

**Forest Service Manual  
National Headquarters - Washington Office  
Washington, DC**

**Forest Service Manual 5409.12 – Appraisal Handbook**

**Chapter 50 – Appraisal Review**

**Amendment:** 5409.12-2021-7

**Effective date:** July 21, 2021

**Duration:** This amendment is effective until superseded or removed.

**Superseded Directive:** 5409.12\_70, Amendment 5409.12-2011-1, 01/21/2011

**Approved by:** Tina Johna Terrell, Associate Deputy Chief, NFS

**Date approved:** July 12, 2021

**Responsible Staff:**

**Explanation of changes:** Following is an explanation of the changes throughout the directive by section.

**Posting Instructions:** Amendments are numbered consecutively by handbook number and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this handbook was 5409.12-2011-1

**50:** Changes chapter title from “Appraisal Reports” to “Appraisal Review.” Removes chapter 70 and incorporates updated direction to this chapter. Revises chapter in its entirety. Makes minor technical, formatting, and editorial changes throughout the chapter. Updates to address appraiser/client relationship and professional appraisal review standards.

**51:** Changes section title from “Self-Contained Appraisal Reports” to “Technical Appraisal Review Process” and sets forth direction. Updates to outline Technical Appraisal Review Process and alignment with UASFLA requirements. Adds review appraiser task regarding issuance of extraordinary assumption and hypothetical conditions to the appraiser. Provides guidance on distribution of appraisal, roles and responsibilities of appraiser and reviewer during the course of the appraisal process.

**52:** Changes section title from “Summary Appraisal Reports” to “Staff Review Appraiser” and sets forth direction.

**53:** Changes section title from “Restricted Use Appraisal Reports” to “Review Appraiser’s Actions” and sets forth direction.

**54:** Establishes code, caption, and sets forth direction for “Resolving Divergency.”

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**55:** Establishes code, caption, and sets forth direction for “Resolving Value Disputes.”

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## 50.2 - Objectives

The objective of the Forest Service appraisal review system is to protect the appraiser, the Line Officer, and the public by providing an independent, technical analysis of the adequacy of real property appraisal reports in compliance with appropriate standards. Appraisal review ensures minimum standards of compliance with professional standards; provides opinions regarding the completeness, adequacy, accuracy, relevance, and reasonableness of work product; and protects the integrity of the appraisal process. The review process is intended to:

1. Approve reasonable and supported appraisal reports for use in real property actions.
2. Maintain acceptable quality of appraisal reports by ensuring that:
  - a. The appraisal process complies with the current editions of the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA), Uniform Standards of Professional Appraisal Practice (USPAP), with applicable Federal law, Departmental regulations, and Forest Service policy.
  - b. The appraisal approach and techniques have been properly developed without error or omission.
  - c. In partial acquisitions, the appraisal does not include non-compensable items, and all compensable items have been considered.
  - d. Contract appraisals comply with contract specifications.
  - e. The review process which evaluates an appraiser's work for compliance is used to advise the appraiser of the level of performance required and that being performed. The appraisal review process permits monitoring of the Regional and National appraisal programs.
  - f. There are annual compliance reviews of all staff appraisers.
3. Protect the confidential nature of the appraiser/client relationship and the integrity of the appraisal process to ensure appraiser independence and objectivity.

## 51 - Technical Appraisal Review Process

Federal law and regulations implementing the Uniform Act require that agencies have a review process that includes examination of appraisal reports by a qualified staff review appraiser (UASFLA, 3.1.1). The Regional Appraiser shall assign each valuation-related case to a qualified staff review appraiser. The assigned reviewer shall provide appraisal instructions to the appraiser and shall review the appraisal report

Annual compliance inspections of all staff review appraisers by the Regional Appraiser and

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triennial compliance inspections of each Regional Appraiser by the Chief Appraiser will promote consistency and ensure compliance with applicable standards.

### **51.1 - Technical Review Procedures**

In developing an appraisal review, an appraiser must identify the problem to be solved, determine the scope of work necessary to solve the problem, and correctly complete research and analyses necessary to produce a credible appraisal review (USPAP 2020-21, Standard 3: Appraisal Review, Development).

The staff review appraiser shall become familiar with the appraisal assignment, appraisal problem, the Request for Appraisal Services (RFAS), check computations, descriptions, estates, deeds, options, size, maps, and construction plans. The staff review appraiser shall identify legal matters needing resolution and ensure that the information provided to the appraiser is adequate and appropriate for the appraisal problem.

The staff review appraiser shall identify Extraordinary Assumptions or Hypothetical Conditions necessary for the assignment. The staff review appraiser shall evaluate the appraiser's qualifications, training, and experience to ensure that the appraiser is following the licensure and competency requirements.

The staff review appraiser shall provide written appraisal instructions (Statement of Work) and appropriate information to the appraiser at the time of notice to proceed. Upon receipt of the appraisal report, the staff review appraiser shall analyze the adequacy of the information, the quantity and quality of supporting data, and the appropriateness of the techniques and methodology employed. The reviewer must form an opinion as to the reasonableness, completeness, and adequacy of the analyses which support the opinion of value.

The reviewer shall form an opinion as to the appraisal report's compliance with applicable law, regulations, the Agency, and Federal standards. When the staff review appraiser is the Contracting Officer's Representative (COR) or technical representative, the review appraiser shall ensure that the technical contract specifications have been met. The staff review appraiser shall maintain a record of all documentation provided to the appraiser.

The staff reviewer shall protect the integrity of the appraisal and review process. The staff reviewer shall provide written instructions to the appraiser identifying the client, intended users, intended use of the appraisal, and shall advise the appraiser to maintain client confidentiality throughout the appraisal and review process.

The appraiser shall accept appraisal instructions from and provide copies of the appraisal to the staff review appraiser only. Copies of the appraisal may be provided to intended users only after the report has been reviewed and approved for Agency use. The appraiser shall be instructed to only provide appraisal data, analyses, or reports to the staff review appraiser or Regional Appraiser at any time.

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Before approving the report, the staff review appraiser shall:

1. Ensure that the correct property and property interests are appraised. The estate appraised and the legal description in the appraisal (as supplemented or amended) must be identical to the property and property rights the Government is to acquire, exchange, or use for other appraisal purposes (as cited in the appraisal contract, land exchange proposal, proposed deed, special-use permit, or disposal program).
2. Determine if the information describing the subject property is consistent with the known facts and adequate given the scope of the assignment, if the assumptions are valid, if the analysis and approaches are properly processed, and if the analyses and conclusions are reasonable and adequately supported with market evidence.
3. Analyze and correlate all facts and information available (within the appraisal or obtained otherwise) to help evaluate the acceptability of the appraisal report(s) and the credibility of the opinion(s) of value.
4. Ascertain if the value opinion(s) are reasonable and supported by the appraisal, as well as by other information available.
5. Ensure that all appraisal reports are prepared to required standards.
6. Ensure that the report does not include any unapproved or unauthorized Extraordinary Assumptions or Hypothetical Conditions.
7. Ensure that applicable Forest Service Units or Subject Matter Experts review specialty reports regarding timber, minerals, water, or other special items.
8. Approve or recommend for approval the appraisal report(s) in accordance with delegated authority.

A review is an opinion about the quality of another appraiser's work. After analyzing the appraisal, the staff review appraiser shall prepare a written review report in compliance with UASFLA and the current version of USPAP to document the findings and support the reviewer's opinions and conclusion. The review report must include opinions regarding the completeness, accuracy, adequacy, relevance, and reasonableness of the data, analysis, and conclusions given the intended use of the appraisal. The staff review appraiser shall prepare a review report, making appropriate reference to required appraisal standards, shall approve, disapprove, or accept the report without approval.

If the scope of the review requires the reviewer to provide an opinion of value, the review report must comply with UASFLA and USPAP as appropriate and will require review by a staff review appraiser with a higher delegation of authority.

## 52 - Staff Review Appraiser

Forest Service Review Appraisers, within their delegated review and approval authority, shall complete the review report in a timeframe commensurate with the type and complexity of the assignment for National Forest System (NFS) or State and Private Forestry (S&PF) assignments that require a technical appraisal review (FSM 5410.61.5).

### 52.1 - Staff Review Appraiser's Role

As the real property valuation expert for the administrative level (Washington Office, Region, or Forest) where assigned, the staff review appraiser provides:

1. Technical leadership in interpretation of applicable law and policy and in the sound and consistent application of appraisal concepts, principles, procedures, and techniques;
2. Appraisal advice and instructions; and
3. Appraiser training.

The staff review appraiser is the liaison between Line Officers, Contracting Officers, legal counsel, and appraisers.

When the Authorized Officer requests valuation reports for short-term use, including negotiating and case processing, the assigned staff review appraiser shall transmit valuation documents with a transmittal letter similar to that shown in exhibit 01. (FSM 5410.74a - Internal Release of Appraisals).

The local administrative unit may have a legitimate short-term need for a copy of the appraisal report. If, for example, the Line Officer needs to be aware of information in the appraisal report before meeting with exchange proponents or interested or affected parties, the staff review appraiser may include additional wording in transmittal letter stating:

The appraisal report and appraisal review report are provided for your use to become familiar with the basis for the value opinion. If you are asked technical questions about the value opinion, you should rely on the assigned staff review appraiser to answer those questions. If necessary, the staff review appraiser may be made available to answer technical questions about the value opinion, appraisal procedures, or appraisal review process.

**72.1 – Exhibit 01**

**Transmittal Letter**

File Code: 5410

Date:

Route To:

Subject: Appraisal  
File No. GIP 444  
Gifford-Pinchot National Forest  
Enchanted Coast LLC  
Tract No. 6377  
Purchase Case

To: Forest Supervisor, Gifford-Pinchot NF

Enclosed is one original appraisal report and appraisal review for the Enchanted Coast LLC purchase case, file number GIP 444. These documents are for your internal use during case processing. The original appraisal review report should be retained in the official case file, but the appraisal report should be returned to the Regional Appraiser after the Title Examiner's use is completed. **Copies of appraisal reports may not be retained in Forest or District files.**

The appraisal report and appraisal review report are provided for you to become familiar with the basis for the value opinion. If you are asked technical questions about the value opinion, you should rely on the assigned staff review appraiser to answer those questions. If necessary, the staff review appraiser may be made available to answer technical questions about the value opinion, appraisal procedures, or appraisal review process.

Copies, or portions of appraisal reports, appraisal review reports, or supporting documents may not be released outside the Agency except through the Freedom of Information Act (FOIA) process, nor to anyone internally without the written consent of the assigned review appraiser. If an external request for appraisal information is made, forward the request to the Regional Office in the form of a FOIA request. Only the Regional Director of Lands, or equivalent official, may release appraisal or appraisal-related information.

If you have any questions, please contact the staff review appraiser at (555) 555-5555.

/s/ \_\_\_\_\_

FS Staff Review Appraiser

State Certified General Real Estate Appraiser and designation credentials here

Enclosures

## 52.2 - Limitations

1. The staff review appraiser may not change an appraisal report, except for minor mathematical or typographical errors, and must call those minor changes to the appraiser's attention. No one, except the original appraiser, is permitted to edit or otherwise revise the original appraisal report.
2. The staff review appraiser may not substitute personal judgment for that of the appraiser, nor dismiss careful appraisal judgment solely because it cannot be supported by conclusive market data. However, the review appraiser may question the appraiser's judgment when it is illogical, unreasonable, not supported by data cited, or is inconsistent with other data.
3. The staff review appraiser shall not allow agency goals or adversarial pressure to influence the reviewer's opinion of an appraisal report's value estimate. Nor can the staff review appraiser's personal opinion regarding the proposed action influence the review process.
4. The staff review appraiser shall not attempt to influence the appraiser's judgment or direct the appraiser toward a value opinion. The only effort should be to obtain a properly supported value opinion based on factual evidence and valid analysis of all facts available through use of approved appraisal approaches and techniques. Minor technical non-conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA) and the Uniform Standards of Professional Appraisal Practice (USPAP) should not be the cause of disapproval of an appraisal report unless the deficiencies affect the credibility or reliability of the value estimate.
5. When assisting or training appraisers, the staff review appraiser shall avoid becoming so involved in an appraisal that it reflects the reviewer's analysis, judgments, and opinions, rather than that of the appraiser's. To do so would preclude subsequent objective review by the review appraiser.

## 52.3 - Reviewer Independence

To ensure objectivity and independence in the review process, and to preclude the appearance of conflicts of interest or wrongdoing, staff review appraisers shall not:

1. Be responsible for case processing or negotiating the acquisition, disposal, authorization, or exchange of any appraised property.
2. Review an appraisal prepared by the reviewer's immediate Supervisor.
3. Review an appraisal for a property they personally and recently appraised.

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4. Review an appraisal prepared by a staff review appraiser with the same or lower delegated authority as that staff review appraiser.

As with appraisers, the staff review appraiser shall not become an advocate. The staff review appraiser's task is to evaluate the technical aspects of the appraisal (UASFLA, 3.4).

### **53 - Review Appraiser's Actions**

The staff review appraiser may approve, disapprove, or accept without approval an appraisal report (UASFLA, 3.1.1). The reviewer may supplement a report to support approval or may develop a different opinion of value, even if, assigned by the Regional Appraiser. If the scope of the review assignment includes the development of an opinion of value by the reviewer, the review and development of the reviewer's opinion of value must conform to the UASFLA and USPAP. A report supporting a different opinion of value will require review by a staff review appraiser with a higher delegation of authority.

#### **53.1 - Approval**

The staff review appraiser should approve or recommend for approval the appraisal report if it complies with the assignment standards and adequately supports the value estimate.

#### **53.2 - Disapproval**

If, after diligent documented efforts have been made to get the needed support and revisions, and the appraisal report still does not meet acceptable standards and the appraisal is not credible and/or the value opinion is not market supported, the staff review appraiser may disapprove an appraisal report. The staff review appraiser shall clearly show why the appraisal report is inadequate.

Disapproval of a contract appraisal report does not necessarily constitute non-performance under the contract. The staff review appraiser shall work with the Contracting Officer to determine appropriate payment or withholding of payment under the terms of the contract.

#### **53.3 - Acceptance Without Approval**

It is possible for an appraisal to be technically acceptable although the value opinion is in doubt or unconvincing. In such cases, the staff review appraiser may accept an appraisal without approval. Such acceptance must be followed by, or made in conjunction with, an action to either approve a better appraisal report or to obtain another appraisal (by either staff appraiser or private contract appraiser) to substantiate, support, or replace the first appraisal. Whether the first report remains accepted or is ultimately disapproved may depend on the extent of divergence between the first and second appraisal reports.

Approving one appraisal report over another "acceptable" report, where the divergence in value opinions is within acceptable limits, constitutes "acceptance without approval" of the

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unapproved report. However, if divergency between two appraisals is unacceptable, approving one report constitutes disapproval of the other. In such a case, the staff review appraiser shall clearly state and support the reasons for approving one, rather than the other. See section 54 of this Handbook for additional direction for resolving divergency.

### **53.4 - Rejection**

No appraisal should be "rejected" unless it is in clear violation of appraisal principles and standards, Agency or Departmental regulations or directives, is inconsistent with facts, or asserts unsupported conclusions.

### **53.5 - A Different Value Estimate**

After significant efforts to obtain an acceptable report from the appraiser, the Regional Appraiser may authorize the staff review appraiser to develop an independent opinion of value. The independent opinion of value may be documented in the appraisal review report which documents the disapproval of the original appraisal. The reviewer shall meet all applicable UASFLA and USPAP analysis and reporting standards (UASFLA, 3.5).

#### **53.5a - Required Conditions**

The staff review appraiser may recommend a value different from that cited in the appraisal when all of the following conditions apply:

1. Despite diligent efforts to improve the report, the problem still cannot be resolved satisfactorily.
2. The staff review appraiser still cannot approve the appraisal report.
3. Obtaining another appraisal is not feasible or economical.

The reviewer's scope of work must include, at the least, inspection of the appraised property and the sales relied upon in making the estimate. The reviewer shall also offer the landowner, or designated representative, an opportunity to accompany the reviewer on an inspection of the property and to provide additional data.

#### **53.5b - Effects**

The reviewer's independent opinion of value is a new appraisal. The new opinion is the responsibility of the staff review appraiser and must be supported by the facts cited in the original appraisal or facts the review appraiser documents.

Concluding a new opinion of value does not constitute "changing an appraisal report," nor does it alter the original appraisal report. The staff review appraiser's new opinion of value must be reviewed at a higher level of delegated review authority, except when the staff review appraiser is the chief appraiser.

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If the next level staff review appraiser does not substantially agree with either the original appraisal or the appraisal prepared by the previous staff review appraiser, and the divergence and problems cannot be satisfactorily resolved, the higher-level staff review appraiser may develop a new opinion of value. A new value opinion resulting from the chief appraiser's review does not require further review and constitutes the agency-approved market value for the assignment.

## **54 - Resolving Divergency**

Significant divergence between the conclusions of two appraisers, or between the conclusions of one appraiser and the staff review appraiser, must be resolved. Also, if appraisals for the same or essentially similar properties in the same vicinity result in significant value differences, without evidence of actual differences in market value, a divergence exists and must be resolved.

Sources of divergence may be factual, instructional, or judgmental. The staff review appraiser shall attempt to resolve the differences by careful and thorough analysis of the appraisal reports to ascertain the source of the differences. One or both reports might be technically unsound, inadequately developed, lack supportive data, or be based on improper or inappropriate appraisal techniques or instruction.

### **54.1 - Resolving the Differences**

To resolve divergencies, the staff review appraiser identifies the sources and causes, verifies the factual differences, and clarifies differences in the appraiser's instructions and interpretations to ensure that all appraisers receive the correct data and the same instructions.

If the staff review appraiser finds divergence due to the appraisers' interpretations of data, the staff review appraiser should request further details or supporting data. The staff review appraiser may ask one or both appraisers to reevaluate the appraisal problem, considering:

1. Any additional information available or overlooked,
2. Which data are really the most relevant, and
3. The different analyses and interpretations of the data and what they indicate.

The staff review appraiser may ask for reconsideration of conceptual aspects of the appraisal or may attempt to get the appraisers together to resolve the differences.

The staff review appraiser shall ensure that appraisers prepare each appraisal as accurately as possible and to the quality standards needed for the appraisal assignment. While it is appropriate for the staff review appraiser to facilitate the sharing of factual information, it is also necessary that each appraiser independently develop his or her own analyses and

conclusions. It is necessary to avoid the appearance or suggestion of collaboration or collusion, or undue influence. The staff review appraiser should only resolve questions and must not attempt to influence the appraiser's value opinions.

## **54.2 - Final Decision**

Ultimately, the assigned review appraiser determines which appraisal report is better supported and more accurate. If the staff review appraiser does not substantially agree with either of the appraisals, and if it is not possible to resolve the divergence and the problems satisfactorily, the staff review appraiser shall arrange for another appraisal or prepare one personally, if authorized by the Regional Appraiser. The staff review appraiser shall carefully document all steps taken to resolve the divergencies.

## **55 - Resolving Value Disputes**

When a non-Federal party disagrees with the Agency-approved value, an effort should be made to informally resolve the dispute. The non-Federal party should be invited to submit either additional market evidence for consideration or submit a second appraisal, paid for by the non-Federal party, and prepared under Forest Service instructions by an appraiser who is qualified for the specific assignment and approved by the assigned review appraiser. A second appraisal willingly terminated by the non-Federal party prior to completion still constitutes their allowed second appraisal. Multiple second appraisals are not permitted. Unsolicited second appraisals are not accepted.

All reports must meet Federal standards if considered as a basis for values in the proposed transaction. Data from reports that do not meet Federal standards may be used to modify an agency approved value only if the validity of such data is documented in a correlative review.

The staff review appraiser shall consider the appraisal and any valid transaction evidence that is provided as it reflects on the agency approved value being disputed. A comprehensive correlative review shall be prepared reflecting any change in the Agency approved value that is supported by all of the market information under consideration. The correlative review may be explained in detail to the non-Federal party.

### **55.1 - Bargaining**

In land exchange cases, the Forest Service or the non-Federal party may initiate a bargaining process to resolve conflicting values in appraisal reports that have been submitted to, and reviewed by, the assigned Forest Service staff review appraiser and determined to comply with the assignment specifications and applicable requirements of the Uniform Appraisal Standards for Federal Land Acquisitions. Forest Service participation in bargaining may be authorized and initiated only by the Washington Office, Director of Lands, and must occur within 180 days of receipt of the appraisal report(s) for review and approval by the Authorized Officer.

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Bargaining is limited to the range of values reflected in appraisal reports that have been submitted to, and reviewed by, the assigned Forest Service staff review appraiser and determined to comply with specifications and standards. Although, occasionally, two or more appraisal reports are submitted that meet appropriate specifications and standards, only one of the appraisal reports may be approved for agency use. Any bargaining process must begin with the value opinion in the appraisal report approved for agency use. Lands exchanged must be of equal value.

The Regional Appraiser (or a Regional Appraiser from another region when assigned in writing by the Chief Appraiser) shall act as technical advisor to the bargaining officer in reconciling divergent values and determining compliance with assignment specifications and standards. Any bargaining decision that results in a value opinion different from the value opinion in the approved appraisal report must be discussed with the Regional Appraiser before the new bargained value is finalized. Any agreement based upon bargaining must be in writing and made part of the administrative record of the exchange. The agreement must contain a reference to all relevant appraisal information and state how the parties reconciled appraisal information to arrive at an agreement resulting in a bargained value based on market value. The bargained value does not represent market value unless the Regional Appraiser documents that conclusion, and its basis, in writing.

## **55.2 - Arbitration**

For additional information on arbitration, see 36 CFR 254.10, FSM 5400, and FSH 5409.13, chapter 30.

Forest Service participation in arbitration may be authorized and initiated only by the Washington Office, Director of Lands. Arbitration may be used when the parties to a land exchange under authority of the Federal Land Exchange Facilitation Act (FLEFA) of August 20, 1988, do not agree on appraised values. The parties may agree to enter into arbitration under the following conditions:

1. The Forest Service has approved an appraisal report for the lands that are the subject of arbitration and the appraisal was prepared by a qualified appraiser in compliance with the UASFLA, the Uniform Standards of Professional Appraisal Practice (USPAP), and Forest Service written instructions.
2. The Forest Service Authorized Officer and the non-Federal party have outlined in an arbitration agreement the conditions and limitations of the proposed arbitration. Mandatory conditions include:
  - a. The only issue to be arbitrated is the market value of the specified parcel(s) of land.

- b. The non-Federal party will provide a second appraisal prepared by an appraiser qualified for the assignment and approved by the assigned review appraiser, within a period specified in the agreement.
- c. The second appraisal complies with UASFLA, USPAP, and any Forest Service written instructions provided to the original appraiser and has the same date of value as the first appraisal.
- d. The Washington Office, Director of Lands, will appoint an arbitrator from a list provided by the American Arbitration Association.
- e. The second appraisal must be submitted to the assigned staff review appraiser at least 60 days before any arbitration hearing and at least 30 days before any pre-hearing conference or preliminary hearing. The second appraisal must have a written review prepared by the assigned staff review appraiser. The non-Federal party may obtain its own written review of the Agency approved and/or the second appraisal. Appraisal reviews must be in compliance with UASFLA, USPAP, and this handbook.
- f. The parties agree on the location and timing of all hearings, conferences, or meetings associated with the arbitration.
- g. Allocation of expenses between the Federal and non-Federal parties are specified.
- h. Any arbitration hearing must be conducted by the American Arbitration Association using its "Real Estate Valuation Arbitration Rules," except as noted in section 75.2. The arbitrator shall be bound by the same laws, regulations, and policies that govern Forest Service land exchange appraisals.
- i. The Forest Service must not share in the cost of any stenographic or other record of the hearing.
- j. Either party may request inspection of the disputed property and any other properties by the arbitrator without the right of objection by the other party.
- k. A technical advisor and all expert witnesses must be allowed to attend as much of the hearing as determined appropriate by the party they represent.
- l. Either party may be allowed a maximum of four non-participating observers at the hearing.
- m. The arbitration hearing must be open to the public to the extent they can be accommodated by the facility.
- n. No arbitration hearing must be allowed to proceed nor will an award be made in the absence of either party.

- o. Neither party may provide further proofs, post-hearing briefs, nor otherwise cause delay of an award beyond the date and time originally prescribed for closing of the hearing. The hearing may not be reopened.
  - p. Upon closing the hearing, the arbitrator shall provide a written award within 30 days of the conclusion of the hearing. The award must provide an explanation of the basis for the arbitrator's value to allow the Federal and non-Federal parties to determine whether they choose to proceed with or withdraw from the exchange.
3. Within 30 days after completion of arbitration (date of the arbitration award), either party may withdraw from the exchange by providing written notice to the other party.
  4. If the parties tentatively agree to proceed based on the arbitrator's award, the Regional Forester shall submit the arbitrator's value conclusion to the Washington Office, Director of Lands, for approval. The submission must include the Agency-approved appraisal and associated Forest Service appraisal review, the non-Federal party's appraisal, and any Forest Service review of the non-Federal party's appraisal, the arbitrator's award, analysis of the award, a recommendation to the Washington Office, Director of Lands, for approval and appropriate support for the recommendation.
  5. If either party chooses not to accept the arbitrator's award but can agree to a value of the disputed property, the Regional Forester shall submit the value to the Washington Office, Director of Lands, for approval of that value recommendation. The submission must include the Agency-approved appraisal, the Forest Service appraisal review, the non-Federal party's appraisal, any Forest Service review of that appraisal, the arbitrator's award, the written basis for the value conclusion different than the award including an analysis of that value conclusion by the Regional Appraiser, and a recommendation for approval.