Takings Assessment

1. Assess the likelihood that the proposed rule may result in a taking or regulatory taking. **[Insert answer.]**
2. Clearly and specifically identify the purpose of the proposed rule. **[Insert answer.]**
3. Explain why the proposed rule is necessary to substantially advance that purpose and why no alternative action is available that would achieve the agency's goals while reducing the impact on private property owners. **[Insert answer.]**
4. Estimate the potential cost to the government if a court determines that the proposed rule constitutes a taking or regulatory taking. **[Insert answer.]**
5. Identify the source of payment within the agency's budget for any compensation that may be ordered. **[Insert answer.]**
6. Certify that the benefits of the proposed rule exceed the estimated compensation costs. **[Insert answer.]**