

Proposed Southwest Florida Fish and Wildlife Conservation Area Frequently Asked Questions

Project Overview

What is the National Wildlife Refuge System?

The [National Wildlife Refuge System](#), managed by the U.S. Fish and Wildlife Service, is the world's largest network of conservation lands and waters dedicated to the conservation of native wildlife and their habitats encompassing 568 national wildlife refuges and 38 wetlands management districts covering more than 95 million land acres and 740 million acres of submerged lands and waters.

What is the Southwest Florida Study Area?

The [Southwest Florida Study Area](#) is a specific geographic area in which the Service evaluates wildlife resources, habitat, and threats. The Service typically identifies lands having high quality wildlife habitat values and good habitat restoration potential where wildlife such as migratory birds or threatened and endangered species would benefit from long-term habitat protection and management.

Will all the land within the study area become part of the proposed Southwest Florida Fish and Wildlife Conservation Area?

No, not all of the land within the study area will become part of the proposed conservation area. Habitat conditions and other factors are evaluated by the planning team to determine what lands, if any, should be included in a new conservation area. After public comments are received on the study area, the planning team will identify issues and will further analyze wildlife use, current and past land use, and land use threats, and will develop a range of preliminary alternatives.

Alternative actions such as acquisition boundary locations and potential habitat protection measures will be analyzed for impacts and benefits and presented for public review and comment in a National Environmental Policy Act document and a Land Protection Plan. These documents identify the lands and habitats within the study area that would be suitable for inclusion in the Refuge System.

Why did the Service choose this study area for the conservation area?

In 2022, a Landscape Conservation Design for Southwest Florida that incorporates the western Everglades, Caloosahatchee River, Fisheating Creek, Peace River, and Myakka River watersheds was developed. This document provides the scientific analysis for justification to further explore the need for a future [Southwest Florida Fish and Wildlife Conservation Area](#).

Southwest Florida has a unique set of species that are under significant threats from rapid development and land use changes. This region harbors a largely intact rural landscape critical to many threatened and endangered species. It also plays a very important role in the ecological integrity of both the Everglades and Charlotte Harbor watersheds. Opportunities still exist to conserve large working and natural landscapes that protect this regions' water and wildlife.

How does this effort complement previous conservation efforts of the state?

The state of Florida is a leader in land conservation. The state has a long history of conservation planning and land protection within Southwest Florida. This effort would allow the Service to work with our state and federal partners to continue the great efforts of protecting land within this region. There are many properties within the study area where landowners have applied to be on the state's list to be considered for conservation.

The current effort by the Service could be leveraged with state funds to enhance efforts to protect wildlife and water resources and provide recreational activities within the Southwest Florida region. This effort would add to the tremendous and successful efforts to protect the Florida Wildlife Corridor, and other lands critical for our wildlife and water resources.

Planning Process

What is NEPA?

The National Environmental Policy Act, or NEPA, requires that federal planning activities be documented to ensure that environmental, economic or social effects are thoroughly evaluated and disclosed to the public. The Service develops an environmental report analyzing wildlife protection needs, proposed alternatives, and the effects of the proposed alternatives on the human environment. The documents also address compliance with other laws and regulations the Service must fulfill in order to gain authority to add land to the Refuge System.

What is the process for establishing a Fish and Wildlife Conservation Area and opportunities for public input?

A draft Land Protection Plan and associated NEPA compliance document would be developed and made publicly available for comment. The Land Protection Plan informs landowners and interested stakeholders of the proposal to establish a conservation area. The Service prepares the compliance document as required by the National Environmental Policy Act to analyze different strategies for land protection in the area.

What is the Land Protection Planning process?

The Refuge System's [Land Protection Planning](#) process is a transparent evaluation, planning, and compliance process, with public input encouraged at key milestones. It is used by the Service to study land protection opportunities with our partners and the public, including adding lands to the Refuge System. The Refuge System's land protection tools include purchasing land or an easement from willing sellers or establishing a long-term lease or agreement with landowners wishing to enroll their land in the Refuge System.

What types of activities could be allowed on the Fish and Wildlife Conservation Area?

The Service supports wildlife-dependent recreation on lands acquired in fee-title, which may include hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. Through the development of a Land Protection Plan, the Service would evaluate the compatibility of these uses.

How can I get involved in the planning process?

You can request to be placed on our mailing list, provide comments early in the process, review and comment on the documents, and participate in public meetings. Your input helps us identify the issues, alternatives, and solutions that make the Refuge System work for both wildlife and

people. If you are on our mailing list, you will be notified of all the planning activities and opportunities to provide information and comments.

What are the next steps?

In 2023, the Service plans to present the public with the Draft Land Protection Plan and associated compliance document, complete with maps and other information describing the Service's proposed action for the Fish and Wildlife Conservation Area. The Service plans to provide an opportunity for the public to review and comment on the proposal. Once the public review and comment period ends, the Service would evaluate and respond to substantive comments and make any changes needed before developing a final plan, which would be submitted to the Service Director requesting approval.

What is the timeline for completing the Fish and Wildlife Conservation Area?

This is a long-term effort that may take decades to complete. The number of willing landowners and availability of funding would determine the timeline.

Realty Process

How will land be part of the proposed Fish and Wildlife Conservation Area?

The Service and its partners would work with willing landowners to establish the Southwest Florida Fish and Wildlife Conservation Area through several methods, including acquiring land at fair market value and acquiring conservation easements that contain permanent restrictions on the use or development of the land to protect its conservation values.

How does the Service acquire land for a Fish and Wildlife Conservation Area?

If the Land Protection Plan is approved by the Service Director, land protection strategies would occur by working with willing landowners within the Fish and Wildlife Conservation Area. This boundary would not affect the rights of private landowners. The Service would acquire land from willing landowners only. Conservation easements which protect the land from development would also be considered if desired by a landowner.

If my land is within the Fish and Wildlife Conservation Area, what does that mean?

The rights of a private landowner are not affected by the designation of the Fish and Wildlife Conservation Area. Landowners have no obligation to sell their land or otherwise participate in the proposed Fish and Wildlife Conservation Area at any time.

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 or interests in land from property owners who wish to add their lands to the Refuge System. Eminent domain is very rarely used by the Service. Service policy is to only use the condemnation process in order 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 resources that the unit (refuge, etc.) was established to protect. The Service, like many other federal agencies, has the power of eminent domain. It is granted in the Constitution and the Condemnation Act of 1888 and can be used to acquire lands and interests in lands for the public good.

What if the Service wants to buy my land, and I do not want to sell?

You don't have to sell your land as part of this proposal. The Service would only buy land from willing landowners.

How would tax revenue be affected if lands become part of the Refuge System?

The federal government does not pay property tax. However, the Service annually reimburses counties to compensate for lost revenue, based on a formula that is the greater of: 75 cents per acre; three-fourths of one percent of the fair market value; or 25 percent of the net receipts collected from operation and management of refuge lands. Use of these funds must first be approved by Congress. Also, Congress may appropriate additional funds to compensate local governments. Other economic benefits typically associated with refuge lands include tourism, improved property values adjacent to the refuge, and access to federal grants to name a few.

Where does the money come from to buy private land in a time of tight budgets?

The Service anticipates funding for this project would most likely be provided through the [Migratory Bird Conservation Fund](#) and the [Land and Water Conservation Fund](#). These funding sources are not derived from traditional tax revenues. The funds are collected from the sale of [Federal Duck Stamps](#), entrance fees from certain national wildlife refuges, import duties on arms and ammunition (Migratory Bird Conservation Fund), and from the sale of offshore oil leases (Land and Water Conservation Fund). Funding from these sources is intended to support conservation of land across the nation.

What does an approved acquisition boundary mean?

An approved acquisition boundary identifies important and sensitive resource areas that the Service is looking to protect for a long period of time. Landowners within an approved acquisition boundary retain all the rights, privileges, and responsibilities of private land ownership. After the Director approves an approved acquisition boundary and funding is secured, the Service can make offers to purchase land, or enter into management agreements with landowners wishing to add their lands to the Refuge System. Lands do not become part of the Refuge System unless they are purchased from a willing seller or are placed under a management agreement with the individual landowner.

Does land use regulation increase within an approved acquisition boundary?

No, landowners within an approved acquisition 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 unless the owner sells the property to the Service. Service management of access, land-use practices, water management, hunting, fishing, and general use within an approved acquisition boundary is limited to the lands that the Service has acquired land interest from willing sellers.

How will I benefit if a refuge/conservation area is established?

Refuges and conservation areas 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 an acquisition boundary wishing to sell their

properties may benefit from our Acquisition Program. Other benefits include increased opportunities for wildlife-dependent recreation on fee-title lands which may attract visitors to the area, increasing tourism revenues earned by local businesses.

Will Service land acquisition help or hurt my community?

Communities benefit from Service lands in many ways. Nearby refuge lands enhance the quality of life for local residents by preserving the region's aesthetic beauty, providing open space, and offering numerous wildlife-dependent recreational and educational opportunities on fee-title lands. Bird watchers, photographers, educators, researchers, hunters, anglers, and hikers visit fee-title lands that allow their particular use. Public use programs attract visitors each year to national wildlife refuges. Public uses of refuge lands must undergo public assessment and be compatible with the refuge's purpose.

Nearly 500 national wildlife refuges and wetland management districts are open to the public across the United States, hosting some 65 million visits every year – almost all offering free admittance year-round. These visitors can be an important source of revenue for the local economy. In doing so, they support regional economies to the tune of \$3.2 billion dollars per year and support more than 41,000 jobs.

Large-scale restoration programs, which often occur as Service lands are being established, can infuse millions of federal dollars into the local economy. A high percentage of those funds stay within the local economy and are spent many times as local contractors are brought in, equipment is purchased, and workers are hired who spend their paychecks in the local economy. These dollars can add significant benefit to local economies and increase tax receipts for local governments.