

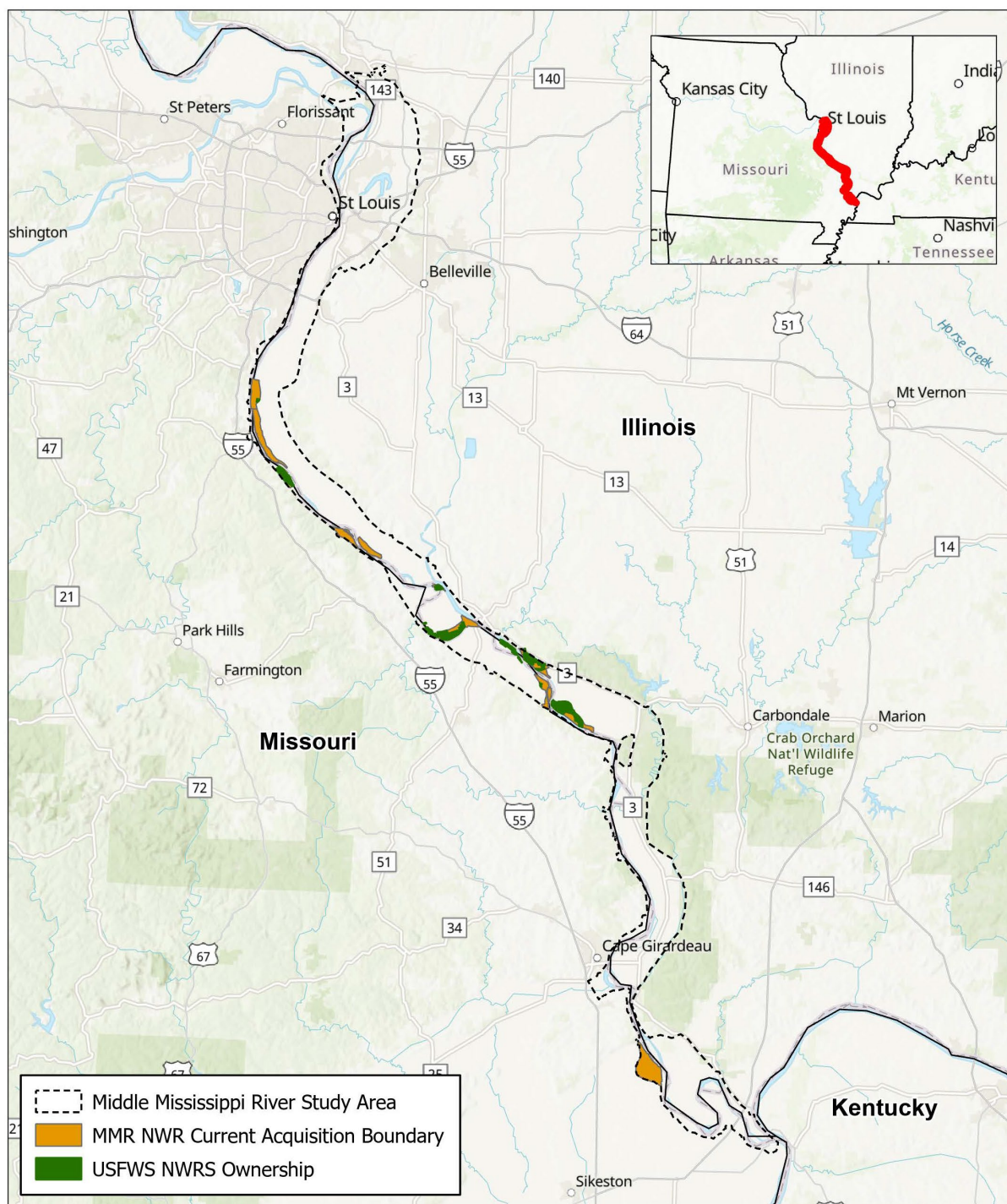
Middle Mississippi River National Wildlife Refuge Expansion – Frequently Asked Questions



U.S. Fish & Wildlife Service

Middle Mississippi River NWR

Study Area



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What is the Land Protection Planning (LPP) process?

The LPP process is an evaluation, planning, and compliance process, with public input encouraged at key milestones. It is used by the U.S. Fish and Wildlife Service (Service) to study land protection opportunities for wildlife conservation with our partners and the public, including the possibility of adding lands to the National Wildlife Refuge System.

The LPP process is initiated when wildlife habitat areas of interest are identified. The Service evaluates an area through development of a Landscape Conservation Design (LCD) document to determine if detailed planning is appropriate. The Director of the U.S. Fish and Wildlife Service (Director) must approve the start of detailed planning for a potential new refuge establishment or a major boundary expansion of an existing refuge.

If detailed planning is approved, a Planning Team will gather information, develop alternatives, and publish the following documents: 1) A document required by the National Environmental Policy Act (NEPA) - either an Environmental Assessment (EA) or Environmental Impact Statement (EIS) that evaluates the effects different alternatives would have on the physical, biological, social, and economic environment; 2) A Land Protection Plan (LPP) that describes resource protection needs and a proposed Refuge boundary, and identifies priority lands that may be acquired from willing sellers. It also describes other conservation opportunities including easements and cooperative management agreements with willing landowners; 3) A Conceptual Management Plan (CMP) describes potential refuge management needs, activities, and public uses, and determines which public uses would be compatible with the purpose of the proposed refuge.

How is it determined what lands will be included within the approved boundary?

After the public comment period for the draft NEPA document and LPP has ended, the Planning Team reviews and addresses comments received, develops a final preferred alternative that identifies the preferred refuge boundary and habitat protection measures in a Final NEPA document. These final decision documents are submitted to the Director for approval. The Director determines the course of action, if any, the Service will take. The Director's approval is required to establish an approved refuge boundary. The public is notified of the final decision.

What does an approved refuge boundary mean?

An approved refuge boundary identifies important and sensitive resource areas that the Service is looking to conserve for a long period of time. After the Director approves a refuge boundary and funding is secured, the Service can make offers to purchase land, or enter into management agreements with landowners within this boundary that wish to add their lands to the National Wildlife Refuge System. Lands do not become part of the National Wildlife Refuge System unless they are purchased from a willing seller or are placed under a management agreement with an interested landowner.

How will a refuge boundary affect my private property rights?

Private property rights are not affected. Landowners within a refuge boundary retain all the rights, privileges, and responsibilities of private land ownership including the rights to access, control trespass, sell to any party, and develop their properties, even if the Service has acquired interest in the land surrounding them. Development of land continues to be subject to local and state regulations and land use zoning.

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Does land use regulation increase within a refuge boundary?

No, landowners within a refuge boundary retain all the rights, privileges, and responsibilities of private land ownership, even if the Service has acquired interest in the land surrounding them. Private lands remain in control of the owner and subject to local land use regulations. Service management of access, land-use practices, water management, hunting, fishing, and general use within a refuge boundary is limited to the lands that the Service has acquired from willing sellers.

What if I don't want to sell my property to the Service?

Landowners within a refuge boundary are under no obligation to sell their property to the Service. It is the Service's long-standing policy to acquire land from only willing sellers. Additionally, the refuge boundary does not preclude owners from developing their properties. If you choose to develop your land within the refuge boundary it, would be subject to local zoning and regulatory authorities.

Does the Service use the power of condemnation (eminent domain) to acquire property?

It is the Service's long-standing policy to only acquire land for refuges from willing sellers.

How will the surrounding community benefit if a refuge is established?

Refuges enhance the quality of life for local residents by preserving the region's ecological value and aesthetic beauty. Communities also benefit from open space that does not burden the municipal infrastructure, but still provides revenues under the Refuge Revenue Sharing Act. Landowners within a refuge boundary wishing to sell their properties may benefit from our Acquisition Program. Other benefits include increased opportunities for wildlife-dependent recreation which may attract visitors to the area, increasing tourism revenues earned by local businesses.

Does the Service intend to acquire all the lands within a refuge boundary?

Willing sellers and available funding may help determine the amount of land to be acquired within an approved refuge boundary. Additionally, some refuges have an acreage cap within a larger approved boundary. The Service's goals for wildlife conservation and management goals can sometimes be fulfilled by working with landowners to acquire only a partial interest such as conservation easements, long-term leases, cooperative agreements, or memorandum of agreements. Another factor that can determine Service acquisition is development. Properties in different stages of development may no longer be suitable to meet refuge purposes as development occurs and habitat is lost. Increasing land costs and limited acquisition funding can also limit additions to the Refuge System.

What types of interests in lands does the Service acquire?

Often, the Service acquires full ownership of the property by fee-simple purchase. Other options available include a conservation easement, long-term lease, cooperative agreement, memorandum of agreement, and donation.

How is land acquisition funded?

Funding for land acquisition comes from appropriations under the Land and Water Conservation Fund Act and the Migratory Bird Conservation Fund. These are public funds and programs that were established to benefit conservation of fish, wildlife and habitats. They do not involve Federal income taxes. Landowners also sometimes choose to donate all or a portion of their land as a lasting memorial or for tax purposes.

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Does the Fish and Wildlife Service buy land at fair market value?

Yes, Federal law requires the Service to offer fair market value for all land purchases. The value is based upon a professional appraisal completed by an independent third-party appraiser in accordance with the Uniform Standards for Federal Land Acquisitions.

Are property tax revenues affected when land is acquired by the Service?

National Wildlife Refuges, like other Federal, State, and County-owned lands are not subject to property taxes. However, under provisions of the Refuge Revenue Sharing Act, the Service annually reimburses counties for revenue lost as a result of the acquisition of private property. Payments are based on the highest value as determined by one of the following three equations—three-fourths of 1 percent of the fair market value of the land; 25 percent of net receipts; or \$.75 per acre, whichever is greater. Congress may appropriate supplemental funds to ensure full payment. The Act also requires a reappraisal of acquired lands every five years to ensure payments to local governments are based on current land values.