

**U.S. Department of the Interior
U.S. Fish & Wildlife Service
Division of Realty
Washington, DC 20240
<http://realty.fws.gov>**

March 2005



**Detroit River International Wildlife Refuge
Cover photo courtesy of John H. Hartig, Ph.D.,
Refuge Manager, Detroit River International Wildlife Refuge**

A Profile of Land Protection Actions

As of September 30, 2004





Great tailed grackle
Laguna Atascosa NWR
USFWS/Hollingsworth

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 lands and waters when other means (such as zoning or regulation) are not appropriate, available, or effective. When lands are to be acquired, the minimum interest necessary to reach management objectives is to be acquired or retained.

If fee title is required, full consideration is given to extended use reservations, exchanges, or other alternatives that will lessen impact on the owner or the community. 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.



Togiak NWR, AK

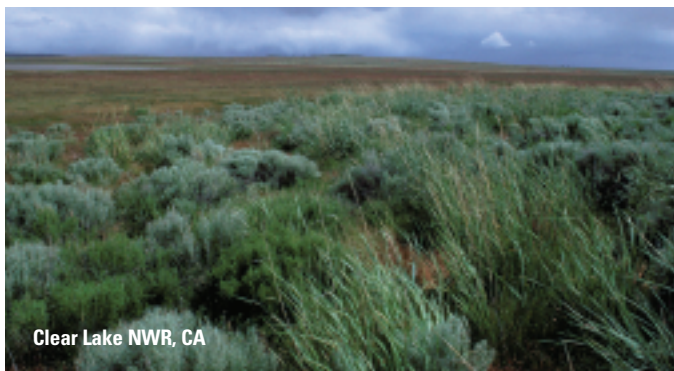
Eminent Domain Policy

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.

Service policy is to acquire land through Eminent Domain as a last recourse and 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).



Clear Lake NWR, CA



Rachel Carson NWR, ME

USFWS/Hollingsworth

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 (1995-2004) 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).



Rocky Mountain Arsenal NWR, CO

USFWS/Hollingsworth

Lands Under Control of the Service as of September 30, 2004

The U.S. Fish and Wildlife Service acquired fee title or other interests in 97,168 acres (net total) in Fiscal Year 2004, for a total of over 96,034,663 acres under our control. Over 82,036,551 of those acres are reserved from the Public Domain (Public Domain lands are those lands that have never left Federal ownership); 4,879,032 acres were purchased in fee title; 737,321 acres represent donations or gifts; 3,779,619 acres are protected through agreements, easements or leases; and 4,602,140 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 542 in FY 2003 to 544 in FY 2004. The counties in which Waterfowl Production Areas are located total 203 nationwide. We also oversee 69 National Fish Hatcheries, 50 Coordination Areas, and 46 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, 2004” (see our website address on back of brochure).



Julia Butler Hansen NWR, WA

Acquisition Summary Fiscal Years 2000-2004
(In Acres)

Fiscal Year	Acquisition Transactions	Reserved-Public Domain	Federal Agency Transfer/Overlay	Devise or Gift	Purchase	Agreement, Lease, or Easement	Total Acre
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
2003	683	26,498	318,103	2,780	73,825	88,569	510,317
2004	565	(58,214)	(1,850)	12,889	44,136	97,709	97,168
Total	3,853	(33,450)	1,390,402	64,463	310,676	634,629	2,380,463

NOTE: Negative acreage will appear when more acres were divested than acquired during the fiscal year (e.g. in FY 2001, pursuant to Public Law 106-554, primary jurisdiction on Shemya Island, a part of the Alaska Maritime National Wildlife Refuge, transferred to the U.S. Air Force and acreage was moved from the sole/primary reserved from public domain column to the secondary reserved from public domain column.