

Reclamation Manual

Directives and Standards

Subject:	Identification of Unneeded Land
Purpose:	This Directive and Standard (D&S) will provide direction for identification of lands throughout the Bureau of Reclamation, whether acquired or withdrawn, that are no longer needed for Reclamation project purposes. The benefits of this D&S are to provide consistency in identifying and reporting the unneeded project lands Reclamation-wide.
Authority:	Federal Property and Administrative Services Act of 1949, as amended (Pub. L. 81-152; 63 Stat. 377; 40 U.S.C. 472 <i>et seq.</i>); Federal Land Policy Management Act of 1976 (Pub. L. 94-579; 90 Stat. 2743; 43 U.S.C. 1701); and Federal Management Regulations (41 CFR 102-75.25-.60 and 102-84)
Approving Official:	Director, Policy and Administration (Policy)
Contact:	Land Resources Division (84-53000)

1. **Introduction.** The general need to conduct land reviews and to identify unneeded land is addressed in Reclamation Manual (RM) D&S, *Land Disposal*, LND 08-02. This D&S will, however, provide Reclamation-wide direction for consistency of process and methods in identifying and reporting unneeded land. This D&S supersedes the Director, Office of Policy, memorandum of May 17, 2000, which was issued in response to a 1998 Office of Inspector General (OIG) audit (No. 99-I-133). The purpose of the audit was to determine whether Reclamation was conducting the required reviews of the real property it manages in order to identify those lands it no longer needs for project purposes.
2. **Applicability.** Reclamation will conduct reviews of acquired and withdrawn project land on a scheduled 5-year cycle as established by each region and reported annually to Policy. The primary purpose of these reviews is to identify Reclamation project land that is no longer needed. When identified as unneeded land, disposal actions will be initiated through appropriate methods (see, RM D&S, *Land Withdrawals, Withdrawal Reviews, and Withdrawal Revocations*, LND 03-01, and LND 08-02). All easements or other less-than-fee interests in land will be excluded from this review and reporting process.
3. **Definitions.** For the purposes of this D&S, the following terms apply:
 - A. **Acquired Land.** Any land obtained in fee by purchase, donation, condemnation, transfer from another Federal agency, exchange, or other acquisition methods to support Reclamation project purposes; excluding withdrawn lands and those transferred lands that were previously withdrawn by the transferring agency.
 - B. **Disposal.** All methods of transferring ownership or jurisdiction of project land to any other party, private or governmental. These include transfers, withdrawal revocations, sales, reconveyances, exchanges, etc. It does not include transfers for management

Reclamation Manual

Directives and Standards

purposes where Reclamation retains ultimate jurisdiction such as when operation and maintenance responsibilities are transferred to Federal or non-Federal managing partners.

- C. **Project Land.** Land or interests in land owned by the United States and under the jurisdiction of Reclamation that has been acquired through purchase, donation, condemnation, exchange, or other means, or has been withdrawn from the public lands system for Reclamation's authorized project purposes.
 - D. **Unneeded Land.** Project land that is no longer needed now or in the future for the authorized Reclamation project purposes for which it was acquired or withdrawn and will not be needed for any other related or planned project purposes.
 - E. **Withdrawn Land.** Federal land withheld from settlement, sale, location, or entry under the public land laws and mining laws and its jurisdiction has been transferred to Reclamation to support project purposes.
4. **Responsibilities.**
- A. **Policy.** Policy will review and maintain the annual consolidated unneeded land report submitted by each region.
 - B. **Regional Directors.** Regional directors or their delegates will ensure that all Reclamation project land is being managed in accordance with authorized project purposes. Each regional director will provide to Policy a 5-year schedule of project land to be reviewed and will annually submit consolidated reports of the identified unneeded land to Policy.
 - C. **Regional Realty Officers.** Regional realty officers will provide program oversight and serve as technical liaisons to area office staff, the regional director, and others on the review, identification, reporting, and disposal of project land no longer needed for project purposes.
 - D. **Reviewing Offices.** Regional, area, or project offices will conduct the reviews as determined by the region's 5-year review schedule.
5. **Methods and Procedures.**
- A. **Frequency.** All project land will be reviewed at least once every 5 years. Each region will compile a list of all project land under their jurisdiction and develop a subsequent review schedule. Reviews will be conducted annually according to the 5-year schedule with the identified portion of each region's project land reviewed each year to ensure that all project land is reviewed within the required 5-year timeframe. The current review schedule was established by the regions for the years 2006 through 2010. The next 5-year schedule will be reported to Policy on or before January 30, 2011, and

Reclamation Manual

Directives and Standards

every 5 years thereafter. Should the 5-year review schedule require modification, the responsible regional realty officer will notify Policy as soon as possible.

- B. Review Personnel.** Reviews will be conducted by personnel with appropriate expertise. When reviews are conducted by consultants or contractors, oversight, review, and approval responsibility remain with the regional realty officer and regional director.
- C. Land Reviews.** Review methods used by each region will be specific to the project being reviewed. Reviews will take into consideration specific authorities and project purposes as well as the characteristics of the project land involved. Reviewing offices will consult with appropriate water user organizations or other managing partners regarding the current and future use of the project land under review.
- D. Report Content.** The annually submitted unneeded land reports will include the following information:
- (1) project land reviewed in the subject fiscal year;
 - (2) unneeded land to include land description and acreage, and whether acquired or withdrawn; and
 - (3) disposition status of previously identified unneeded land.
- E. Report Submittal.** Each reviewing office will submit the report to the appropriate regional office no later than October 1 annually. Each region's consolidated report will be submitted to Policy no later than November 15 of the same calendar year.
- F. Review Records.** Review records will be maintained by the appropriate reviewing office as per the applicable retention requirements.
- G. Disposal of Identified Unneeded Lands.** The process to dispose of identified unneeded project land will be initiated in a timely manner and in accordance with direction found in LND 03-01 and LND 08-02. The progress for each identified disposal action will be reported annually to Policy as noted in Paragraph 5.D.(3).