

'98 JUN 30 A10 :15

MEMORANDUM OF UNDERSTANDING

between

BA THE U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT

and

B *[Signature]* THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

and

DOUGLAS COUNTY, NEVADA

for

COORDINATION AND COOPERATION IN THE ACQUISITION AND MANAGEMENT
OF CONSERVATION EASEMENTS ON PRIVATE LANDS IN THE CARSON VALLEY

Under the provisions of the Federal Land Policy and Management Act (FLPMA) (Public Law 94-579) as amended, the Secretary of the Interior is authorized to exchange public lands for the purpose of acquiring lands, or interests in lands, in order to secure important resource values and public objectives. FLPMA further states that when such lands are within the boundaries of the National Forest System, they shall become National Forest System Lands.

The Bureau of Land Management (BLM), in cooperation with Douglas County, will identify certain parcels of private land in the Carson Valley that are vital to preserve the agricultural character and scenic quality of the area. Consistent with FLPMA and the Douglas County Master Plan, conservation easements would be acquired to provide for protection and enhancement of aesthetic values, fish and wildlife habitat, protection of watershed, and reduction of soil erosion. Acquisition of conservation easements will preserve sensitive riparian areas and floodplains, as well as reduce conflicts with incompatible development.

The conservation easements will permanently limit future development while allowing landowners to retain ownership and use of their property for agricultural purposes. Proceeds from the exchange of public lands in Lincoln and Clark Counties, Nevada, will be used to acquire the easements. Any acquisition of conservation easements will only be from willing sellers. The deed restrictions outlined in the easement will insure that the lands remain agricultural in nature and that no incompatible development occurs on the lands.

The National Forest and Public Lands Nevada Enhancement Act of 1988 (P.L. 100-550) established the boundary of the Toiyabe National Forest at U.S. Highway 395 which bisects the Carson Valley through private land. This boundary change was made to improve management efficiency and cost effectiveness for both BLM and the Forest Service by consolidating lands to be administered by both agencies. However, the boundary selection did not contemplate the purchase of conservation easements on private lands.

The lands subject to the acquisition of conservation easements occur on both sides of U.S. Highway 395 in the Carson Valley, within the jurisdiction of both the Forest Service and the BLM. The Forest Service acknowledges that the BLM has the means to acquire conservation easements in the Carson Valley for the benefit of the public and all agencies. The Forest Service agrees to allow the BLM to acquire conservation easements on behalf of the Federal government within the National Forest boundary, subject to the Forest Service's review and approval of any conservation easements within their boundary.

0443270

BK0698PG7036

The BLM, in cooperation with Douglas County, agrees to process the exchange proposals, including completion of a determination of market value of the easements. The BLM agrees to maintain general oversight authority of the exchange process on behalf of the Federal government. Douglas County agrees that monitoring and enforcement of the deed restrictions granted pursuant to NRS 111.390 - 111.440, Easements for Conservation, as amended from time to time, lies within their purview and area of responsibility, and that assessment and deferral of property taxes for agricultural or open space use shall be in accordance with NRS ch. 361A, as amended from time to time. The Forest Service and the BLM further agree that Douglas County will share in the responsibility of monitoring and enforcing the deed restrictions.

This MOU is neither a fiscal or funds obligation document. Any endeavor involving reimbursement or contribution of funds among the parties of the MOU will be handled in accordance with applicable laws, regulations and procedures. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority.

Modification of this MOU shall be in writing and signed by all parties prior to executing any changes.

Any party may terminate their obligations under this MOU at any time by providing written notice to the other parties.

Approved: *Bob Abbey*
Bob Abbey
State Director, Nevada
Bureau of Land Management

Date: 6-11-98

Approved: *Jacques Etchegoyhen*
Jacques Etchegoyhen
Chairman,
Douglas County Commission

Date: 6/4/98

Approved: *Jack Blackwell*
for Jack Blackwell
Regional Forester, Intermountain Region
U.S. Forest Service

Date: 6/18/98

THE AUTHORITY AND FORMAT OF THIS INSTRUMENT
HAS BEEN REVIEWED AND APPROVED FOR SIGNATURE
[Signature] 6/8/98
AGREEMENTS COORDINATOR DATE

0443270

BK0698PG7037

COPY

REQUESTED BY
DOUGLAS COUNTY
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'98 JUN 30 AM 11:03

LINDA SLATER
RECORDER

\$ 0 PAID k2 DEPUTY

700 432 2000

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: June 30, 1998
B. NEED Clerk of the 9th Judicial District Court
of the State of Nevada, in and for the County of Douglas.

By [Signature] Deputy

SEAL

0443270

BK0698PG7038