

U.S. Fish & Wildlife Service

A Profile of Land Protection Actions

As of September 30, 2002





Clarence Cannon NWR

Jim Rather/MO Conservation

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 and we are rarely compelled to buy specific habitats within a short period of time.

Service policy is to acquire land through Eminent Domain 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).



Canaan Valley NWR



Alaska Peninsula NWR

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 (1993-2002) 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).



Fort Niobrara NWR

Lands Under Control of the Service as of September 30, 2002

The U.S. Fish and Wildlife Service acquired fee title or other interests in 233,961 acres in Fiscal Year 2002, for a total of over 95,382,237 acres under our control. Over 82,091,920 of those acres are reserved from the Public Domain (Public Domain lands are those lands that have never left Federal ownership); another 4,742,560 acres were purchased in fee title; 716,283 acres represent donations or gifts; 3,545,870 acres are protected through agreements, easements or leases; and 4,285,604 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 537 in FY 2001 to 540 in FY 2002.

The counties in which Waterfowl Production Areas are located total 203 nationwide. We also oversee 69 National Fish Hatcheries, 50 Coordination Areas, and 48 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, 2002" (see our website address on back of brochure).



Lower Rio Grande Valley NWR

**Acquisition Summary Fiscal Years 1998 - 2002
(In Acres)**

Fiscal Year	Acquisition Transactions	Reserved-Public Domain	Federal Agency Transfer/Overlay	Devise or Gift	Purchase	Agreement, Lease, or Easement	Total Acre
1998	721	1,866	8,676	2,932	83,086	85,680	182,240
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
Total¹	4,129	(-2,650)	1,083,750	67,569	400,155	697,612	2,257,139

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).

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Cahaba River National Wildlife Refuge
Cover photo courtesy of Edward Orth, Birmingham, AL