified area managed by the agency/entity (“management area”) where the project will be carried out. Except for PTNA and Capital Improvements which may identify only one location, the nature of the category may result in the identification of multiple locations within a project area (e.g., a conservation initiative to monitor habitat for a given species at the two locations where it exists in Clark County; a hazardous fuels project that covers multiple locations of invasive species within an identified project area, etc.).
  - The outcome of the project (e.g., to improve visitor safety, to protect specified natural resources, to improve access).
- G. Following the purpose statement, the nomination must then include the project deliverables as defined below. The purpose statement along with the deliverables identified to accomplish the purpose will be used to determine project completion and acceptability of future scope change requests. There are three categories of deliverables described below:

- **Primary Deliverables:** Primary deliverables are those that must be completed at a minimum in order to complete the project and accomplish the purpose. Identify the size, quantity, anticipated site and configuration, and whether or not those elements are contingent upon the final results of design, planning, cost estimates, public scoping or other studies, analyses, or reports.
- ♦ Examples:
  - Replace 3 to 5 permanent picnic tables in picnic area A and construct 2 picnic pavilions;
  - Acquire title to Property C, approximately 250 acres with riparian habitat and wetlands of +/- 100 acres;
  - Construct a non-motorized trail 6 feet wide from point X to point Y
- **Anticipated Deliverables:** Anticipated deliverables are those that are desirable and beneficial, but not minimally necessary to completion of the proposed project and project purpose. Their inclusion will be based on the results of final planning, design, cost estimates, public scoping, or other studies, analyses, or reports. The cost estimate for the project should include the cost of completing anticipated deliverables that are likely to be included unless the results of such studies, analyses, or reports determine that they should not be developed. (See the first two examples below.)

The cost estimate should not include the cost of anticipated deliverables that are planned for inclusion only if sufficient funds remain after completing the primary deliverables. This is to avoid inflating project funding requests over the best-value option to address the cost of components/elements that are not necessary to completion of the project and project purpose. (See the third example below.)

- ♦ Examples:
  - Construct 1 new picnic pavilion in picnic area A pending public scoping results that indicate the pavilion will be utilized;
  - Acquire water rights if available for Property C pending review of a water rights ownership report and determination of the quantity that can be put to beneficial use;
  - Include lighting along the trail from point X to point Y if final cost estimates for construction allow inclusion within the amount requested to complete the project.

- **Standard Deliverables:** Standard deliverables are those actions/activities that are generally accepted by the agency/entity, and/or by industry standards as necessary to complete the aforementioned Primary and Anticipated deliverables. Standard deliverables can be identified in the project workplan rather than in the nomination, but the cost of completing the standard deliverables must be reflected in the project cost estimate.

- ♦ Examples:

Deliverables which are typically addressed in the cost estimate worksheet but not always identified as deliverables in the nomination that would be standard deliverables are:

- NEPA for a land acquisition (vs. NEPA that is a primary deliverable for other types of projects);
- Appraisal to determine market value of rights in land to be acquired;
- Boundary survey to determine acreage; and
- Surveys for trail construction

Other examples that may not be line items in budget estimates or identified in the nomination but that must be completed to accomplish the Primary or Anticipated Deliverables and therefore would be defined as standard deliverables are:

- Public scoping;
- Developing scopes of work for contracts;
- Writing a request for bids;
- Submitting and obtaining management approval of project documents;
- Submittal for review and approval by agency management; and
- A specialist's review of project documents.

- H. Nominations in all categories should identify all relevant SNPLMA Performance Measures with a minimum of one. (A link to the Performance Measures is available on the SNPLMA website under the Strategic Plan menu at [http://www.blm.gov/nv/st/en/snplma/snplma\\_strategic\\_plan.html](http://www.blm.gov/nv/st/en/snplma/snplma_strategic_plan.html).) To meet this requirement, the nomination must describe accomplishments in the form of “outcomes and outputs” that are linked to specific Performance Measures. Use the following as an example:

Outcome: Increase visitor awareness and appreciation for the Mojave Desert through educational programs and products. Achieving the following outputs will accomplish this outcome:

- Output (Primary or Anticipated Deliverable): Conduct 15 education programs for teachers and students in Clark County. The SNPLMA Performance Measures include:
  - Performance Measure O7 – Number of Interpretive or Educational Presentations Given and/or Community Events Participated In or Hosted (each presentation is reported as one unit).
  - Performance Measure O5 – Number of Outreach Contacts Made (each individual reached is reported as one unit).
- Output (Primary or Anticipated Deliverable): Update 5 visitor center static displays by replacing/upgrading them with multi-media interactive displays. The SNPLMA Performance Measure is:

- Performance Measure O6 – Number of New Interpretive or Education Publications/Signs/Kiosks/Displays/etc. Produced (each item produced is reported as one unit).
- I. Identify the level of readiness for the project in terms of staffing, resources, NEPA, initial planning, inter-agency coordination, SHPO consultation, identification of funding and responsibility for operations and maintenance once completed, etc. that will allow your agency/entity to request funds and begin implementing the project within one year of notification of funds availability. Beginning this round, the Executive Committee may look favorably at projects that are most prepared to begin implementation.

***NOTE: Implementation of projects (i.e., starting actual project work) within one year of notification of funds in the Special Account became a requirement beginning in Round 13, as part of a Decision Memorandum signed by the EC on August 1, 2011.***

***NOTE: The Partner's Working Group and the EC will be provided with SNPLMA database information on past performance and projects of concern which will be factored into decisions for funding recommendations.***

## **V. ENVIRONMENTALLY SENSITIVE LAND ACQUISITION GENERAL REQUIREMENTS**

The Executive Committee has indicated that even in a constrained fiscal environment, it is important to have the flexibility to take advantage of high value, time sensitive land acquisition opportunities when they arise. The EC, therefore, is willing to consider high value land acquisition opportunities even if the expected cost is higher than typical past acquisitions. Within the confines of the definition of environmentally sensitive land contained in the legislation, the EC defines “high value” as those lands that contribute to sustainability of the landscape and/or connectivity of habitat and migratory corridors for sensitive species, and those values that are at risk of being lost to development.

- A. Non-Federal Nominating Entity Consultation:** A non-Federal nominating entity must coordinate preparation of the nomination with the acquiring Federal agency in order to determine whether the agency is interested in acquiring the property and, if so, to provide information necessary for the agency to complete its initial feasibility assessment and prepare the *Willing Agency Statement* for inclusion in the nomination.
- B. Early Submittal Requirement:** Due to the unanticipated early opening of Round 16, the requirement for early submittal of a preliminary title report and nomination summary form are waived for Round 16 only.
- C. Acquiring Federal Agency Initial Feasibility Assessment**

**Confirmation of Clean Title:** In lieu of an early submittal title report, the acquiring agency will seek confirmation from the land owner that there are no liens or third party claims against the property (mortgages excepted), or other issues which may produce a cloud on the title or which should otherwise be resolved by the owner prior to nominating the property for acquisition. The acquiring agency may elect, at its sole discretion, not to accept a property for nomination following discussion of potential title issues with the land owner.

**Verification of Reasonable Asking Price:** The Bureau of Land Management shall formally consult with the Department of the Interior Office of Valuation Services (OVS) to verify that the asking price is reasonable when compared to market evidence. Other DOI agencies may choose to formally consult with OVS or to have agency realty staff experienced and familiar with applicable markets verify that the asking price is reasonable. The U.S. Forest Service (USFS) will verify that asking prices are reasonable in consultation with the USFS appraisal staff. Whenever possible these consultations should result in a reasonable value range (e.g., \$100 to \$150 per acre; \$800,000 to \$950,000).

Verification of Resource Values: The acquiring agency is required to confirm the existence (general quality and quantity) of the claimed resource values through a site inspection (to the extent practicable) and consultation with its resource specialists or other reliable resource organizations. This verification is to be confirmed in the “Willing Agency Statement.”

**D. Willing Agency Statement And Cost Estimate Sheet:** To be included in the nomination when submitted by the nominating entity.

## **VI. SPECIFIC REQUIREMENTS/OUTLINE FOR LAND ACQUISITION NOMINATION PACKAGE**

**COVER PAGE:** Include the following to meet the content requirement under Section IV.B above:

- a. *SNPLMA Round and Category*
- b. *Name of Property*
- c. *Number of Acres*
- d. *Asking Price* (Support for the asking price will be provided in the nomination narrative.)
- e. **County and Assessor Parcel Number (APN)**
- f. **Congressional District Number**
- g. *Nominating Entity Information:* Name, address, phone number, and e-mail address if available, of the person and/or organization submitting the nomination. If the mailing address is a P.O. Box, a street address acceptable for delivery of packages by a private carrier or delivery service must also be provided.
- h. *Acquiring Federal Agency:* The agency that will assume management responsibility for the property if purchased by the United States of America (the “acquiring agency”), contact name, phone number, and email address.
- i. *Owner Information:* Name, address, and phone number of the property owner(s). If the mailing address is a P.O. Box, also include a street address acceptable for delivery of packages by overnight delivery company.
- j. *Owner Representative, if any:* Name, address, and phone number of owner’s authorized agent, if any, and if different from the nominating entity. If the mailing address is a P.O. Box, a street address acceptable for delivery of packages by a private carrier or delivery service must also be provided. If the owner’s representative is acting as the nominating entity, the owner must verify the nominating entity’s status as the owner’s authorized representative in the Owner’s Statement (see Section VI.5 below).

➤ Nomination packages must include the following information and documents in the order shown below. Where indicated, follow instructions in referenced sections of this document.

### **1. A NARRATIVE STATEMENT addressing the following in the order listed below (see above for early submittal due date and requirements):**

- a. *Purpose Statement.* See Section IV.F for instructions.
- b. *Federally-Approved Land Use Plan:* The name of the federally-approved land use plan which addresses the protection of specific resources on the land or acquisition of the property. The acquiring agency should provide this information to the nominating entity.
- c. *Latitude and Longitude.* See Section IV.C for instructions.
- d. *Legal description(s):* If the legal description is lengthy, requiring separate page(s), the legal description pages should be inserted into the document immediately after the owner statement.
- e. *Project Time Frame:* See Section IV.A for instructions.
- f. *Project Deliverables.* See Section IV.G for instructions and examples.
- g. *Contributed Funds:* Explain any commitment from another source for cash or in-kind contributions

toward the costs associated with purchasing the property? See Section IV.E above for instructions. (Copies of commitment letters are to be included; see item #9 below.)

- h. *General Description of the Nominated Property:*** Describe the property in 300 words or less including its physical characteristics, general location, whether there are any man-made structures on the property and, if so, briefly describe the structures, their use, who owns them if not the property owner, and whether/to what purpose they will be retained or removed prior to acquisition. Also address why this property would be considered a “best value option” (see Section II.C. above).

- i. **Brief Summary of Resource Values.** Describe the resources to be protected in 200 words or less. An opportunity for detailed description of the resource values is provided in responding to the assessment questions. Claims of “potential” or “likely” habitat here or in response to the assessment questions are not acceptable. Habitat claims must be able to be validated.
- j. **Known Hazardous Materials, Safety, Legal, or Other Liabilities:** Describe any known hazardous material, safety, or other liability issue(s) associated with the subject property, how these were assessed, and how these issues will be or could be mitigated. Other liabilities might be legal, physical, or financial issues that have to be resolved. Some examples might be pending lawsuits, liens, bankruptcies, debris/trash to be removed, fuel storage tanks above or below ground, fuel spills or wire burning areas, open mine pits, improvements that would need to be maintained or demolished, restrictive covenants, etc. If no known hazards or liabilities exist, please state this in your response.
- n. **Rights Being Offered for Acquisition:** Duplicate this list and check (✓) those rights that are being offered for purchase and provide required information for water rights:
- Fee Simple Acquisition of Property: This includes all surface (land) and subsurface (mineral) rights.
  - Water Rights:
    - (1) Identify whether or not water rights are appurtenant to the property.
    - (2) Provide
      - (a) the type (surface or underground water, vested, certificated, etc.),
      - (b) the number of acre feet or cfs,
      - (c) the current beneficial use, and
      - (d) describe the location and type of diversion point.
    - (3) include water rights information documents before the Owner’s statement but after any separate legal description pages that may have been inserted (see item 7 below).
    - (BLM Offices as Acquiring Agency must see Instruction Memorandum No. NV 2005-077 Number 6.d. for further instructions regarding required actions for nominated water rights).
  - Surface Rights Only
  - Conservation Easement (e.g., Development Rights): See Exhibit A
  - Mineral Rights Only
  - Access Easement
  - Patented Mining Claims – Describe
  - Other – describe
- o. **Rights to be reserved:** Duplicate this list and check (✓) any interests in the property the owner possesses but wishes to reserve. Examples include:
- Access rights/easements
  - Water Rights:
  - Mineral interests: Describe
  - Development Rights
  - Other: Describe

As a general rule, consolidation of third-party owned mineral rights with the surface estate will be required prior to acquisition of the property by the Federal government. If mineral rights of any kind are to be retained by the seller, or are outstanding in third parties (owned by or leased to someone other than the surface owner), the nomination must clearly explain the facts and indicate which mineral rights will and will not be made available for acquisition by the acquiring Federal agency.

- p. **Occupancy or Use Rights Held by Others:** Identify any person, company, or entity other than the land owner, who has rights in the property by way of a lease, verbal agreement, unrecorded lease, or other unrecorded written agreement, or who uses or occupies the property with the owner’s knowledge but without the owner’s consent.

- ❑ Are there caretakers living on the property? If yes, who owns the home in which the caretakers live?
  - ❑ Do any relatives, friends, associates, or other persons live on the property, with or without permission of the owner? If yes, indicate relationship and how long they've resided on the property, the type of dwelling, and who owns the dwelling.
  - ❑ Does anyone or any company other than the owner use any part of the property for agricultural or other commercial purposes either full-time or part time? How long have these activities been taking place?
  - ❑ Does any person, company, or entity other than the owner regularly use any part of the property for any reason whatsoever (e.g., temporary storage of personal or business property, hold annual or periodic events of any kind, etc.)?
- q. **Third Party Water Rights:** Does any person, company, or other entity own the rights to surface water on the property, or have wells, piping, or other works for diversion and/or distribution of ground or surface water from or over the property?
- r. **Identify the SNPLMA Performance Measures:** See Section IV.H for instructions and examples. The Performance Measures can be found on the SNPLMA website under “In the Spotlight” and under “Call for Round 16 Nominations.”
- s. **Identify the Level of Readiness:** Address any consultations, assessments, title review, or other work already completed as well as availability of realty and resource staff that will allow the acquiring agency to initiate work on the project within one-year of funds notification. See Section IV.I for instructions.
- t. **Relationship of the Project to Previous or Anticipated Future Phases.** See Section IV.D for instructions.
- u. **Support for Asking Price:** The owner’s asking price must be supported by market evidence. Acquiring agencies are required to consult with their respective appraisal arms or other appropriate staff to confirm that the asking price falls within a reasonable value range given the relevant current market. If the owner’s asking price is not considered reasonable, the agency will discuss the market evidence with the owner and provide the owner with an opportunity to revise the asking price to within a reasonable value range. If the owner chooses not to do so, the agency will not be able to provide the required confirmation of reasonable asking price and the nomination package will not be accepted.

The inclusion of an asking price in the nomination for projects that are recommended for funding to the Secretary of the Interior does not create a commitment to purchase the property at the asking price. SNPLMA requires that the offer price be the “fair market value” as determined by a federally obtained appraisal approved as meeting the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA) and, which could be either higher or lower than the asking price in the nomination.

**The owner must provide support for the asking price in the form of a recent market value appraisal or land sales which are perceived to be the most comparable/most similar to the property being nominated. Comparable sale information must include the following:**

- 1) Location of the Comparable Property (at a minimum county, township, range and section)
- 2) Number of Acres
- 3) Date of Sale
- 4) Sale Price
- 5) Seller & Buyer Names (*These names should only be included if part of the public record.*)
- 6) Fee or Partial Interest (indicate whether fee simple, surface only, mineral/subsurface only, whether water rights were included, conservation easement for development rights, etc.). If this information is unavailable, an explanation should be provided why the land sale is considered comparable.
- 7) Nature of the Comparable Property: Indicate whether rural, mountainous, riparian, recreational, agricultural, residential (low, high, or medium density), etc.
- 8) Buyer’s Proposed/Intended Use for the Comparable Property if known.

**2. Assessment Questions:** A narrative responding to each question posed in the Nomination Assessment (see Exhibit 1 for format). If nominating a conservation easement also see Exhibit 2 for guidelines on addressing assessment questions relative to the proposed conservation easement.

**3. Conservation Easement Summary:** If the nomination is for a conservation easement, include a conceptual description of the conservation easement in accordance with the instructions in Exhibit 2, Conservation Easement Guidelines. Points cannot be awarded for rights the owner “may” be willing to include such as public access, preservation of historic structures, etc. Points can only be awarded for those resources for which the owner has made a firm commitment to protect or provide in some manner within the conservation easement. If the project is not a conservation easement, indicate “N/A” for Item 3).

**4. Socioeconomic Information:** A narrative regarding socioeconomic information relative to the Property (see Exhibit 3 for format).

**5. Owner Statement:** A statement signed by the property owner(s) of record (not a broker, attorney, or other representative) must be provided (see Exhibit 4 for the format and content). The owner must also read and sign the summary entitled “Federal Acquisition Process” and attach it to the owner statement (see Exhibit 4-A). If the owner’s representative is acting as the nominating entity, the owner also must indicate in the Owner’s Statement that the nominating entity has the authority to represent the owner in the nomination process, or attach a separate letter or other document signed by the owner indicating the name and level of authority of the owner’s representative.

**6. Legal Description Page(s),** if required for long legal descriptions. (Indicate N/A for Item 6 if not applicable.)

**7. Water Rights Documents:** Provide copies of proofs, permits, certificates, and State of Nevada Division of Water Resources Summary of Ownership for all water rights being offered. (Indicate N/A for Item 7 if no water rights are being offered.)

**8. Agency Statement and Cost Estimate Sheet:** A statement signed by an authorized official of the Federal agency that would take possession of the property and assume management responsibility for it. Authorized officers should be upper level management such as BLM District or Field Managers, Forest Supervisor, etc. (see Exhibit 5 for format and content). The agency must also complete and attach the excel worksheet “Estimated Necessary Expenses” for land acquisition estimating the associated acquisition costs (see Exhibit 6 and the Excel spreadsheet available on the SNPLMA website under the “Call for Round 16 Nominations”). Both documents must be included in the nomination and a copy of the Excel spreadsheet must also be included on the CD or jump drive.

**9. “Commitment Letters for Cash and/or In-Kind Contributions”** (See Section VI.1.g above.)

**10. Cooperating Entity Statement:** If applicable, a statement from any cooperating entity indicating intent to enter into a mutually acceptable management agreement with the acquiring Federal agency.

**11. Notification to County Government:** The nominating entity must notify the affected county government in writing via letter to appropriate government official (e.g., letter to the Chairman of the County Board of Commissioners) of its intent to nominate land for federal acquisition under the SNPLMA process. **A copy of the notification letter and a copy of the delivery receipt must be included in the nomination package; a copy of the letter shall also be provided to the acquiring agency.**

The notification letter should include the following basic property information: Owners name, general

description and location of the property, legal description and APN numbers, size in acres, rights being offered including acre feet and type of water rights if appropriate, acquiring Federal agency, and purpose of the nomination. If the County Commission passed a resolution or provided a letter of support in response to the notification, attach it with other support letters (see item 19 below).

**12. Photographs:** Include up to six photos, two per page, depicting the general character of the property, the surrounding landscape, and the resource values specified in the Nomination Assessment. The photographs are also to be provided digitally on a CD or jump drive in .jpg format. (Also see Section III.D and III.E above for instructions regarding format and placement of photographs.)

**13. Aerial Photograph:** If available from public or private sources, an aerial photograph of the property. (The Clark County Assessor's office website ([www.co.clark.nv.us/assessor](http://www.co.clark.nv.us/assessor)), government offices in other counties, or the USDA's Natural Resources Conservation Service may be sources for aerial photographs.) The aerial photographs are also to be provided digitally on a CD or jump drive in .jpg format

**14. State Map:** A page-size map of Nevada depicting the general location of the subject property. The map is also to be provided digitally on a on a CD or jump drive in .jpg format

**15. Location Map:** A page-size map depicting the specific location of the property, including the proximity to a federally designated area, if applicable. The location map is also to be provided digitally on aa CD or jump drive in .jpg format.

**16. Parcel Map:** A page-size copy of official local government assessor's parcel map(s). If no assessor's parcel map is available, a copy of a recorded survey, surveyor drawing attached to the recorded deed, or copy of other similar drawing that accurately reflects the size and configuration of the property may be substituted. The parcel map is also to be provided digitally on a CD or jump drive in .jpg format.

**17. Map Supporting Draft Strategic Plan Values:** Map that supports the proposed benefits of the project relative to the draft Strategic Plan values of sustainability, connectivity, and/or community. (See Section II.E for instructions.) For example, an environmentally sensitive land acquisition claiming contribution to opening or maintaining access to a migratory corridor (value: connectivity) would include a map showing the location of the migratory corridor in relation to the nominated lands. The map is also to be provided digitally on a CD or jump drive in .jpg format.

**18. Support Letters.** Support letters must be current. Letters provided for prior submission of the same property are not acceptable; such support letters must be updated. To be applicable toward points under the funding criteria, the letters of support must be included in the nomination. Support letters shall also be provided on a CD or jump drive in .jpg format.

**EXHIBIT 1**  
**LAND ACQUISITION NOMINATION ASSESSMENT QUESTIONS**

These questions address the nine criteria that will be used by the Land Acquisition Subgroup to evaluate, score, and rank land acquisition nominations. The total points available for each criterion is shown to the right of the criterion. The factors used to develop the score for each criterion are listed below the criterion and the points associated with each factor are listed to the right of the factor. Except for criterion number 6 the factor scores are cumulative in order to make up the total possible points for each criterion. Criterion number 6 has a maximum points available of five, but is not cumulative; the two factors are mutually exclusive. The factors under all criteria, except criterion number 9, can be scored on a sliding scale up to the total points available for each factor and the criterion as a whole. Criterion 9 is awarded full points if the response is “yes” and zero if it is “no.”

**Point values for assessment questions assigned to each associated factor are provided for information purposes only in order to reinforce the importance of addressing each factor. Nominating entities are not to include either the total point value or the point values by factor in their responses.**

Note: Vague claims of habitat (e.g., potential, probable, likely, etc.) are not acceptable. Claimed habitat must be verifiable. Owners may consult a variety of sources including the Nevada Natural Heritage Program (<http://heritage.nv.gov>) and/or the local office of the U.S. Fish and Wildlife Service (<http://www.fws.gov>) for assistance, as well as the acquiring agency, in verifying habitat of specially designated species on the subject property.

**Instructions for Responding:**

1. Respond to all nine criteria by responding to each factor/question under each of the nine criteria.
2. If the response is positive (i.e., yes), the property characteristics that meet that factor must be described. Answers of “yes” without an explanation or description will be considered non-responsive and no points will be awarded (the exception is Criterion IX).
3. Descriptions and examples of how the property meets the factor characteristics must be specific.
4. Descriptions should address whether or not and, if so, in what way, a factor contributes to the “high value” of the land as it is defined by the EC (see the first paragraph under Section V).
5. Descriptions should explain which, if any, of the three values identified by the EC are promoted by the resources identified under those factors that have positive responses.
6. If a factor does not apply to the property being nominated, indicate “no” or “N/A.”

**I. 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.)	6
B. Does the acquisition contain habitat which supports one or more special status species?	4
C. Are there one or more species present on the property that are listed as threatened and endangered?	6
D. Does the acquisition contribute to creation, conservation, and/or preservation of biodiversity, wetland/riparian area or watershed?	4
Total	<b>20</b>

**II. Preserves a significant natural, aesthetic or scientific feature**

Factors:

A. Does the property contain one or more natural, aesthetic, or scientific features?	4
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B. Is one or more of the features in A above eligible for special designation? (Do not address plant or animal species.)	4
C. Does the acquisition make a significant contribution to preserving these values?	5
D. Does a specific management plan(s) exist for these resource values?	2
<b>Total</b>	<b>15</b>

### III. Preserves significant historic, paleontological, or cultural values

Factors

A. Does the property contain one or more historic, paleontological, or cultural values?	4
B. Is one or more sites on the property eligible for a special designation? (Do not address plant or animal species.)	4
C. Does the acquisition make a significant contribution to preserving these resource values?	5
D. Does a specific management plan(s) exist for these resource values?	2
<b>Total</b>	<b>15</b>

### IV. 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?	3
B. Does the acquisition provide improved access to Federal or other public lands?	3
C. Does the acquisition address a public demand for recreational opportunity or a public demand for access to Federal or other public lands?	3
D. Does a specific management plan(s) exist for these resource values?	1
<b>Total</b>	<b>10</b>

### V. 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?	10
B. Is the property an in holding in a specially designated area or does the property otherwise consolidate federal ownership?	5
<b>Total</b>	<b>15</b>

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

Factors:

A. There are no added management costs.	5
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.	5
<b>Total</b>	<b>5</b>

### VII. Has the support of the State, local governments, other agencies, and/or other interested parties (Written verification of support must be included in the nomination to receive points.)

Factors:

A. Is the acquisition supported by the County/local government in which the property is located?	2
B. Is the acquisition supported by environmental, recreational, and/or scientific groups?	2
C. Is the acquisition supported by Fish & Wildlife Service Ecological Services, State Historic Preservation Office, or other federal, state or tribal governmental entities?	2
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?	2
<b>Total</b>	<b>8</b>

**VIII. Other Considerations**

Factors:

A. Would the acquisition prevent planned development or other incompatible uses?	5
B. Have funds been committed from another source to defray some of the costs of acquiring the property?	2
Total	7

Note: A letter of commitment on the letterhead of the entity making the commitment under Factor B must be included in the nomination to receive points for the factor.

**IX. Is proposed Federal acquisition in Clark County, Nevada?**

**Points = 5**

<b>Total Possible Points</b>	<b>100</b>
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**EXHIBIT 2**  
**CONSERVATION EASEMENTS**  
**Round 16 Nomination Guidance**

Unless there are existing easements on similar properties that are considered applicable to the nominated property, definitive details, conditions, and language for the proposed grant of conservation easement will not be available for inclusion in the nomination. As the negotiation and development of the language and details of the grant of conservation easement is a major component in processing the acquisition of a conservation easement, these actions should not be completed prior to approval of the nomination by the Secretary of the Interior.

The owner, nominating entity, and agency should, however, agree conceptually on what resources will be protected and what rights each will have. The nomination will describe the easement in those agreed upon conceptual terms. Scores and final ranking of conservation easements, like fee acquisitions, is directly related to the those resources being offered for protection. Points cannot be awarded for rights the owner “may” be willing to include such as public access, preservation of historic structures, etc. Points can only be awarded for those resources for which the owner has made a firm commitment to protect in some mutually-agreeable manner within the conservation easement.

**Conservation Easement Summary: The nomination narrative shall include a summary of the conservation easement concept (see item IV.B.2 above) which addresses the following questions:**

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

- **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.
  - **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.
  - **What are the benefits of acquiring a conservation easement over fee acquisition?**
  - **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.
- **Please note that conservation easements are expected to be in perpetuity.**

**Responding to Assessment Questions:** The responses to the above questions for the narrative description, should be consistent with associated assessment questions. In responding to nomination assessment questions (see item IV.B.7. above), the nominating entity must specifically address how the conservation easement applies or does not apply to the factors under each assessment question. For example, discussions of resource values should explain which resource values are to be protected and how the conservation easement is expected to protect those resource values. Responses to nomination assessment questions are to explain how the easement relates to the subject of the question (e.g., how the described resources are expected to be protected by the easement, how the easement will enhance or otherwise impact management of Federal lands, etc.).

**Owner Statement:** The agency and owner should not be limited by this initial description of the easement if it is determined during processing that additional restrictions are necessary to fulfill the purpose of the easement. The "Owner's Statement" should include an acknowledgment that terms in the nomination are anticipated but that the final details needed to implement these concepts through a grant of conservation easement will be negotiated between the owner and the acquiring agency.

**Acquiring Agency Statement:** Because of the need to establish the baseline conditions and the expected long-term costs and workload of monitoring and managing an easement, these costs should be addressed in the Acquiring Agency's Statement for conservation easements.

- **Conservation Easements on different properties with different owners should be nominated separately, not grouped.**

**EXHIBIT 3**  
**SOCIOECONOMIC INFORMATION**

The SNPLMA requires consultation with local governments within whose jurisdiction nominated lands are located regarding the impacts of acquisition of the land by the Federal government. In order to assist in assessing the socioeconomic impact of land acquisitions pursuant to the SNPLMA, please provide the following information regarding the subject land. Do not leave any questions blank; if a question does not apply please so state and explain why.

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.
2. Amount of annual property taxes.
3. A description of the existing use(s) of the property.
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.)
5. A summary of local public services being utilized on and provided to the subject property.
6. A summary of local contractors 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.
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.
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.

**EXHIBIT 4**

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

TO: [Name of Nominating Contact Person]  
[Name of Nominating Entity]  
[Address of Nominating Entity]

[Salutation]:

I, [Name of Property Owner], am the legal owner of the approximately \_\_\_\_ acres of real property known as [Name, address, parcel number(s) and/or other unique identification number]. I understand that the property is being nominated for acquisition by a Federal agency under Round 16 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 Title of Owner]  
[Address & Phone of Owner]

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT 4-A**  
**FEDERAL ACQUISITION PROCESS**

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

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.

[Name and Title of Owner]

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT 5**  
**FORMAT FOR ACQUIRING AGENCY'S AUTHORIZED OFFICER CERTIFICATION\***  
**(This document will be provided separately to the SNPLMA Division by the Acquiring Agency)**

I \_\_\_\_\_ [name, title of authorized officer] of \_\_\_\_\_ [name of acquiring agency] hereby certify that where the \_\_\_\_\_ property is concerned:

- 1) A representative of [name of acquiring agency] has conducted a preliminary site inspection on [date(s)]. 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/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. The federally designated area is [insert name of the area.] and this information is/is not stated correctly in the nomination package.
- 3) *Explain if and how the acquisition will facilitate management efficiency of Federal lands or of a "federally designated area."*
- 4) Acquisition of the property is consistent with the [*name of plan*] approved Federal land-use plan in force for the area within which the property is located.
- 5) The planned use of the property is \_\_\_\_\_. [Examples in addition to protection of the sensitive resources might be public access to other federal lands, specific recreational purposes, grazing permits while protecting the resources, etc.].
- 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.

***[If the Agency disagrees with any of the above information in the nomination package, or has additional input regarding the potential liabilities, that information should be provided under #7.]***

- 8) Based on the agency's initial site inspection, review of available data, and consultation with agency resource specialists, the resource values of [*list resource values*] described in this nomination package appear accurate in both quality and quantity. The acquiring agency has verified claims of habitat for listed species through the following sources \_\_\_\_\_.
- 9) In the opinion of the agency, acquisition of the property is needed for the following reasons: [*List or provide a narrative describing the reasons. This response should also address the "high value" nature of the proposed acquisition if appropriate*]. These reasons are consistent with [*if appropriate, "and/or an expansion of"*] responses in the nomination package to applicable assessment questions. [*If the reasons stated in the nomination package are inaccurate, please indicate in your response.*]

- 10) Please include one of the following regarding the owner's asking price: "The agency has reviewed the owner's asking price and [select one: (1) consulted with the Office of Valuation Services (OVS), (2) consulted with the Forest Service Appraisal Team, or (3) utilized agency staff familiar with market values in the area] and determined that a reasonable value range based on available market evidence is between \$ \_\_\_\_\_ and \$ \_\_\_\_\_. The agency further confirms the asking price is within the reasonable value range." *[If consultation with the agency appraisal group or review of market evidence by qualified agency staff does not result in a value range, the response should explain the market evidence that led to a determination that the asking price is reasonable. If the original asking price is not reasonable, the agency may discuss its market research with the owner to determine if the owner is willing to reduce the asking price to be within the reasonable value range, or to a price that would be determined reasonable based on the market evidence. Under this circumstance if the owner is unwilling to adjust the asking price, the nomination shall not move forward because the agency cannot confirm that the asking price is reasonable.]*
- 11) The agency has attached a cost estimate sheet which estimates the total acquisition cost, including the asking price and necessary expenses as \$ \_\_\_\_\_. (See Exhibit 6 and the Excel spreadsheet form under "Call for Round 16 Nominations" on the SNPLMA website.)
- 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. (Any non-federal management contributions should be specified.)
- 13) The agency is prepared to accept management responsibility for the \_\_\_\_\_ property on the date purchase is completed.
- 14) The agency has the staffing resources to acquire the property within the two-year time standard timeframe if approved by the Secretary of the Interior for acquisition under the Southern Nevada Public Land Act.
- 15) The agency certifies that it has submitted, or will submit prior to the beginning of the public comment period, 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.

By:

\_\_\_\_\_  
 Authorized Officer Name

Date \_\_\_\_\_

\_\_\_\_\_  
 Title [BLM District Manager, Forest Supervisor, etc.]

\_\_\_\_\_  
 Name of Agency that will manage the property

\_\_\_\_\_  
 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 under "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."

**EXHIBIT 6**  
**ENVIRONMENTALLY SENSITIVE LAND ACQUISITION PROJECT**  
**ESTIMATED NECESSARY EXPENSES**

(ALSO COMPLETE THE EXCEL WORKSHEET VERSION OF THIS FORM AVAILABLE ON THE SNPLMA WEBSITE)

Property Name: \_\_\_\_\_ Agency: \_\_\_\_\_ Date: \_\_\_\_\_  
 Project #: N/A in Nomination \_\_\_\_\_ Priority #: N/A in Nomination \_\_\_\_\_  
 Prepared by: \_\_\_\_\_ Phone #: \_\_\_\_\_

<b>1. Owner Asking Price/Land Purchase Price</b> (Not to exceed fair market value as determined by a Federally approved appraisal.)	\$0	
<b>2. Appraisal</b>	\$0	
<b>3. Land/Boundary Survey</b>	\$0	
<b>4. Environmental Site Assessment (ESA) and NEPA (e.g., EA, DNA)</b>	\$0	
<b>5. FWS Consultation—Endangered Species Act</b>	\$0	
<b>6. Water and/or Mineral Rights Analysis</b> (for Title Purposes)	\$0	
<b>7. Mineral Potential Report</b> (Costs for drilling and testing are not/allowed; such data gathering if needed for a mineral appraisal is the responsibility of the owner.)	\$0	
<b>8. Title Report, Escrow Fees, Misc. Closing Costs</b>	\$0	
<b>9. Recording Fees</b>	\$0	
<b>10. Pro-rata Share of Any Pre-Paid Property Taxes or Assessments</b>	\$0	
<b>11. Penalty Costs and Other Charges</b> for prepayment of pre-existing recorded mortgage, deeds of trust or other security instrument that encumbers the real property.	\$0	
<b>12. Relocation Payments to Eligible Displaced Persons Under the Uniform Act</b>	\$0	
<b>13. Agency or Contracted Labor Costs:</b> For acquisition processing including site inspections, document preparation, title evidence review, legal description verification; preparation and review of technical reports such as Phase I ESA, water rights, surveys; preparation of requests for preliminary and final title opinion, escrow closing instructions.	\$0	
<b>14. Travel</b> 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	
<b>15. Official Vehicle Use</b> (pro rata cost for use of Official Vehicles when required to carry out case management)	\$0	
<b>16. Other Necessary Expenses</b> (See Appendix B-11)	\$0	
<b>TOTAL:</b>	<b>\$0</b>	

<b>Describe Commitment(s) for Either Cash or In-Kind Contributions to Complete the Nominated Project:</b>
<b>General Comments:</b>

## EXHIBIT 8

### DEFINITIONS

**Biodiversity:** The variety of life and its processes, including the variety of living organisms, the genetic differences among them, and the communities and ecosystems in which they occur.

**Critical Habitat:** Specific geographic areas, whether occupied by listed species or not, that are determined to be essential for the conservation and management of listed species, and that have been formally described in the Federal Register.

**Endangered Species:** Any species which is in danger of extinction throughout all or a significant portion of its range other than a species of the Class Insecta determined by the Secretary to constitute a pest whose protection under the provisions of this Act would present an overwhelming and overriding risk to man. A species must be “listed” as endangered on the Federal List of Endangered and Threatened Wildlife and Plants.

**Environmentally Sensitive Lands:** Land or an interest in land, the acquisition of which the United States would, in the judgment of the Secretary of the Interior or the Secretary of Agriculture: (A) promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife, and other values contributing to public enjoyment and biological diversity; (B) enhance recreational opportunities and public access; (C) provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or (D) otherwise serve the public interest.

**Federal List of Endangered and Threatened Wildlife and Plants:** Before a plant or animal species can receive protection under the Endangered Species Act, it must first be placed on this list by the U. S. Fish and Wildlife Service. The FWS follows a strict legal process to determine whether to list a species,

**Federally Designated Area:** Land in Alaska and the eleven contiguous Western States that as of July 25, 2000, are within the boundary of (A) a national monument, area of critical environmental concern, national conservation area, national riparian conservation area, national recreation area, national scenic area, research natural area, national outstanding natural area, or a national natural landmark managed by the Bureau of Land Management; (B) a unit of the National Park System; (C) a unit of the National Wildlife Refuge System; (D) an area of the National Forest System designated for special management by an Act of Congress; or (E) an area within which the Secretary of the Interior or the Secretary of Agriculture is otherwise authorized by law to acquire lands or interest therein that is designated as (i) wilderness under the Wilderness Act; (ii) a wilderness study area; (iii) a component of the Wild and Scenic Rivers System under the Wild and Scenic Rivers Act; or (iv) a component of the National Trails System under the National Trails System Act.

**Inholding:** Any right, title, or interest, held by a non-Federal entity, in or to a tract of land lying within the boundary of a federally designated area.

**Listed Species:** A species, subspecies, or distinct vertebrate population segment that has been added to the Federal lists of Endangered and Threatened Wildlife and Plants as they appear in sections 17.11 and 17.12 of Title 50 of the Code of Federal Regulations (50 CFR 17.11 and 17.12).

**Riparian:** Of, on, or relating to the bank of a natural course of water.

**Secretary:** The Secretary of the Interior.

**Sensitive Species:** Plant or animal species which are candidate species, protected bird species under endangered species laws and regulations, plant protection laws and regulations, fish and game codes, or species of special concern listings and policies, or species recognized by national, state, or local environmental organizations.

**Specially Designated Species:** A species that is “listed” on the Federal lists of Endangered and Threatened Wildlife and Plants.

**Species:** Includes any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature.

**Species of Concern:** An informal term that refers to those species which might be in need of concentrated conservation actions. Species of concern receive no legal protection and the use of the term does not necessarily mean that the species will eventually be proposed for listing as a threatened or endangered species.

**Threatened Species:** Any species which is likely to become an endangered species throughout all or a significant portion of its range within the foreseeable future.

**Wetlands:** A lowland area, such as a marsh or swamp that is saturated with moisture, especially when viewed as the natural habitat of wildlife.