

# Certified Federal Surveyor Transition

## Boundary Evidence Documents

The purpose of the boundary certificates is to document and formalize the gathering, review and determinations pertaining to boundary evidence in order to provide guidance and assistance to land managers and landowners. The certificates provide a basis, with documentation, to support the developed opinion. They are not records of decision by the United State Government; strictly opinions! The following processes will be used in the approval of these certificates.

### Overview

When the Requestor (Federal agency, Tribe or individual trust beneficiary) is processing a realty transaction, they may identify the need to obtain boundary evidence with respect to Federal interest assets.

Affected transactions include, but are not limited to, the following: fee to trust, government to trust, trust to fee, trust to trust, restricted to restricted, exchanges, removal of restrictions, partition of trust or restricted lands, land sales, acquisitions, reservation proclamations, and other trust and restricted fee asset transactions made for the benefit of Federal interest lands.

The primary mode of boundary evidence is a “Federal Authority Survey<sup>1</sup>”; however, there are secondary modes, as described in this document, which may be employed. This document will address the procedures for use when completing the following documents:

1. A Land Description Review (LDR);
2. A Chain of Surveys (COS);
3. A Certificate of Inspection and Possession (CIP); and
4. A Boundary Assurance Certificate (BAC).

The Requestor may choose to have BLM Cadastral Survey complete the entire process or choose to contract the services of a CFedS for certain portions of the certification process. Each process includes three steps. In every case, the actual review and certification process remains an inherently governmental portion of the task and must always be executed exclusively by BLM. A conference or meeting between the Requestor, a Pre-approved Agency or Tribal Official or Agent (PATO), CFedS and the BLM before commencement of any work is highly encouraged.

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<sup>1</sup> A survey for the Secretary which represents an appealable record of decision of the United States Government. The Federal Authority Survey process must contain a request for survey, assignment instructions, special instructions, field work including official monumentation, field notes and/or plats, a review of field notes and plats, an approval of the field notes and/or plats and the official filing in the federal record.

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## Land Description Review (LDR)

The LDR process is completed in three steps: Step 1, the “Request”; Step 2, the “Initial Portion of the Certification”; and Step 3, the “Certification.”

- 1) “Request.” The LDR process begins with the initial inquiry of a Requestor. This portion of the process can be executed by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373), and will utilize an interview process with a corresponding “LDR Worksheet” (see Departmental Manual, 303 DM 7) to determine the specific needs of the Requestor. The “LDR Worksheet” will contain enough information to determine ownership, verify the associated parcel and isolate the specific issue or concern.
  - 2) “Initial Portion of the Certification.” This portion of the certification process begins once an “LDR Worksheet” has been processed and found complete by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373). This portion of the certification process includes the records research and the evaluation of the information and documentation in preparation for submittal to the final review and the certification portion of the process. This portion of the process will ensure the following information is collected and submitted for review:
    - Owner(s) contact information;
    - Contact on the reservation, if applicable;
    - Legal description of the parcel(s);
    - Documentation of Federal interest;
    - Copy of the deed(s);
    - Copies of any documents, in possession of the Requestor, referenced in the deed(s) or pertinent to the issue;
    - Assessor’s Parcel Number(s) or other identifying features, if known; and
    - A diagram of the parcel, if available.
- a) The “Initial Portion of the Certification” will address only the parcel(s) identified in the “LDR Worksheet.”
  - b) If BLM executes this portion of the process, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, then the letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - c) A deposit is collected, from the Requestor, for any BLM services necessary to meet the Requestor’s needs. If this portion of the process is executed by a PATOA or

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CFedS then the deposit, for BLM's services, is collected in the next step of the process.

- 3) “Certification.”
- a) If all prior steps have been executed by parties other than the BLM, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received for consideration and action. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, this letter of acknowledgment will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - b) The “Initial Portion of the Certification” will be reviewed and may be returned to the PATOA, the CFedS or the BLM cadastral surveyor (GS-1373) for corrections or additions, if needed.
  - c) If the “Initial Portion of the Certification” is found lacking, a letter or memorandum (whichever is appropriate) instead of the certification will be issued to the requestor explaining the problems as to why it cannot be certified.
  - d) After review by the appropriate Cadastral Office Staff, if the “Initial Portion of the Certification” is found acceptable, it will be submitted to the Cadastral Chief for “Certification” (signature).
  - e) Once signed, the original and copies of the completed “LDR Certificate” will be filed and distributed accordingly. See Departmental Manual 303 DM 7 for Filing and Distribution procedures.
  - f) Under reimbursable accounting procedures, additional expenditures will be billed or any unobligated funds will be refunded. (Note: This requirement will be revised if a fee schedule is established.)
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## Chain of Surveys (COS)

The COS process is completed in three steps: Step 1, the “Request”; Step 2, the “Initial Portion of the Certification”; and Step 3, the “Certification.”

- 1) “Request.” The COS process begins with the initial inquiry of a Requestor. This portion of the process can be executed by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373), and will utilize an interview process with a corresponding “COS Worksheet” (see Departmental Manual, 303 DM 7) to determine the specific needs of the Requestor. The “COS Worksheet” will contain enough information to determine ownership, verify the associated parcel and isolate the specific issue or concern.
  - 2) “Initial Portion of the Certification.” This portion of the certification process begins once a “COS Worksheet” has been processed and found complete by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373). This portion of the certification process includes the records research and the evaluation of the information and documentation in preparation for submittal to the final review and the certification portion of the process. This portion of the process will ensure the following information is collected and submitted for review:
    - Owner(s) contact information;
    - Contact on the reservation, if applicable;
    - Legal description of the parcel(s);
    - Documentation of Federal interest;
    - Copy of the deed(s);
    - Copies of any documents, in possession of the Requestor, referenced in the deed(s) or pertinent to the issue;
    - Assessor’s Parcel Number(s) or other identifying features, if known;
    - Copies of plats, maps or other legal instruments; and
    - A diagram of the parcel, if available.
- a) The “Initial Portion of the Certification” will address only the parcel(s) identified in the “COS Worksheet.”
  - b) If BLM executes this portion of the process, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, then the letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.

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- c) A deposit is collected for any BLM services necessary to meet the Requestor's needs. If this portion is executed by a CFedS then the deposit is collected in the next step of the process.
- 3) "Certification."
- a) If all prior steps have been executed by parties other than the BLM, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received for consideration and action. This acknowledgment will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, this letter of acknowledgment will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - b) The "Initial Portion of the Certification" will be reviewed and may be returned to the CFedS or cadastral surveyor (GS-1373) for corrections or additions, if needed.
  - c) If the "Initial Portion of the Certification" is found lacking, a letter or memorandum (whichever is appropriate) instead of the certification will be sent to the requestor explaining the problems as to why it cannot be certified.
  - d) After review by the appropriate Cadastral Office Staff, if the "Initial Portion of the Certification" is found acceptable it will be submitted to the Cadastral Chief for "Certification" (signature).
  - e) Once signed, the original and copies of the completed "COS Certificate" will be filed and distributed accordingly. See Departmental Manual 303 DM 7 for Filing and Distribution procedures.
  - f) Under reimbursable accounting procedures, additional expenditures will be billed or any unobligated funds will be refunded. (Note: This requirement will be revised if a fee schedule is established.)
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## Certificate of Inspection and Possession (CIP)

The CIP process is completed in three steps: Step 1, the “Request”; Step 2, the “Initial Portion of the Certification”; and Step 3, the “Certification.”

1. “Request.” The CIP process begins with the initial inquiry of a Requestor. This portion of the process can be executed by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373), and will utilize an interview process with a corresponding “CIP Worksheet” (see Departmental Manual, 303 DM 7) to determine the specific needs of the Requestor. The “CIP Worksheet” will contain enough information to determine ownership, verify the associated parcel and isolate the specific issue or concern.
2. “Initial Portion of the Certification.” This portion of the certification process begins once a “CIP Worksheet” has been processed and found complete by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373). This portion of the certification process includes the records research and the evaluation of the information and documentation in preparation for submittal to the final review and the certification portion of the process. This portion of the process will ensure the following information is collected and submitted for review:
  - Owner(s) contact information;
  - Contact on the reservation, if applicable;
  - Legal description of the parcel(s);
  - Documentation of Federal interest;
  - Copy of the deed(s);
  - Copies of any documents, in possession of the Requestor, referenced in the deed(s) or pertinent to the issue;
  - Assessor’s Parcel Number(s) or other identifying features, if known; and
  - A diagram of the parcel, if available.
  - a. The “Initial Portion of the Certification” will address only the parcel(s) identified in the “CIP Worksheet.”
  - b. If BLM executes this portion of the process, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, then the letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - c. A deposit is collected for any BLM services necessary to meet the Requestor’s needs. If this portion is executed by a CFedS then the deposit is collected in the next step of the process.

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### 3. Processing of the "Certification."

- a. If all prior steps have been executed by parties other than the BLM, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received for consideration and action. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, this letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - b. The "Initial Portion of the Certification" will be reviewed and may be returned to the CFedS or cadastral surveyor (GS-1373) for corrections or additions, if needed.
  - c. If the "Initial Portion of the Certification" is found lacking, a letter or memorandum (whichever is appropriate) instead of the certification will be sent to the requestor explaining the problems as to why it cannot be certified.
  - d. After review by the appropriate Cadastral Office Staff, if the "Initial Portion of the Certification" is found acceptable it will be submitted to the Cadastral Chief for "Certification" (signature).
  - e. Once signed, the original and copies of the completed "CIP Certificate" will be filed and distributed accordingly. See Departmental Manual 303 DM 7 for Filing and Distribution procedures.
  - f. Under reimbursable accounting procedures, additional expenditures will be billed or any unobligated funds will be refunded. (Note: This requirement will be revised if a fee schedule is established.)
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## Boundary Assurance Certificate (BAC)

The BAC process is completed in three steps: Step 1, the “Request”; Step 2, the “Initial Portion of the Certification”; and Step 3, the “Certification.”

- 1) “Request.” The BAC process begins with the initial inquiry of a Requestor. This portion of the process can be executed by either a PATOA, a CFedS or a BLM cadastral surveyor (GS-1373), and will utilize an interview process with a corresponding “BAC Worksheet” (see Departmental Manual, 303 DM 7) to determine the specific needs of the Requestor. The “BAC Worksheet” will contain enough information to determine ownership, verify the associated parcel and isolate the specific issue or concern.
  - 2) “Initial Portion of the Certification.” This portion of the certification process begins once a “BAC Worksheet” has been processed and found complete. This portion of the process also can be executed by, either, a CFedS or the BLM (GS-1373). This portion of the certification process includes the records research and the evaluation of the information and documentation in preparation for submittal to the final review and the certification portion of the process. Whichever party performs this portion will ensure the following information is collected and submitted for review:
    - Owner(s) contact information;
    - Contact on the reservation, if applicable;
    - Legal description of the parcel(s);
    - Documentation of Federal interest;
    - Copy of the deed(s);
    - Copies of any documents, in possession of the Requestor, referenced in the deed(s) or pertinent to the issue;
    - Assessor’s Parcel Number(s) or other identifying features, if known;
    - A diagram of the parcel, if available; and
    - LDR, COS and CIP Worksheets or LDR, COS and CIP Certificates.
- a) The “Initial Portion of the Certification” will address only the parcel(s) identified in the “BAC Worksheet.”
  - b) If BLM executes this portion of the process, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, then the letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - c) A deposit is collected for any services necessary to meet the Requestor’s needs. If this portion is executed by a CFedS then the deposit is collected in the next step of the process.

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- 3) “Certification.”
- a) If all prior steps have been executed by parties other than the BLM, then a letter of acknowledgment, from the BLM to the Requestor, will be provided within ten business days detailing all documents and information received for consideration and action. This acknowledgement will include the date when the request was received, a listing of all pertinent received documents, receipt of deposit and an estimated date of product delivery. If additional information is required, this letter of acknowledgement will include a detailed list of those necessary items and a statement that an evaluation can not begin until these items are supplied.
  - b) The “Initial Portion of the Certification” will be reviewed and may be returned to the CFedS or a BLM cadastral surveyor (GS-1373) for corrections or additions, if needed.
  - c) If the “Initial Portion of the Certification” is found lacking, a letter or memorandum (whichever is appropriate) instead of the certification will be sent to the requestor explaining the problems as to why it cannot be certified.
  - d) After review by the appropriate Cadastral Office Staff, if the “Initial Portion of the Certification” is found acceptable it will be submitted to the Cadastral Chief for “Certification” (signature).
  - e) Once signed, the original and copies of the completed “CIP Certificate” will be filed and distributed accordingly. See Departmental Manual 303 DM 7 for Filing and Distribution procedures.
  - f) Under reimbursable accounting procedures, additional expenditures will be billed or any unobligated funds will be refunded. (Note: This requirement will be revised if a fee schedule is established.)
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## **Boundary Certificate Filing and Distribution**

During this transition period a temporary filing system will be developed until a formal and long term filing system can be established.

- All original boundary standards certifications and supporting documentation will be filed in an appropriate and secure filing system.
- A copy of the “Certificate” will be submitted to either the PATOA or CFedS, as applicable.
- A copy of the “Certificate” will be submitted to the Requestor (and BIA if the Requestor is Native American or Alaska Native).

## **Boundary Standards Documents Initial Deposit**

The deposit, associated with the corresponding certificates, varies as to the amount of collection, review and approval time required for certification. Should the collection, review and approval process incur any need for travel or overnight expenditures (per diem), it will be in addition to the initial deposit. In any instance the initial deposit will be collected prior to the commencement of any work. Further additional expenditures will be billed prior to delivery of any approved certificates and, conversely, any unobligated funds will be refunded or retained for future work. The following table depicts the initial amounts of deposits to be used during this initial phase of program implementation:

1. Land Description Review (LDR)
    - Initial Portion and Final Certification: \$500
    - Final Review and Final Certification: \$250
  2. Chain of Surveys (COS)
    - Initial Portion and Final Certification: \$1500
    - Final Review and Final Certification: \$250
  3. Certificate of Inspection and Possession (CIP)
    - Initial Portion and Final Certification: \$750
    - Final Review and Final Certification: \$250
  4. Boundary Assurance Certificate (BAC)
    - Initial Portion and Final Certification: \$500
    - Final Review and Final Certification: \$250
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