

U.S. Fish & Wildlife Service

# A Profile of Land Protection Actions

*As of September 30, 2001*





## **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.



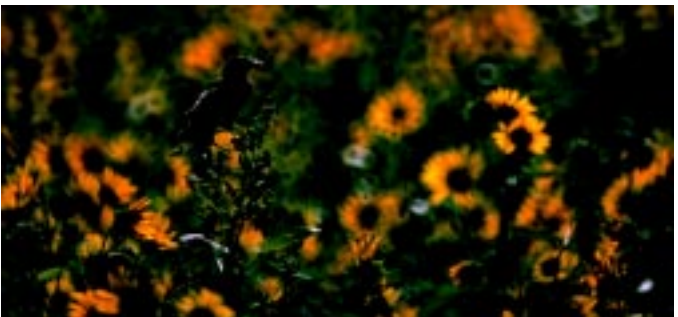
## **Eminent Domain Policy**

The Service, like all Federal agencies, is given the power of Eminent Domain that allows the use of litigation to acquire lands and interest in lands for the public good. The Service, however, seldom uses this power. It is our general 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 Acquisitions Policies Act (P.L. 91-646), and Financial Institutions Reform, Recovery and Enforcement Act of 1989 (P.L. 101-73).



## **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 (1992-2001) the Service has not acquired any acres through court action, (except for actions used merely to clear title or settle values and with the concurrence of the seller).



## **Lands Under Control of the Service as of September 30, 2001**

The U.S. Fish and Wildlife Service acquired fee title or other interests in over 1,213,396 acres in Fiscal Year 2001, for a total of over 95,260,029 acres under our control. Over 82,086,584 of those acres are reserved from the Public Domain; another 4,682,339 acres were purchased in fee title; 678,483 acres represent donations or gifts; 3,528,384 acres are protected through agreements, easements or leases; and 4,284,239 acres were acquired by other Federal agencies. We have either primary or secondary jurisdiction over the lands acquired by other agencies, depending on whether accountability has been transferred to the Service.

The number of National Wildlife Refuges increased from 530 in FY 2000 to 538 in FY 2001.

The counties in which Waterfowl Production Areas are located total 202 nationwide. We also oversee 70 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, 2001” (see our website address on back of brochure).



**Acquisition Summary Fiscal Years 1997 - 2001**  
(In Acres)

<b>Fiscal Year</b>	<b>Acquisition Transactions</b>	<b>Reserved-Public Domain</b>	<b>Federal Agency Transfer/Overlay</b>	<b>Devise or Gift</b>	<b>Lease Purchase</b>	<b>Easement, or Agmt.</b>	<b>Total Acre</b>
1997	658	0	94,021	2,123	60,389	98,132	254,665
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
<b>Total</b>	<b>4,003</b>	<b>(-4,393)</b>	<b>1,177,600</b>	<b>33,505</b>	<b>392,530</b>	<b>677,601</b>	<b>2,277,843</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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*Dakota Tallgrass Prairie Wildlife Management Area.  
All photos © Courtesy of Jim Brandenburg and the Brandenburg Prairie  
Foundation*