Appendix F

FINAL
Realty Feasibility Study for a Proposed Cherry Valley National Wildlife Refuge Pennsylvania

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DISCLAIMER

The following document comprises a theoretical manipulation of data for the sole purpose of demonstrating how the data can be used and interpreted. IT IS NOT AN APPRAISAL, AN APPRAISAL REPORT, OR A CONSULTATION REPORT. Any results or conclusions drawn from the data are for purposes of illustration only and are not to be utilized for any other purpose.

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Introduction

In 2006, the 109th Congress passed the Cherry Valley National Wildlife Refuge Study Act (Study Act) which directed the U.S. Fish and Wildlife Service (Service) to evaluate the valley's fish and wildlife habitats for their potential inclusion through donation, exchange, or willing seller purchase, in a future Cherry Valley National Wildlife Refuge and to submit a report containing the results of the evaluation.

One element of this report is to be a map that identifies specific lands and waters and that delineates an acquisition boundary for a potential Cherry Valley National Wildlife Refuge.

A second element is to be a cost estimate for the acquisition of all lands, waters, and interests therein that are appropriate for refuge status.

The purpose of this realty feasibility study is to provide a broad, theoretical estimate of the cost to acquire all lands, waters, and interests that have been deemed appropriate for refuge status within the study boundary as it is defined in the Study Act.

While real property interests can be acquired by the Service through donations and exchanges, purchases from willing sellers are the most commonly used method. A property's interests can be acquired "in fee" whereby all interests, formally known as the fee simple estate, are conveyed. Alternatively, a portion of the rights or interests associated with a property can be acquired. Specific rights can be reserved by the seller or specific rights can be acquired by the Service. A conservation easement is the means most commonly used by the Service to ensure protection of a property while not acquiring it in fee. Conservation easements typically allow the Service to purchase the rights of development, timbering, mining and hunting.

Methodology

The Cherry Valley Study Team (CVST), a group comprised of representatives of the Service, The Nature Conservancy, and other interested parties, was convened to develop the most suitable alternatives for accomplishing the conservation benefits to be gained from the establishment of a Cherry Valley National Wildlife Refuge. The Service subsequently determined that the preferred action for achieving these benefits was Alternative B – Diverse Habitat Complex.

After the initial analyses were completed for this document, the CVST realized that approximately 1,500 acres along lower Cherry Creek had likely been inadvertently excluded from the Study Act boundary. Consequently, this section was included in the analyses presented in the main document and, where possible, other appendices. Of the additional 1,500 acres, the Service identified approximately 700 acres that were

appropriate for inclusion in a refuge and these were added to the original 19,723 acres proposed under Alternative B. Unfortunately, the analyses for this document had already been completed; therefore, the additional acres have not been incorporated into this document. Overall, these acres represent less than four percent of the proposed refuge area.

Alternative B envisions a total of 20,466 acres of potential refuge lands, well within the Study Act's requirement that "[t]he total area of lands, water and interests therein that may be acquired shall not in the aggregate exceed 30,000 acres." However, as explained above, approximately 700 acres from the Lower Cherry Creek section have not been included in these analyses.

Alternative B seeks to protect the optimal amount of desired habitat and biological communities while excluding, to the greatest extent reasonable, properties or portions of properties that have already been developed or have substantial structures on them. While the protection of unimproved land is the highest priority of any refuge land acquisition program, there are inevitably situations where the acquisition of an improvement (only from a willing seller) is necessary for habitat protection purposes. The location and value of such improvements cannot be predicted; therefore, the value of such improvements have not been included in the results of this study.

Identification of appropriate properties or portions of properties most appropriate for inclusion in a proposed refuge was done through personal inspection of lands within the Cherry Valley National Wildlife Refuge Study Act boundary, and through the use of a series of maps constructed by Monroe County Planning Commission (MCPC) personnel that utilized Pennsylvania Department of Conservation and Natural Resources PAMAP Program 2005 color orthophotos of the area with a parcel overlay.

Maps delineating areas proposed for inclusion in any future refuge, as well as areas to be excluded, were created using the orthophoto base. Individual parcels were mapped using MCPC-assigned General Land Use Descriptions as well as owner names, block and lot numbers, and calculated acreages.

A database of all properties within the Study Act boundary was modified to reflect only those parcels recommended for inclusion in the proposed refuge. Within this modified database, properties were sorted by MCPC General Land Use Descriptions, hereafter referred to as general land use categories, and then by the more specific Monroe County Assessor's Land Use Codes. Sale Price to Assessed Value ratios were calculated for each group of sales in each general land use category, utilizing all sales where the ratio was greater than 1.0. Assessed values for the categories of land and of buildings came from the most recent reassessment done by Monroe County in 1988. These ratios were then applied to the land component only, of those properties within the same general land use category that had sale prices less than their assessed values. The vast majority of these transactions were for unspecified amounts, for no monetary

consideration, or for one dollar. In this way, the values of the land components for known sales were estimated.

Total sale prices for each general land use category, both those calculated directly and those calculated through application of the ratios, were then adjusted to reflect the proportion of the property proposed for inclusion in the refuge. These weighted subtotals for calculated and estimated costs were then averaged and per acre costs calculated.

Sales within the Residential general land use categories were broken into subclasses based on size (less than ten acres and ten acres and greater), with ratios calculated for each subclass. Sales in the Vacant general land use categories were broken into subclasses based on sales price, as acreage was not strongly correlated with sale price.

There are only nine parcels proposed for inclusion in a future refuge that are larger than 150 acres. As the number of transfers of these properties was insufficient for analysis, sales of large acreage properties outside the Study Act boundary, but within Monroe County, were used to estimate the per acre cost of these tracts. Given the average size of the parcels to be included (647 acres), the two sales closest in size were utilized to calculate an interpolated per acre value.

The area within the proposed refuge includes 300 acres already subject to conservation easements and 1,047 acres subject to agricultural easements. The conservation easements were typically acquired by non-governmental conservation organizations or by townships and the agricultural easements were purchased by Monroe County. The lands subject to agricultural easements are different from those subject to Pennsylvania's Act 319 restrictions, which act essentially as a seven year easement on properties, but one which permits very limited (one two acre lot per year) development.

As the Service will likely address the protection of properties already subject to easements, on an individual property basis and over an extended period, for the purposes of this study these lands will be treated as lands that will be protected through acquisition.

To estimate the cost of protecting lands through the purchase of conservation easements, an analysis was done on all known easements in the proposed refuge area, for which the market values of the property both before and after application of the easements were available. An analysis of the data resulted in a calculated mean value of easements of 66% of the unencumbered value of the property. This percentage, when applied to the per acre fee values for each general land use class produced a per acre value for easements on each land use class. That value, when multiplied by half of the number of acres in each class (i.e. the number to be protected through easements) resulted in a cost of protecting half that land use class' acres through easements.

Results and Discussion

While analysis of the data produced a range of sale price to assessed value ratios, for the most significant general land use categories, including those for agriculture, forests, and residential use, the range was from 4.0 to 5.5. The residential category that comprises mobile homes, courts, and parks, as well as garages, sheds, etc., ranged higher, from 6.25 to 7.25, as did the categories for services and retail trade. The highest ratio, 10.3, was for the general land use category of Vacant, Undeveloped and Unused Land Area, reflecting the higher value of land available for residential development. Lot sizes of the sales indicate that the vast majority of these parcels are suitable for only one residence.

Not unexpectedly, estimated per acre prices varied widely by general land use category. While the relatively low value for excess acreage from large residential lots was predictable, that for excess industrial acreage appears to reflect the high proportion of property value that lies in improvements. Agricultural and forested properties subject to Pennsylvania's Act 319 fell in the middle of the range of per acre values.

A summary of a broad analysis of the data is shown in Table 1 and Table 2. Table 1 shows, by General Land Use Description, the number of acres identified for inclusion in the proposed refuge and the estimated costs, per acre and total, for each land use category, if all lands were to be acquired in fee.

Table 2 shows the number of acres and per acre cost, by general land use categories, if half of the area to be included in the proposed refuge was to be protected through fee purchase and the other half was to be protected through the purchase of conservation easements (Alternative B). In regard to the interests to be acquired through easements, the focus group determined that to accomplish the goals of the proposed refuge, acquisition of the development rights, timber, mining (surface and subsurface), and hunting associated with any given property is essential. Water rights and life use are interests, the reservation of which could be negotiated.

Not included in these summary tables but crucial nonetheless, are the significant and unavoidable costs associated with land acquisition. The cost of appraisals, surveys, contaminant inspections, as well as essential travel costs, can add appreciably to the cost of each acquisition, be it of a fee or an easement interest.

Table 1. Protection of Lands in a Proposed Cherry Valley NWR Through Acquisition of Fee Interests Only

General Land Use Description	Land Use Codes	Total assessed acres	Proposed refuge (acres)	Est. Cost / Fee Acre	Est. Cost
Agriculture	Agricultural Reserve - Act 319	1,812	1,633	$3,583	$5,850,847
Agriculture	Agriculture - Act 319	4,253	3,432	$3,001	$10,229,265
Forest	Forest Reserve - Act 319	4,909	4,321	$3,013	$13,020,295
Communication/ Transportation/ Utilities	Undeveloped & Unused	39	39	$4,984	$194,380
Communication/ Transportation/Utilities	Tracts > 150 acs.	5,703	3,885	$4,035	$15,675,975
Industrial	Various	440	374	$2,554	$955,305
Cultural, Public/Private Parks & Rec.	Undeveloped & Unused, etc.	359	340	$3,073	$1,044,743
Residential	Household Units < 10 acs.	1,654	989	$7,908	$7,820,946
Residential	Household Units > 10 acs.	1,940	1,812	$2,607	$4,724,331
Residential	Mobile home courts, garages, etc.	363	308	$5,262	$1,620,642
Residential	Developments, apts., timeshare, etc.	345	220	$8,879	$1,953,354
Hotels	Transient lodging	50	20	$11,303	$226,061
Services, resorts, group camps	Retail, professional, F.I.R.E.	323	304	$13,878	$4,218,805
Vacant	Undeveloped & Unused - low	1,170	1,048	$6,590	$6,905,996
Vacant	Undeveloped & Unused - middle	754	752	$11,410	$8,580,029
Vacant	Undeveloped & Unused - high	272	259	$35,261	$9,132,516
Rounding adjustment			-13		($60,749)
Estimated Costs (Fee) and Acreages		**24,385**	**19,723**		**$92,092,741**
Average Cost Per Acre (Fee)				**$4,669**	

Table 2. **Alternative B - Protection of Lands in a Proposed Cherry Valley NWR through Acquisition of Conservation Easements (50%) and of Fee Interests (50%)**

General Land Use Description	Land Use Codes	Proposed Refuge Acres	Proposed Fee Acres	Est. Cost/ Fee Acre	Proposed Esmnt Acres	Est. Cost/ Esmnt Ac	Est. Tot. Cost
Agriculture	Agricultural Reserve - Act 319	1,633	817	$3,583	816	$2,365	$4,857,151
Agriculture	Agriculture - Act 319	3,432	1,716	$3,001	1,716	$1,981	$8,549,112
Forest	Forest Reserve - Act 319	4,321	2,161	$3,013	2,160	$1,989	$10,807,333
Commnctn/Transp/Utilities	Undeveloped & Unused	39	19	$4,984	20	$3,289	$160,476
Commnctn/Transp/Utilities	Tracts > 150 acs.	3,885	1,943	$4,035	1,942	$2,663	$13,011,551
Industrial	Various	374	187	$2,554	187	$1,686	$792,880
Cultural, Pub./Prvt Parks & Rec	Undeveloped & Unused, etc.	340	170	$3,073	170	$2,028	$867,170
Residential	Household Units < 10 acs.	989	494	$7,908	495	$5,219	$6,489,957
Residential	Household Units > 10 acs.	1,812	906	$2,607	906	$1,721	$3,921,168
Residential	Mobile home courts, garages, etc.	308	154	$5,262	154	$3,473	$1,345,190
Residential	Developments, apts., timeshare, etc.	220	110	$8,879	110	$5,860	$1,621,290
Hotels	Transient lodging	20	10	$11,303	10	$7,460	$187,630
Services, resorts, group camps	Retail, professional, F.I.R.E.	304	152	$13,878	152	$9,159	$3,501,624
Vacant	Undeveloped & Unused - low	1,048	524	$6,590	524	$4,349	$5,732,036
Vacant	Undeveloped & Unused - middle	752	376	$11,410	376	$7,531	$7,121,816
Vacant	Undeveloped & Unused - high	259	129	$35,261	130	$23,272	$7,574,029
Rounding adjustment		-13	-7		-6		
			9,861		9,862		
Estimated Costs (50% Fee, 50% Easement) and Acreages		**19,723**					**$76,540,413**
Average Cost Per Acre (Fee)				**$3,881**			

Non-Federal Funding Options for Protection of Lands in Cherry Valley

It is important to note that significant private, municipal, county and state funds have been spent on land protection efforts in Cherry Valley and will likely continue to serve as an important complement to federal protection actions. There are several additional options for non-federal funding of land acquisition in Cherry Valley that could be helpful in protecting its habitats.

The North American Wetlands Conservation Act Grants Program provides grants under its Standard Grants Program and its Small Grants Program to organizations and individuals who have developed partnerships to carry out wetlands conservation projects. Both are competitive grants programs that require grant requests be matched by partner contributions at no less than a 1-to-1 ratio. The Standard Grants Program supports projects in Canada, the United States, and Mexico that involve long-term protection, restoration, and/or enhancement of wetlands and associated uplands. Total funding in 2008 is $82.4 million, of which 50 percent of total available funds are used to support projects in the United States. Total funding for the U.S. Standard Grants Program in 2008 is $52.9 million. Grant requests to the Small Grants Program may not exceed $75,000 and funding priority is given to grantees or partners new to the Small Grants Program. Funding for 2008 is $2 million.

The Neotropical Migratory Bird Conservation Act Grants Program supports public-private partnerships carrying out projects that promote the long-term conservation of neotropical migratory birds and their habitats. At least 75 percent of the total funding available for grants each fiscal year is to be used to support projects outside the United States. Funding for 2008 is $4.5 million.

The National Oceanographic and Atmospheric Administration's (NOAA) Damage Assessment, Remediation, and Restoration Program works to assess and restore natural resources injured by releases of oil and hazardous substances, as well as by vessel groundings. It works to implement remedial actions that protect NOAA trust resources and to recover funds from responsible parties to assure long-term protection of natural resources.

Conclusion

Alternative B proposes 20,466 acres for protection through their inclusion in the proposed Cherry Valley National Wildlife Refuge. The estimated cost of acquiring the fee interest in these lands is almost $92.1 million. Alternative B estimates that 50% of these lands would be protected through purchase in fee and 50% through the purchase of conservation easements. The estimated cost of fully accomplishing this alternative is slightly in excess of $76,500,000, with an average cost per acre of approximately $3,881. Land protection efforts using non-federal funds have played and will continue to play an essential role in the protection of lands in Cherry Valley.