

Appendix F: Land Protection Plan

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Land Protection Plan Proposed Addition to Marais des Cygnes National Wildlife Refuge

Options for Fish and Wildlife Habitats

This Land Protection Plan presents habitat protection and restoration options available to the Service and landowners on public and private lands within the proposed refuge expansion boundary. A map of relative protection priorities for areas within the proposed refuge is included (**Figure 1**).

I. Options for Land Protection

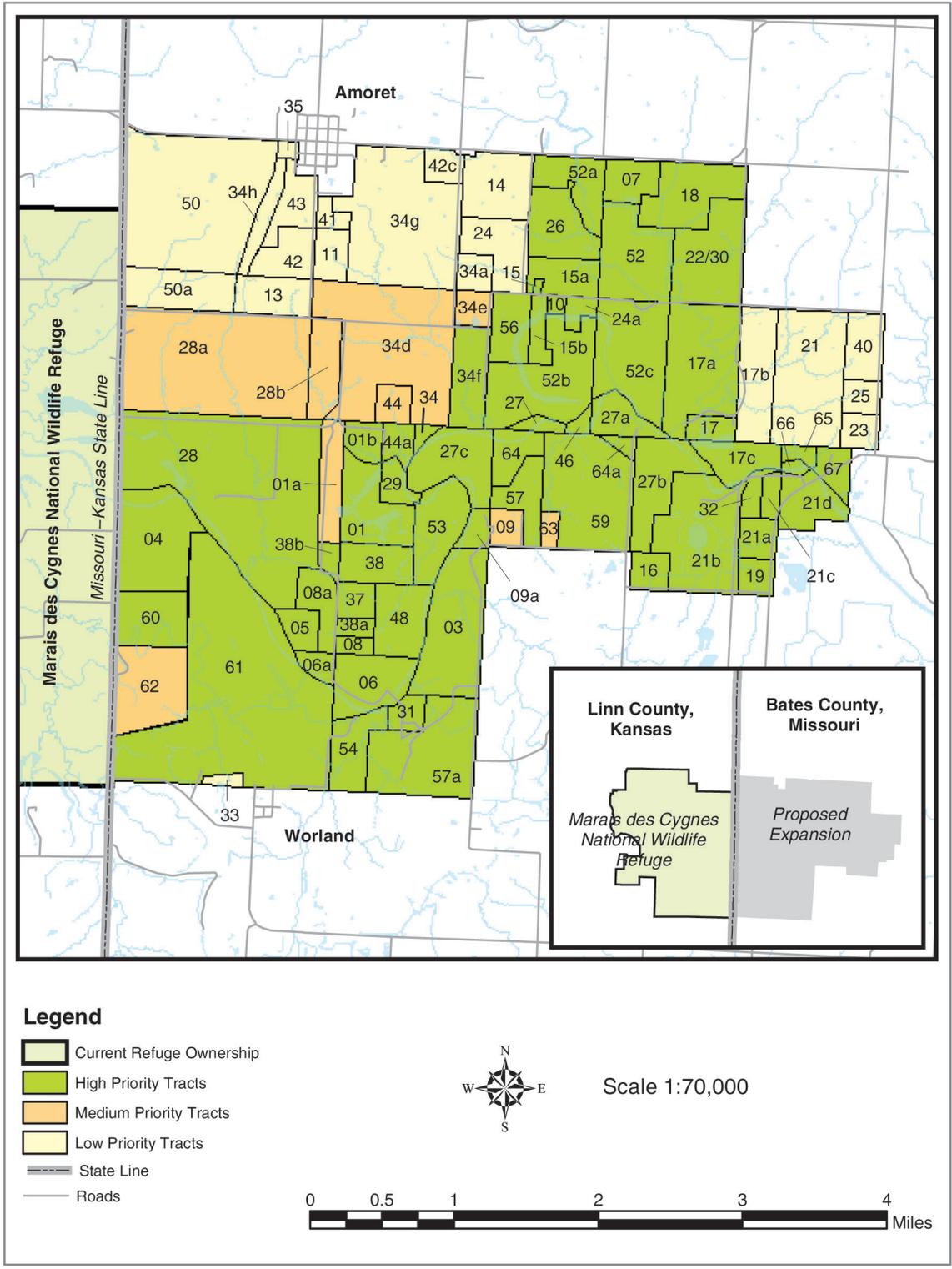
Land protection options vary from written agreements on land management to outright purchase of the land. Land may be acquired in fee title by several methods including exchange, purchase or donation. Conservation or non-development easements can also be purchased by the Service or donated by a landowner. Each parcel of land has unique resource values and circumstances that determine the desired level of protection.

Much of the public discussion and/or concern over a new refuge proposal centers on full acquisition of lands (fee title). However, land purchase is only one of many options for developing a wildlife refuge. Various options for habitat protection and restoration could be used in concert with fee title acquisition to achieve refuge goals.

Fee Simple Purchase: The Service could purchase land from willing sellers within the proposed refuge boundary. If separate mineral rights were held, we would seek to acquire those as well. The land would be appraised at market value and a written offer presented to a landowner. Full rights and title to purchased property would be vested with the United States as part of the National Wildlife Refuge System. Land acquisition funds are limited and allocated on a nationwide basis. Each Service Region must compete for appropriations from Congress under the Land and Water Conservation Fund and for Migratory Bird Conservation Fund (Duck Stamp) allotments. Annual land acquisition funding cannot be assured for each refuge requesting it.

Conservation Easements: Conservation easements are a popular method for land protection used by private individuals, land trusts and governments. Conservation easements involve the acquisition of specific land rights for the purpose of achieving defined habitat objectives. Easements can either prohibit or encourage certain practices. For example, wetland easements usually involve the right to drain, burn and fill a wetland. Grassland easements usually cover the right to place timing restrictions on hay mowing to benefit wildlife. Easements become part of the title to the property and are usually permanent. If a landowner sells the property, the easement continues as part of the title.

Figure 1: Tracts in the Proposed Expansion Area Identified by Tract Number and Priority for Acquisition



II. Options for Habitat Restoration

Partners for Fish and Wildlife: This program is administered by the U.S. Department of the Interior, Fish and Wildlife Service and offers technical and financial assistance to private landowners to voluntarily restore wetlands, native grasslands and other fish and wildlife habitats. The Service, along with a wide variety of partners, provides assistance and cost-sharing to complete work if the landowner agrees to maintain the area for a period of 10 years or more. Partners who contribute time and funds for these efforts include local conservation organizations, universities, businesses, school groups, other government agencies and private individuals.

Wetlands Reserve Program: The Wetlands Reserve program is administered by the U.S. Department of Agriculture, Natural Resources Conservation Service. The program focuses on providing financial incentives to landowners in exchange for wetland restoration or enhancements. Three options are available: permanent easements, 30-year easements, and restoration cost-share agreements for a minimum 10-year duration. The landowner retains title to the land and may lease it for hunting and fishing. Additional activities, such as haying, grazing or timber cutting, may be permitted if the uses are fully consistent with protection and enhancement of the wetland.

Technical Assistance: Several programs exist for people who want to improve wildlife habitat on their land. Financial assistance for habitat improvements is often available on a cost-sharing basis.

Wildlife Habitat Incentives Program: Participants work with the Natural Resource Conservation Service to prepare a wildlife habitat development plan in consultation with the local conservation district. The plan describes the landowner's goals for habitat improvement and sets a schedule for implementation. Cost-share agreements under this program generally last from 5 to 10 years.

Cooperative Agreements: The U.S. Fish and Wildlife Service can offer free technical assistance to neighboring property owners through a cooperative agreement. The Service can agree to develop wildlife or land management plans, or do wildlife surveys on private lands and provide detailed information to the landowners. These cooperative agreements are formal, written documents, and usually place no legally binding restrictions on the land. No money is involved and either party may cancel the agreement with adequate notice to the other party. A cooperative agreement would not affect the tax status of the land.

Private Conservation Efforts: In recent years, conservation organizations have been effective in promoting wildlife habitat improvement on private lands. Collectively, these local, regional or national organizations are a great source of financial and technical assistance for the private landowner who wishes to improve lands for wildlife. Some of the more popular organizations include The Nature Conservancy, The Conservation Fund, Fish and Wildlife Foundation, Izaak Walton League, Audubon, Trust for Public Lands, Ducks Unlimited, and Pheasants Forever.

In addition, local hunting, fishing, and conservation organizations often are willing to assist private landowners with wildlife habitat improvement projects.

Many of these organizations have substantial financial and technical resources and are often a dedicated source of energy for wildlife habitat improvement on both private and public lands.

III. Recommended Land Protection Levels

The draft Environmental Assessment recommends Alternative C (11,145 acres), which includes preservation of the core stream area and its associated bottomland forest and riparian wetlands as well as adjacent upland areas. The goal for the bottomland areas would be to gradually acquire fee or easements on the lands over time. Any fee or easement purchases would be from willing sellers only. If a landowner is not interested in a fee title sale, the Service would consider other options such as conservation easements or assistance with private conservation measures if these were of interest to the landowner.

The approach for the adjacent upland areas (Priority 2 and 3) area would be to acquire fee or permanent easements on most lands within the boundary over time. During the interim, a combination of easements, fee title or private conservation measures would be pursued based on each landowner's interest.

The surrounding Watershed Conservation (Priority 3) approach would include fee acquisition, but also a larger role for voluntary conservation measures and easement programs. Focus would be placed on the retirement of highly erodible lands where possible and encouraging conservation practices. The Service would seek to engage landowners in private conservation measures through existing programs and technical assistance. However, fee title purchase, based on funding availability, would still be possible for landowners interested only in that option.

IV. Land Protection Priorities:

Land protection priorities are listed in Table 1. The bottomland area is the Service's highest priority (Priority 1) for purchase and restoration with future available funding. The adjacent upland areas where there is existing upland forest or prairie would be the second highest priority for fee purchase and conservation easements (Priority 2). The upland parcels that are currently cropped would be the last priority for available land acquisition funds (Priority 3). Some of the tract ownerships extend outside the proposed Refuge boundaries, which accounts for the acreage totaling more than the 11,145 acre expansion.

Table 1: List of Tracts, Acreage, and Protection Priority within the Proposed Expansion Area

TRACT #	ACRES	PRIORITY
1	146.5	Higher
01a	86.4	Medium
01b	42.9	Higher
03	256.9	Higher
04	349.5	Higher
05	45.0	Higher
06	134.9	Higher
06a	28.5	Higher
07	67.4	Higher
08	21.3	Higher
08a	70.1	Higher
09	40.1	Medium
09a	32.4	Higher
10	10.9	Higher
11	53.8	Lower
13	91.0	Lower
14	140.5	Lower
15	3.9	Higher
15a	80.7	Higher
15b	37.9	Higher
16	43.2	Higher
17	38.9	Higher
17a	267.5	Higher
17b	147.3	Lower
17c	81.6	Higher
18	157.6	Higher
19	41.5	Higher
21	293.8	Lower
21a	46.8	Higher
21b	277.0	Higher
21c	26.8	Higher
21d	94.1	Higher
22/30	201.8	Higher
23	42.2	Lower
24	114.9	Lower
24a	25.7	Higher
25	39.0	Lower
26	125.1	Higher
27	20.5	Higher
27a	68.1	Higher
27b	143.9	Higher
27c	148.1	Higher
28	785.7	Higher
28a	590.7	Medium
28b	91.7	Medium
29	39.9	Higher
31	36.9	Higher
32	22.3	Higher
33	14.4	Lower
34	12.2	Higher

TRACT #	ACRES	PRIORITY
34a	39.3	Lower
34d	477.9	Medium
34e	39.3	Medium
34f	111.3	Higher
34g	435.1	Lower
34h	52.7	Lower
35	10.8	Lower
37	43.0	Higher
38	88.9	Higher
38a	20.6	Higher
38b	20.0	Higher
40	78.8	Lower
41	25.5	Lower
42	81.1	Lower
42c	38.4	Lower
43	77.4	Lower
44	41.2	Medium
44a	37.0	Higher
46	14.6	Higher
48	116.5	Higher
50	560.8	Lower
50a	135.8	Lower
52	191.3	Higher
52a	103.4	Higher
52b	250.9	Higher
52c	234.3	Higher
53	130.2	Higher
54	97.8	Higher
56	84.1	Higher
57	102.1	Higher
57a	270.3	Higher
59	293.6	Higher
60	188.4	Higher
61	934.6	Higher
62	184.7	Medium
63	20.4	Medium
64	64.8	Higher
64a	14.8	Higher
65	18.5	Higher
66	11.0	Higher
67	46.1	Higher

totals: 11567.1 91

