

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Nevada State Office
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June 28, 2007

IN REPLY REFER TO:
2200/2710/2720 P
(NV-930)

EMS TRANSMISSION June 29, 2007
Instruction Memorandum No. NV-2007-040
Expires: 9/30/2008

To: Field Managers, Nevada

From: State Director, Nevada

Subject: FY2008 Proposed Disposals under the Federal Land Transaction Facilitation Act
DD:
7/16/2007

The Federal Land Transaction Facilitation Act of 2000 (P.L. 106-248) (FLTFA) provides authority for the use of receipts from disposal actions under the Federal Land Policy and Management Act (FLPMA) to fund administrative and other expenses necessary to carry out the land disposal program and may be used for qualifying acquisitions. Land disposal actions under the FLTFA are limited to sales under Section 203 of FLPMA, exchanges under Section 206 of FLPMA, and mineral conveyances under Section 209 of FLPMA. The FLTFA further limits the authority to utilize the receipts from the disposal of public lands to those lands identified for disposal in an approved land use plan (Resource Management Plan or Management Framework Plan) as of July 25, 2000.

Sales, mineral conveyances and exchanges will continue to be processed under FLPMA, the applicable regulations, and policies, guidance, and direction in BLM Manuals and Instruction Memoranda. An amount not to exceed 20 percent of the receipts deposited into the accounts established in the Federal Land Disposal Account by the FLTFA may be used to fund administrative expenses for disposal actions under subactivity 5870. In Nevada, the use of FLTFA funds in subactivity 5870 must be approved by the State Leadership Team (SLT).

This Nevada Instruction Memorandum (IM) is issued for purposes of updating Nevada BLM policy issued under NV-IM-2006-003 (January 2006) and providing the opportunity for Nevada Field Offices (FO's) to request the FLTFA 5870 funds in support of the land disposal program. Attached Exhibit A lists the Nevada Policy and Nomination Criteria under the FLTFA Program.

Exhibit B lists the information that should be included in a nomination package for FLTFA funding, and Exhibit C is an example of a completed nomination. Exhibit D is a list of the disposal projects that the Nevada FO's have nominated and received SLT approval to date.

With issuance of this IM, FO's should confirm the continuation of SLT-approved sales, termination of incomplete sales, or cancellation of approved sales for offered lands left unsold under FLTFA. Please refer to the SLT-approved FLTFA disposals as shown in Exhibit D attached in making such determinations. Many of the sales approved in January 2006 by SLT have been sold. A number are still pending. Funding requests for newly proposed FLTFA disposal projects or additional funding needs for already SLT-approved sales shall be submitted to the Nevada State Office, Division of Natural Resources, Lands, and Planning (NV-930) by July 16, 2007. Nominations will be considered in conjunction with FY 2008 Planning Target Allocations and the annual work plan process, and funding to be allocated will depend on the expected amounts available in the 5870 account.

In Nevada, the FLTFA is not applicable to lands eligible for disposal under the Santini-Burton Act (P.L. 96-568), the Southern Nevada Public Land Management Act (SNPLMA) (P.L. 105-263), as amended by P. L. 106-113 and P.L. 107-282, and Ivanpah Valley Airport Public Lands Transfer Act (P.L. 106-362). The FLTFA-applicable lands identified within the Lincoln County Conservation, Recreation and Development Act of 2004 (P.L. 108-424) and White Pine Conservation, Recreation and Development Act (P.L. 109-432) will no longer be eligible upon approval of the Ely Resource Management Plan.

The prioritization criteria and process may be useful for prioritizing all disposal actions. Even if disposal projects are not being funded by 5870, FO's should keep the Nevada State Office through NV-930 informed of all FLTFA-related projects and their status in order to do workload planning and budget projections. The unit of measurement used for disposal workload is acres.

If you have any questions regarding this policy, please direct them to Jim Stobaugh at 775-861-6478.

Signed By:
Ron Wenker
State Director

Authenticated By:
Ellyn Darrah
Administrative Assistant

4 Attachments (20 pp)

1. Exhibit A – FLTFA Nevada Policy and Nomination Criteria (2 pp)
2. Exhibit B – FLTFA Land Disposal Nomination Package Requirements (3 pp)
3. Exhibit C – Example Nomination Submission (6 pp)
4. Exhibit D – FLTFA Sales Summary Sheet (9 pp)