

Chapter 1 — Introduction and Project Description

The Rainwater Basin was once covered by native prairie and was largely isolated from streams and natural drainages. Heavy rains or snow melts would fill the numerous shallow depressions scattered throughout the region. Its geographic location in the mid portion of the central flyway made the Rainwater Basin an oasis of food and rest for millions of birds during their northward migration to their breeding grounds. Waterfowl, shorebirds, and grassland birds would dominate the skies, with raptors following the migration.

Today, the landscape is dramatically changed. The expansive grasslands and numerous wetlands have been replaced with fields of corn and soybeans. Roads traverse the landscape at 1-mile intervals, and small rural communities are scattered within a 10-mile radius of one another. Many of the wetlands have been filled or drained, reducing their numbers to only about 16 percent of their historical level.

The remaining wetlands play an increasingly important role in providing resting and feeding areas for the millions of birds that continue to use the central flyway each spring and fall. However, their function as wetlands has been diminished by sedimentation, nutrient runoff, and reduced water runoff within the watersheds. Waterfowl and shorebirds are forced to crowd into fewer areas and compete for the limited amount of natural food provided by the wetlands.

A Service (U.S. Fish and Wildlife Service) team (appendix A) used a planning process to analyze the impacts of increasing the acquisition authority of the

Rainwater Basin Wetland Management District. The team started with an analysis of the area's habitats, species (appendix B), and issues. This LPP (Land Protection Plan) provides a general description of the operations and management of the Rainwater Basin Expansion Project (Rainwater Basin Wetland Management District Expansion Project, as described in the proposed action in the Rainwater Basin Wetland Management District Expansion Project EA (Environmental Assessment)). The EA is presented in appendix C.

Several alternatives were initially considered, and two alternatives were selected for further analysis. The first, alternative A, also called the no-action alternative, considered the consequences of not doing anything. Alternative B considered the positive and negative consequences of increasing the Service's acquisition authority in the Rainwater Basin. After the EA was completed and after the public comment period was over and public comments (appendix D) were incorporated in the analysis, the proposed alternative—increasing the acquisition authority—was chosen and this LPP was developed. The project was found to have no significant impacts on the quality of the human environment; thus, a FONSI (finding of no significant impact) has been completed and signed (appendix E). Other environmental compliance and approval documentation is included in this volume (appendixes F, G, H, I).



USFWS

A waterfowl production area in late spring.

The Service developed this LPP to provide local landowners, governmental agencies, and the interested public with a general understanding of the anticipated management approaches for the acquisition program. The purpose of the LPP is to present a broad overview of the Service’s future management approach to wildlife and associated habitats, public uses, interagency coordination, public outreach, and other operational needs.

The Rainwater Basin Expansion Project will be implemented in the main portion of the Rainwater Basin region of south central Nebraska. Although the Rainwater Basin includes all or portions of 21 counties, the project will be restricted to the 13 counties that currently make up the Rainwater Basin Wetland Management District: Adams, Clay, Fillmore, Franklin, Gosper, Hall, Hamilton, Phelps, Polk, Kearney, Saline, Seward, and York (figure 1).

The region is characterized by low, rolling topography with loess soils. In this region are many shallow wetlands that are an internationally known stopover for migratory birds. Euro-American settlement of the region resulted in the conversion, primarily to cropland, of about 84 percent of the historical wetlands. The remaining wetlands have become increasingly important to the central flyway. Birds from the gulf coast states and Mexico funnel through this region before spreading out across the Prairie Pothole Region and areas further north (figure 2). While here, ducks, geese, and shorebirds use the wetlands for food and resting. Body fat gained while in the Rainwater Basin is needed for successful production on their nesting grounds.

Project Description

This project expands the Service’s acquisition authority from its current limit of 24,000 acres to 38,177 acres (table 1). The Service will purchase 9,177 acres in fee-title (0.20 percent of the Rainwater Basin region) and the remaining 5,000 acres in conservation easements (0.11 percent of the Rainwater Basin region). The specific locations of the acquisitions cannot be determined at this time because they depend both on the willingness of landowners to sell and on whether the available wetlands have the characteristics that most influence waterfowl use.

The purposes of the Rainwater Basin Expansion Project are to:

- preserve the landscape-scale ecological integrity of the Rainwater Basin by maintaining and enhancing the hydrology, flora, and fauna of wetlands;
- support the recovery and protection of threatened and endangered species and reduce the likelihood of future listings under the Endangered Species Act;

- provide a buffer against climate change by providing migration habitat for millions of migrating birds;
- increase the amount of natural foods available to support healthy birds on their northern nesting areas; and
- increase the social benefits of wetlands, such as increased water quality, flood control, hunting, and bird watching.

Table 1. Wetland Acquisition Authority within the Rainwater Basin Wetland Management District

	<i>Prior Authorization Acres*</i>	<i>Additional Acres Approved</i>	<i>New Authorization Acres</i>
Fee	24,000	9,177	33,177
Wetland		6,500	
Upland		2,677	
Easement		5,000	5,000
Wetland		2,500	
Upland		2,500	
			38,177

** Prior authorization did not distinguish between fee-title and easement acquisition.*

Purpose of and Need for the Land Protection Plan

The Service began protecting wetlands with fee-title acquisition in 1962 to maintain the Rainwater Basin as an important stopover and breeding habitat for millions of migratory birds. NGPC (Nebraska Game and Parks Commission) took the same approach. All properties were purchased from voluntary sellers.

In most situations, it was the owners of the deeper, wetter portions of the individual wetland basins who were willing to sell their land to the Service. Many surrounding owners of the remaining portion of a wetland chose to retain ownership and farm their portion during drier years. This split ownership greatly reduced the effectiveness of the publicly owned portion of the wetland. This is because a drained wetland that has only a small portion in private ownership cannot be effectively restored without purchasing the privately held portion. For example, a 200-acre drained wetland with 180 acres in public ownership and 20 acres in private ownership remains effectively drained until the last 20 acres are purchased. These generally small, privately owned tracts connected to publicly owned wetlands are referred to as “roundouts.”

Now, nearly 50 years after the Service began protecting wetlands with fee-title acquisition, only 8.5 percent (18,067 acres) of the historical wetland acres

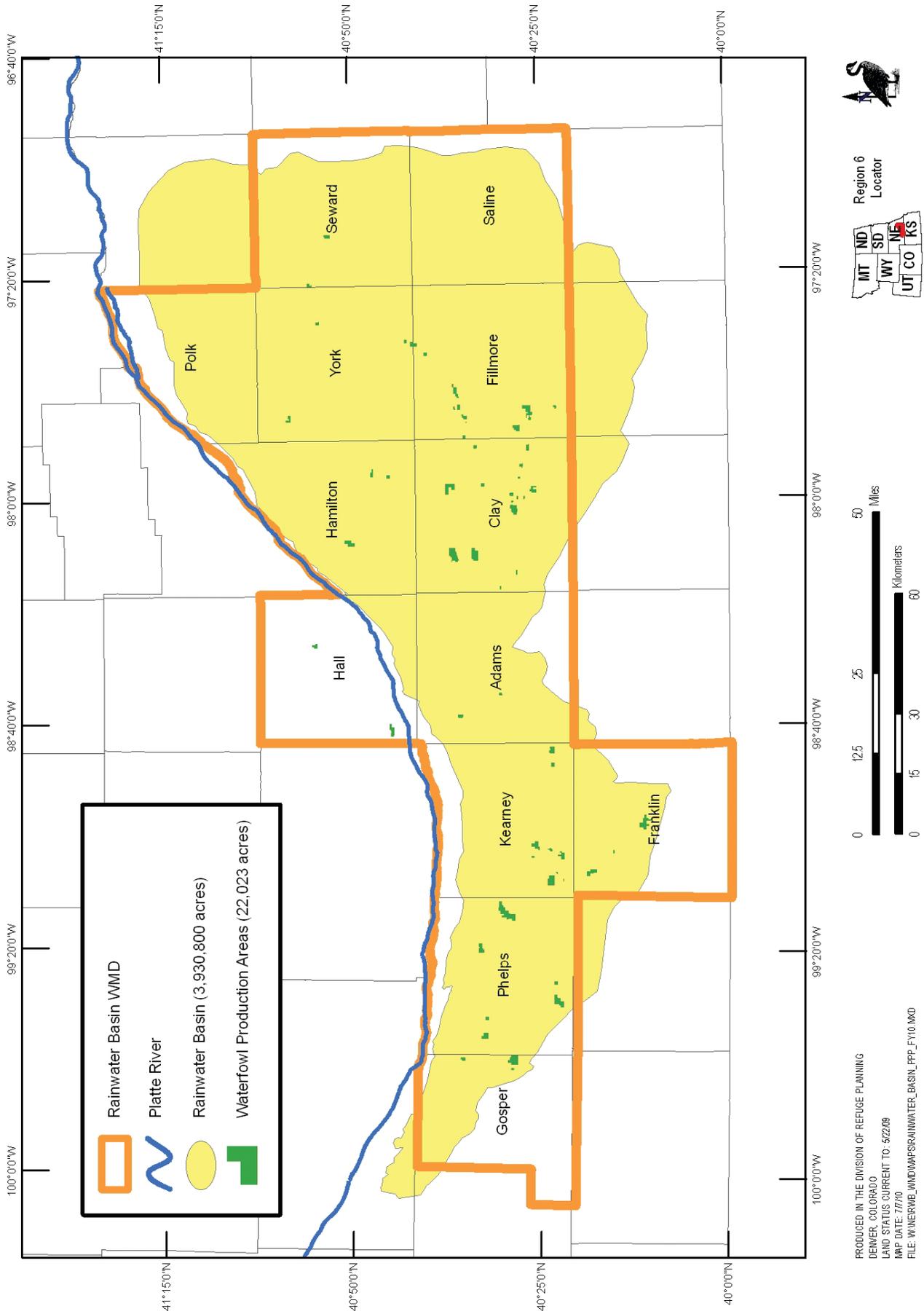


Figure 1. Rainwater Basin Wetland Management District.



Figure 2. Central flyway's spring migration route.

in the Rainwater Basin are in public ownership. Public wetland areas (State and Federal) are represented by 90 distinct properties containing all or portions of 168 wetlands, or about 1.5 percent of the 11,000 historical wetlands (USFWS, Grand Island GIS Shop, unpublished).

The partners of the Rainwater Basin Joint Venture (see Related Actions and Activities) examined wetland acres in private ownership that may hamper the ability to manage wetlands owned by the Service or NGPC. The partners also examined the nutritional and energetic needs of all waterfowl while staging in the region. The determination of the total additional acres needing protection in the Rainwater Basin is based on this collaborative work.

FEE TITLE

Taking into consideration the factors described above, the Rainwater Basin Joint Venture projected that an additional 7,790 wetland acres need to be purchased in fee title by all partners. The Service will strive to acquire 6,500 of these wetland acres. The required upland buffer around these wetlands is estimated to be 2,677 acres. Ownership of properties purchased with the authorization of this proposal would be held by the Service as part of the National Wildlife Refuge System. The properties would be managed as WPAs (waterfowl production areas).

Fee-title acquisition will focus on two types of wetland properties. The primary focus will be on portions of privately owned wetland roundouts that share a boundary with wetland areas already owned by the Service. The secondary focus will be on large wetlands

that can serve as a core wetland within a complex of smaller, privately owned wetlands.

Currently, 38 WPAs need additional land acquisition in order to complete Service ownership of the properties' hydric or wetland soil. Adjoining roundout property, which represents a significant portion of the total wetland area, will need to be purchased in fee title to allow full management of the wetland. Adjoining wetland portions that represent a small portion of the wetland and do not substantially affect management on the Service's portion could be protected with conservation easements. Most privately owned properties that could serve as core wetlands within a wetland complex are currently drained and would be more difficult to purchase. Both of these acquisition approaches would have a positive effect on bird use within the local area.

CONSERVATION EASEMENTS

The Rainwater Basin Joint Venture determined that an additional 9,239 acres of wetlands need to be protected by perpetual easements (Andy Bishop, coordinator, Rainwater Basin Joint Venture, Nebraska; personal communication; May 12, 2010). The Service will strive to acquire 2,500 wetland acres and 2,500 upland buffer acres through conservation easements.

Easements purchased by the Service will be grassland-wetland easements that would require the upland to be in permanent grassland. The easement would restrict commercial and residential development, but would allow the landowner to use the property for haying, grazing, and recreation. Allowing access to the property will remain a landowner's right.

The Rainwater Basin Wetland Management District has administered 31 conservation easements within the region before 2009. Eight of these easements are within the Rainwater Basin, but only one has significant wetland habitat for migratory birds. Since 2009, the Service has acquired five additional grassland-wetland conservation easements within the Rainwater Basin. Those easements, acquired under the current land acquisition authority, follow the same guidelines that will be acquired through this project.

The NRCS (Natural Resources Conservation Service) is expected to be the dominant partner with the Service in obtaining perpetual easements under its WRP (Wetlands Reserve Program). In 2010, the WRP launched a pilot project that allows landowners to sell a WRP easement, with the buyer retaining the right to graze the property with only minimal restrictions. The reason for allowing grazing is that it helps to keep wetlands in an early successional, seed-producing state, making it more valuable to migrating birds.

WATERFOWL NUTRITIONAL NEEDS

The Rainwater Basin is internationally recognized for its importance as a migration stopover. Birds in

migration have additional nutrient demands, not only for the migration itself but to reach a body condition needed for egg production (Devries et al. 2008).

Historically, the Rainwater Basin has provided migrating birds with natural foods from thousands of shallow wetlands. It is impossible to estimate how much food these wetlands provided for waterfowl hundreds of years ago, but recent research into the nutrient value of common native wetland plants documents their high value.

The Rainwater Basin Joint Venture has used data on the energetic needs of ducks and other waterfowl as well as the number of bird-use days in the Rainwater Basin to estimate that migratory waterfowl need a total of 15.6 billion Kcal (kilocalories) from both natural and agricultural sources during their stay in the region (Rainwater Basin Joint Venture, unpublished report, 2010).

The conversion of wetlands and grassland to cropland has caused migrating waterfowl to feed heavily on waste grain (top chart in figure 3). Although waste grain meets the caloric requirements of waterfowl, it does not provide the amino acids and minerals they need.

One of the goals of the Rainwater Basin Joint Venture is to increase the amount of available energy for waterfowl from natural, nonagricultural foods to 4.4 billion Kcal, or 28 percent of their diet (Rainwater Basin Joint Venture, unpublished report). A 2004 GIS (geographic information system) assessment of available wetland habitat and food indicated that, given their current number and condition, the region's wetlands are capable of only providing 13.6 percent of the birds' dietary needs (USFWS, Grand Island GIS Shop, unpublished).

Aside from the loss of wetlands, remaining wetlands with altered hydrology or no management for wildlife are more prone to developing dense stands of late-successional plants, such as reed canary grass, cattail, and bulrush. Research suggests that wetlands dominated by late-successional plants can provide only about one-tenth of the kilocalories (0.025 million Kcal/acre) of wetlands in an early-successional stage (USDA, NRCS 2008).

The lands acquired under the LPP will contribute to meeting the nutritional needs of migratory birds as determined by the Rainwater Basin Joint Venture. Better vegetation management at existing wetlands and an increase in the number of wetlands providing natural foods are required. The bottom chart in figure 3 shows where future wetland foods will come from. Acquisition and management of additional wetlands would increase the projected contribution from public wetlands from 5.8 to 21.3 percent. This action would provide the greatest amount of increased nutrition with the fewest number of additional acres.

Purchases and associated management of easements would need to be increased to provide 10.2 percent of

needed calories. Short-term wetlands are those that have less than 99-year easements or land use contracts. These wetlands would be expected to provide almost 5 percent of needed calories. Privately owned wetlands that have no protection would be expected to continue to provide 6 percent of the wetland foods.

Issues

Two public scoping meetings were held in Clay Center and Holdrege, Nebraska, in January 2011. Public comments were taken at these scoping meetings to identify issues to be analyzed during the environmental review of the proposed action. Approximately 39 landowners, citizens, and elected representatives attended the meetings. Additionally, 16 letters providing comments and identifying issues and concerns were received.

The Service's field staff contacted local government officials, other public agencies, and conservation groups that have expressed an interest in and a desire to provide a sustainable future for wetlands in the Rainwater Basin region. Approximately 170 fact sheets were mailed out, and project information was also made available at the Rainwater Basin Wetland Management District and regional planning Web sites.

Many of the comments received were about the biological needs of waterfowl and socioeconomic issues. Comment topics are summarized below.

BIOLOGICAL ISSUES

- Concern about past and future loss of wetlands within the Rainwater Basin
- Concern about providing adequate habitat for spring migration
- Concern about the value of the region for migrating birds and the need to protect declining species
- Concern that farm programs and increased interest in biofuels may cause loss of the remaining unprotected wetlands
- Concern that the energetics model used to determine the number of proposed acquisition acres is not a valid or accurate model
- Concern that wetlands in public ownership are not being managed for the benefit of all wildlife, including pheasants

SOCIOECONOMIC ISSUES

- Concern that land protection discourages or negatively affects economic activity in the area
- Concern about the loss of taxes paid to the county, and that these lost taxes will place a greater burden on local taxpayers

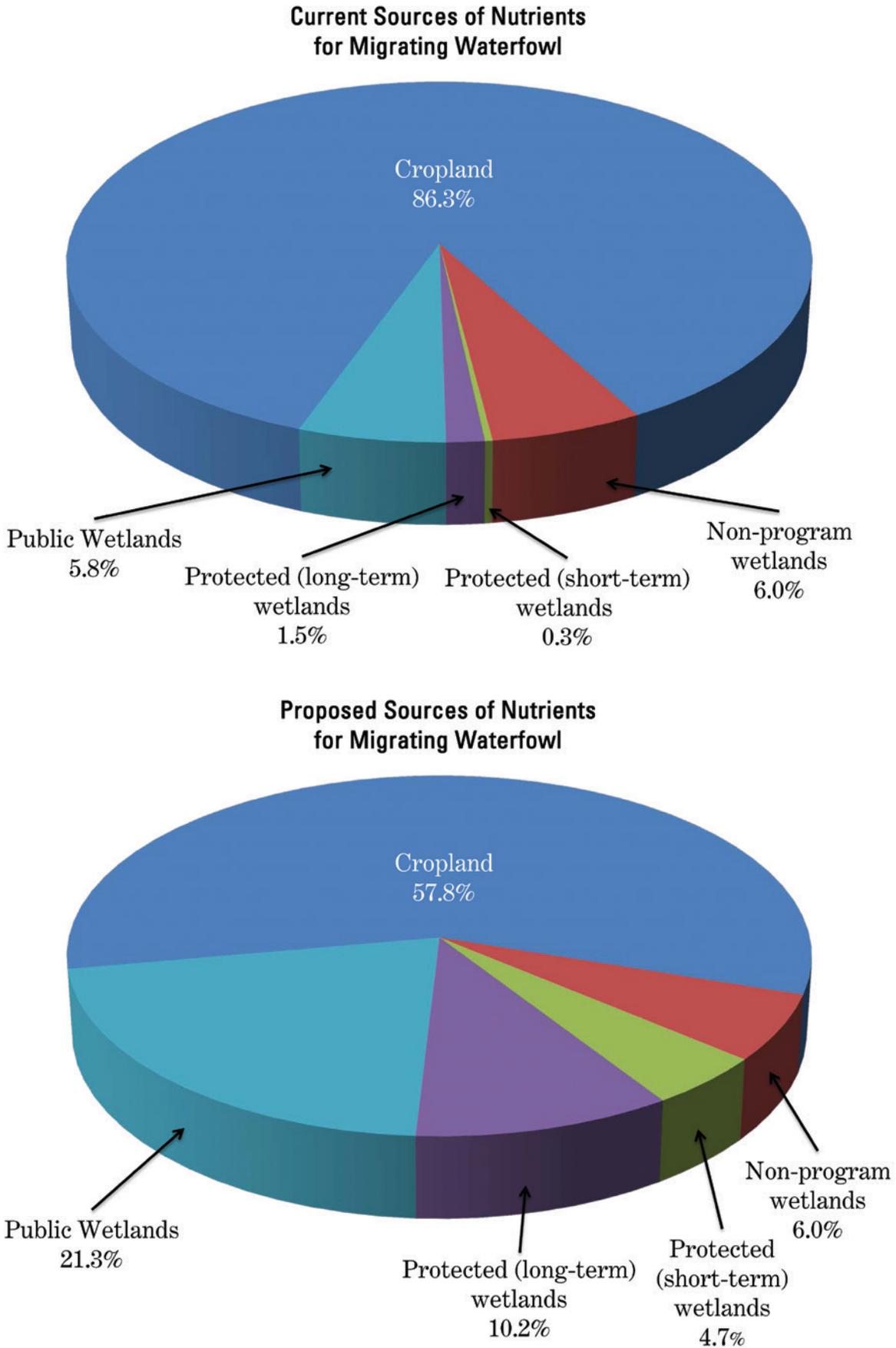


Figure 3. Sources of nutrients for migrating waterfowl.

- Concern that acquisition may drive up land prices
- Concern that transition from privately owned farmland to public ownership will decrease the human population and support for schools, roads, and other services
- Concern that local governments should be given more authority to approve or disapprove land acquisitions and to determine the use of public property
- Concern that funding should be made available to compensate landowners for their privately owned wetlands
- Concern that the Service should work with landowners to enhance wetlands on private property

The Service incorporated these issues into the draft Environmental Assessment (appendix C) during the spring of 2011. The Service released the draft EA and LPP on May 31, 2011, for a 30-day public review period. This period was extended 2 weeks until July 15, 2011, allowing a 45-day public review period. All comments received were incorporated into the administrative record. A majority of comments were supportive in nature and recognized the benefits that wetlands provide to wildlife as well as local communities. Comments received that were substantive in nature were incorporated in the EA and were responded to in appendix D.

ISSUES NOT SELECTED FOR DETAILED ANALYSIS

At one of the scoping meetings, the accuracy of the energetics models was called into question. No detailed analysis of this issue was performed for this environmental assessment. This model clearly assumes that the data used to estimate the energetic needs of waterfowl within Rainwater Basin came from a large amount of research not specific to this area. For example, the energetic value (Kcal) of a particular wetland plant studied in another part of the country is assumed to have an energetic value similar to that of the same plant species within the Rainwater Basin. The validity of this assumption is currently unknown and would require site-specific research. The energetic value given to plants in the Rainwater Basin, however, represents the best information available. Information from the energetic model has helped the Service to better understand the importance of the Rainwater Basin for migratory waterfowl, not just as a resting area but also as a source of amino acids and minerals.

The issue of land management on WPAs is addressed only in general terms in this document. Land management actions depend on a large number of variables, including existing vegetative conditions, site-specific objectives, past management actions, seasonal weather conditions, and other planned management actions. In addition, the wetland management district in 2007 developed a CCP (Comprehensive

Conservation Plan) (USFWS 2007) for Service lands within the Rainwater Basin that outlined and analyzed land management actions.

A common concern that was expressed by the public pertains to wetland grazing and pheasant habitat. The Rainwater Basin Wetland Management District commonly receives comments that the Service does not do as much as it could to increase pheasant populations. Although pheasants are recognized as part of the diversity provided by WPAs, the pheasant is a State-managed species and not a Service responsibility. The purpose of the wetland management district, as described in the Migratory Bird Hunting and Conservation Stamp Act, is to manage migratory birds.

National Wildlife Refuge System and Authorities

The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

Lands acquired under the proposed action will be administered as part of the Refuge System in accordance with the National Wildlife Refuge System Administration Act of 1966 and other relevant legislation, executive orders, regulations, and policies.

Conservation of additional wildlife habitat in the Rainwater Basin region will also continue to be consistent with the following laws, policies, and management plans:

- Migratory Bird Treaty Act (1918)
- Migratory Bird Conservation Act (1929)
- Migratory Bird Hunting and Conservation Stamp Act (1934)
- U.S. Fish and Wildlife Act (1956)
- Land and Water Conservation Fund Act (1965)
- North American Wetlands Conservation Act (1968)
- Endangered Species Act (1973)
- North American Waterfowl Management Plan (1994)
- National Wildlife Refuge System Biological Integrity, Diversity, and Environmental Health (2001)
- Migratory Non-Game Birds of Management Concern in the U.S. (2002)

Related Actions and Activities

The Service is working with other public and private entities to maintain wildlife habitat within the Rainwater Basin region. Many organizations in Nebraska have recognized the ecological significance of the region and the need to promote conservation in concert with production agriculture. Wetland acquisition and restoration has been done by the NGPC, NRCS, Ducks Unlimited, and The Nature Conservancy. Local natural resource districts have worked closely with conservation partners to maintain a balance between wetland habitats and agriculture.

As described above, the wetland management district developed a CCP in 2007 (USFWS 2007) for Service lands within the Rainwater Basin. The document identifies land management activities planned by the Service through 2022. Additional land acquisition was identified as an important need in the draft CCP sent out for public comment and the subsequent final document.

RAINWATER BASIN JOINT VENTURE

The Rainwater Basin was identified as a habitat of major concern by the North American Waterfowl Management Plan, which established a focus area for a joint venture (NAWMP 1986). Partners involved in the formation of the joint venture included the Service, the NGPC, Ducks Unlimited, the NRCS, Little Blue Natural Resource District, and the National Audubon Society. Its current partners include many of these same organizations along with other natural resource districts, The Nature Conservancy, and private landowners.

The Rainwater Basin Joint Venture is currently in the process of rewriting its Implementation Plan (Gersib et al. 1992). The newer version is expected to recommend the acquisition of an additional 20,000 acres (about 60 percent of which would be perpetual easements). One proposed strategy is to develop working landscapes, which would involve the purchase and restoration of wetlands and grasslands, with the property being resold to the private sector once a conservation easement has been established. The easement would allow livestock grazing and dryland haying, but no farming. The landowner would retain the right to allow public access to the land. This approach would protect wetlands, restore grasslands, and provide agricultural income to the landowners.

PARTNERS FOR FISH AND WILDLIFE PROGRAM

The PFW (Partners for Fish and Wildlife Program) is administered by the Service. It provides financial and technical assistance and works cooperatively

with landowners to voluntarily restore and enhance wildlife habitat on private land. The program was implemented in Nebraska in 1991 and has been growing ever since. Since the early 1990s, approximately 400 projects have been accomplished statewide, resulting in a substantial amount of habitat restored for Federal trust species (i.e., migratory birds and threatened and endangered species). In Nebraska, the predominant wetland restoration and enhancement techniques involve restoring the natural hydrology through the blocking of drains, breaking tiles, filling in concentration pits, removing sediment, installing grass buffers, installing fences along stream corridors, and addressing problems throughout the watershed. Wetland enhancement activities include working with the landowners to better manage the wetland through the use of grazing, haying, discing, and burning. Upland and riparian areas are restored and enhanced through the installation of cross fencing, the provision of alternative sources of water, and the development of grassland/grazing management plans. Prairie restoration along the central Platte River involves the conversion of cropland to a high-diversity mixture of locally harvested native grasses and forbs, ranging from 100 to 200 species.

DUCKS UNLIMITED

Ducks Unlimited has long considered the Rainwater Basin an important focus area for wetland conservation efforts. Its goal is to secure a base of wetland complexes to restore the region's function for waterfowl. In 2002, it began acquiring the Verona Complex in the central portion of the Rainwater Basin. Much of this property, including both the wetland and the surrounding upland, has required restoration. Ducks Unlimited's Rainwater Basin initiative uses multiple approaches, consisting of land acquisition, wetland restoration, and wetland management, as well as working to change public policy. The land acquisition portion involves the purchase of land containing existing or restorable wetland habitat. Once Ducks Unlimited has restored the wetlands, the property may be sold to a public agency or to a private buyer with a conservation easement in place. The proceeds from the sale are then used to repeat the process.

NEBRASKA GAME AND PARKS COMMISSION

NGPC continues to work toward acquisition, restoration, and management of Rainwater Basin wetlands. Currently, it owns approximately 6,700 wetland acres. Its philosophy of acquisition, restoration, and management of its lands mirrors that of the Service. NGPC also faces the problems of split ownership and is working toward acquiring roundouts to improve the functionality of its wetlands.

NGPC developed the Nebraska Legacy Plan (Schneider et al. 2005), which is Nebraska's "Comprehensive

Wildlife Conservation Strategy”; such plans are required by Congress for all States. The plan was developed by a partnership team made up of 20 Federal and State agencies, nongovernmental organizations, and the Ponca Tribe of Nebraska. This document has become the guiding document for conservation groups throughout the State.

The plan identifies the Rainwater Basin as a biologically unique landscape. Key concerns identified for this region include the spread of invasive species, conversion of natural habitats, alteration of grazing and burning regimes, and drainage and sedimentation of existing wetlands.

NATURAL RESOURCES CONSERVATION SERVICE

The NRCS is one of the major partners in wetland conservation in the region. Most of its recent work has been associated with the national Wetlands Reserve Program, a voluntary program to restore wetlands. The program has three options for landowners: permanent conservation easements, 30-year conservation easements, or a simple cost-share restoration agreement. Lands that are enrolled in a conservation easement have both the wetland and the surrounding upland restored. Within the Rainwater Basin, Wetlands Reserve Program contracts scattered across the Rainwater Basin Wetland Management District have restored and protected approximately 7,077 acres (Randy Epperson, program manager, Natural Resource Conservation Service, Nebraska; personal communication; 2011).

Recently, the NRCS granted a variance to the Wetlands Reserve Program within Nebraska. This variance would allow sellers of conservation easements to retain grazing rights. The variance is based on the fact that grazing is a critical, natural process in sustaining shallow, playa wetlands.

In 2010, because of the intense agricultural and wetland drainage within the Rainwater Basin, the Nebraska office of NRCS approved an application that requested a variance to allow center pivot irrigation equipment to traverse portions of wetlands and uplands that are protected under the Wetlands Reserve Program. However, numerous wetlands remain drained and without conservation protection because farmers need to run one or more pivot wheels across a wetland, which is generally not allowed under the Wetlands Reserve Program.

The Farm Service Agency, with technical assistance from the NRCS, administers the CRP (Conservation Reserve Program) which emphasizes support for working livestock-grazing operations, enhancement of plant and animal biodiversity, and short-term (10–15 year) protection of grassland that is under threat of conversion to other uses. Participants voluntarily limit future development and cropping uses of the land. At the same time, participants retain the right to conduct

common livestock-grazing practices and operations related to the production of forage and seeding, subject to certain restrictions during nesting seasons of bird species that are in significant decline or are protected under Federal or State law.

NEBRASKA ENVIRONMENTAL TRUST

By a vote of the people, the Nebraska Environmental Trust was established in 1992, which uses 44.5 percent of the State’s lottery proceeds for the purpose of conserving, enhancing, and restoring natural physical and biological environments across the State. During its 19-year existence, millions of dollars have been provided toward conservation of wetlands within the Rainwater Basin region. The projects funded by the trust have included fee and easement acquisition, restoration, research, monitoring, and public outreach projects.

TRI-BASIN NATURAL RESOURCE DISTRICT

The Tri-Basin Natural Resource District, located in the western portion of the Rainwater Basin, currently owns and manages a large wetland as well as two conservation easements that protect privately owned wetlands. Furthermore, an imposed moratorium on groundwater development has prompted the district to begin exploring ways to reduce groundwater use and to increase groundwater recharge. One such means would be water banking, in which water allocation from one area would be transferred to another area. This type of program leads the way to having drained wetlands restored, while marginal farm lands are taken out of irrigation. Other natural resource districts within the Rainwater Basin are also looking at ways to better manage groundwater use for agriculture.

Habitat Protection and the Acquisition Process

Wetland habitat protection will occur through fee-title purchases and conservation easements. It is the long-established policy of the Service to acquire minimum interest in land from willing sellers in order to achieve habitat acquisition goals.

The acquisition authorities for the proposed expansion are the Migratory Bird Hunting and Conservation Stamp Act of 1934, also known as the Duck Stamp Act (16 U.S.C. 718-718h; 48 Stat. 51, as amended), the North American Wetlands Conservation Act (16 U.S.C. Sec. 4401), and the Land and Water Conservation Fund Act of 1965 (P.L. 88-578, Title 16). The Migratory Bird Hunting and Conservation Stamp Act money used to acquire property is received from Duck Stamp revenue. The North American Wetlands Conservation Act funds are from congressional appropriations, Migratory Bird Treaty Act fines, and various Federal

accounts. The Land and Water Conservation Fund is derived primarily from oil and gas leases on the Outer Continental Shelf, motorboat fuel tax revenues, and sale of surplus Federal property.

There may also be additional funds for the acquisition of lands, waters, or interest therein for fish and wildlife conservation purposes through congressional appropriations, donations from nonprofit organizations, and other sources.

The basic considerations in acquiring interest in property are the biological significance of a wetland, the feasibility of restoring wetland habitat, and landowner interest in the program. Fee-title acquisition will focus on two areas: wetland portions that adjoin

properties in fee title by the Service, and larger semi-permanent wetlands located within a wetland complex of smaller seasonal wetlands. These properties, once acquired, will be managed as WPAs.

Conservation easements will be purchased in perpetuity on privately owned property containing smaller wetlands that are located in cropland and grassland. The easements will protect the wetlands from being drained or filled. Surrounding upland buffer areas under easement will be planted and remain in grass. All other property rights, including grazing, haying, and public access will remain with the landowner.

Purchases will occur with willing sellers only and will be subject to available funding.

