

U.S. Fish & Wildlife Service

# A Profile of Land Protection Actions

*As of September 30, 2003*





Morton NWR

John and Karen Hollingsworth/USFWS

## **Land Protection Policy for the U.S. Fish & Wildlife Service**

The U.S. Fish and Wildlife Service acquires lands and waters consistent with legislation, other Congressional guidelines, and Executive Orders for the conservation, management, and where appropriate, restoration of ecosystems, fish, wildlife, plants, and related habitat, and to provide for compatible, wildlife oriented public use for educational and recreational purposes.

These lands include national wildlife refuges, national fish hatcheries, waterfowl production areas, and other areas.

We acquire land and water interests including, but not limited to, fee title, easements, leases, and other interests. We encourage donations of desired lands or interests.

Funding for acquisitions comes from receipts, such as Federal Duck Stamp sales, entrance fees to certain National Wildlife Refuges, import taxes on arms and ammunition, and appropriations under the Land and Water Conservation Fund Act.



## **Eminent Domain Policy**

The Service, like all Federal agencies, has the authority to use Eminent Domain to acquire lands and interest in lands for the public good through litigation. The Service, however, seldom uses this authority. It is our practice to acquire lands from willing sellers.

Service policy is to acquire land through Eminent Domain as a last recourse and only to:

- determine the legal owner (clear title),
- settle a difference of opinion of value (when the owner is agreeable to court action), or
- prevent uses which would cause irreparable damage to the resources that the unit was established to protect.

In all cases, whether or not Eminent Domain is necessary, the Service offers not less than market value as determined by an approved appraisal, using professional standards and Federal requirements, i.e., Uniform Standards of Professional Appraisal Practice, Uniform Appraisal Standards for Federal Land Acquisitions, Uniform Relocation Assistance and Real Property Acquisition Policies Act (Public Law 91-646), and Financial Institutions Reform, Recovery and Enforcement Act of 1989 (Public Law 101-73).



Anahuac NWR

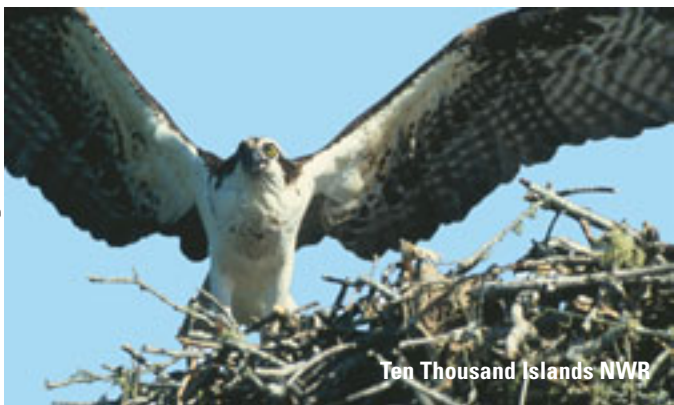


Upper Mississippi River NWFR

### **Frequency of U.S. Fish & Wildlife Service Eminent Domain Actions**

The Service has used Eminent Domain sparingly throughout its land acquisition history. The Service recognizes the possible social and economic impacts of acquiring private property by exercising the right of Eminent Domain and does its utmost to avoid using this approach.

In recent years this has become increasingly true as greater emphasis is placed on acquisition from willing sellers. Over the past ten years (1994-2003) the Service has not acquired any acres through court action (except, with the concurrence of the seller, actions used merely to clear title or settle values).



Ten Thousand Islands NWR

## **Lands Under Control of the Service as of September 30, 2003**

The U.S. Fish and Wildlife Service acquired fee title or other interests in 510,317 acres in Fiscal Year 2003, for a total of over 95,875,284 acres under our control. Over 82,095,401 of those acres are reserved from the Public Domain (Public Domain lands are those lands that have never left Federal ownership); 4,832,637 acres were purchased in fee title; 720,269 acres represent donations or gifts; 3,625,038 acres are protected through agreements, easements or leases; and 4,601,940 acres were acquired by other Federal agencies. Primary authority can be transferred to the Service or we can manage the lands pursuant to an agreement as an overlay refuge.

The number of National Wildlife Refuges increased from 540 in FY 2002 to 542 in FY 2003.

The counties in which Waterfowl Production Areas are located total 203 nationwide. We also oversee 69 National Fish Hatcheries, 50 Coordination Areas, and 47 Administrative Sites.

Additional detailed information can be found in the "Report of Lands Under Control of the U.S. Fish & Wildlife Service as of September 30, 2003" (see our website address on back of brochure).



**Alaska Maritime NWR**

## Acquisition Summary Fiscal Years 1999 - 2003 (In Acres)

Fiscal Year	Acquisition Transactions	Reserved-Public Domain	Federal Agency Transfer/Overlay	Devise or Gift	Purchase	Agreement, Lease, or Easement	Total Acre
1999	803	(-2,782)	925	15,843	124,354	163,581	301,921
2000	872	0	68,095	10,524	55,794	190,208	325,621
2001	949	(-3,477)	1,005,883	2,083	68,907	140,000	1,213,396
2002	784	1,743	171	36,187	68,014	118,143	233,961
2003	683	26,498	318,103	2,780	73,825	88,569	510,317
<b>Total</b>	<b>4,091</b>	<b>21,982</b>	<b>1,393,177</b>	<b>67,417</b>	<b>390,894</b>	<b>700,501</b>	<b>2,585,216</b>

*NOTE: Negative acreage will appear when more acres were divested than acquired during the fiscal year (e.g., in FY 1999 the Service relinquished its secondary jurisdiction over certain Bureau of Reclamation public domain lands at the North Platte National Wildlife Refuge in Nebraska).*



**U.S. Department of the Interior  
U.S. Fish & Wildlife Service  
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**Baca National Wildlife Refuge**

Cover photo courtesy of Karen R. Hollingsworth, Three Black Ducks