

# Silvio O. Conte National Fish and Wildlife Refuge

## FAQs About Refuge Land Acquisition

*Land that includes Pine Brook Falls is part of Silvio O. Conte National Fish and Wildlife Refuge in Connecticut.*

The U.S. Fish and Wildlife Service (Service) is in the process of developing a comprehensive conservation plan (CCP) for Silvio O. Conte National Fish and Wildlife Refuge, which has units in Vermont, New Hampshire, Massachusetts, and Connecticut. The final CCP will guide refuge management for the next 15 years. Four alternatives are currently being evaluated in a draft plan.

The alternatives represent a range of proposals for administering the refuge and managing its biological and public use programs. In addition, the alternatives include a proposal to increase the refuge land acquisition authority within the four-state Connecticut River watershed. After a public review process, one of those four alternatives will be selected by the Service for implementation in a final CCP.



*A visitor enjoys the universally accessible Mud Pond Trail at Silvio O. Conte National Fish and Wildlife Refuge Pondicherry Division in New Hampshire.*

The refuge land acquisition program typically generates a lot of interest. Here are a few questions and answers pertaining to the program and its procedures.

### **How does the Service decide which lands to include in a refuge expansion, or new refuge, proposal?**

There are many considerations in developing a refuge proposal. The Service usually initiates the process by working with State fish and wildlife agencies and other partners to identify lands that are important as habitat for Federal trust resources, but are not considered to be permanently protected. This process is also vetted in a public forum in an effort to share information, engage stakeholders, and seek input to better inform the final recommendation. Areas of interest to the Service are generally based on such considerations as habitat values, long-term sustainability, connectivity to other core habitats and partner-conserved lands, the potential for impacts from climate and land use changes, administrative and operational efficiency, and ease of access for compatible public uses.

### **Over what period of time does the refuge anticipate acquiring the lands identified?**

Service policy is to work with willing sellers as funds become available. It often takes decades for identified lands to be acquired.

### **What does it mean for me if my property is located within an area the refuge has identified for acquisition?**

Refuge acquisition boundaries identify areas the Service believes are important for our Federal trust resources. The acquisition boundary merely gives the Service the approval to negotiate with

landowners that may be interested in selling their land, or may become interested in selling their land in the future. With those approvals in place, the Service can react more quickly when a willing seller becomes interested. Lands within the acquisition boundary do not become part of the refuge unless their owners sell or donate them to the Service; the boundary has no impact on property use or who an owner can choose to sell to.

### **What if I don't want to sell – can the Service acquire my land through eminent domain?**

While the Service has authority to use eminent domain, our long-standing policy, as evidenced by our record, is to work with willing sellers only.

### **How does the Service decide between fee and easement acquisition?**

The landowner has the greatest influence over whether fee or easement is used. As the property owner, it is ultimately their decision. Service policy is to acquire the minimum interest necessary to accomplish refuge purposes.

### **How is a value assigned to my property?**

The Service is required by law to offer market value for lands to be acquired. This estimate of value is based upon a professionally prepared appraisal, which in turn, is reviewed and approved by an experienced review appraiser. This review assures that the price offered is reflective of the sale prices of comparable properties in the vicinity.

### **Do I have to accept this appraised price?**

The Service does not negotiate the value of an offer; the price is established by the appraisal. However, sellers may provide the appraiser with what they

believe are relevant comparative sales or other information that may affect the appraised value.

### **What funding sources are used to acquire property?**

Refuge lands are acquired with funds from two primary sources – the Land and Water Conservation Fund (LWCF) and the Migratory Bird Conservation Fund (MBCF) – and not from federal tax dollars. LWCF was established by Congress in 1964 to provide funds to federal, state, and local governments for the acquisition of land and water for the benefit of all Americans. The primary source of income to the fund is royalties paid by companies drilling offshore for oil and gas. MBCF dollars are generated through the sale of federal Duck Stamps and are used to acquire important wetland habitats.

### **How will the Service's acquisition of my neighbor's property affect my property (e.g., what I can/can't do, property values)?**

The Service is obligated to maintain the integrity of those lands acquired with public funds. Therefore, the only concern for neighboring properties would involve contaminated or adulterated air or water entering onto the refuge or for noxious species entering the refuge from surrounding lands. Data show that the presence of a refuge generally increases the value of neighboring properties.

### **How will the Service manage the lands acquired; will they be available for the public to use?**

Yes, the lands will generally be available for public use. Public uses, especially activities like hunting, fishing,

wildlife observation and photography, and environmental education and interpretation, are encouraged, provided they can be accomplished safely and do not harm the resources for which the land was acquired. That being said, the balance of where, how much, and when these programs are offered may differ across the refuge to avoid user conflicts.

### **Will I be reimbursed for expenses incurred in selling?**

Yes. The Service strives to minimize or eliminate any adverse impact on the landowner due to the acquisition process. The Service pays for title evidence, mortgage pre-payment penalties, mortgage releases, boundary surveys, recording fees, relocation assistance and moving costs (if applicable), and other expenses incidental to the transfer of title. However, it cannot pay for realtor brokerage fees or for fees charged by attorneys retained by the landowner.

### **If I sell my land, will the Service help me to move my residence, farm, and/or business?**

Renters, lessees, and businesses are generally eligible for relocation assistance. Relocation benefits are paid in addition to the market price paid for the land. The amount of relocation assistance will be determined based on your specific situation.

### **What does Service acquisition of private property mean for the tax rolls?**

Although land acquired by the Service is removed from tax rolls, the affected county or other taxing authority receives annual revenue sharing payments. The baseline for these payments is calculated using one of the following, whichever is largest: 75 cents per acre,

three-quarters of one percent of the fair market value, or twenty-five percent of net refuge receipts. The market value is generally updated every five years. If refuge receipts are insufficient to allow full payment, the disbursement may be reduced proportionally. Congress may appropriate additional funds to increase payments up to the calculated baseline amount as authorized by the Refuge Revenue Sharing Act of 1935.

### **Are there potential economic benefits to my community from refuge lands?**

Refuges can benefit communities in many ways. National wildlife refuges in the United States are visited 47 million times a year, by birdwatchers, photographers, educators and researchers, hunters, anglers, hikers, and many others. These visitors are an important source of revenue for the local economy. Refuges also enhance the quality of life for local residents, both preserving the region's aesthetic beauty and affording numerous recreational and educational opportunities.

### **For More Information:**

For additional information about the refuge or the comprehensive conservation plan process, please visit our website at: [http://www.fws.gov/refuge/Silvio\\_O\\_Conte/](http://www.fws.gov/refuge/Silvio_O_Conte/). You may also reach refuge staff by telephone at: 413/548 8002.

For additional information on the Service's Realty procedures, please visit our website at: <http://www.fws.gov/refuges/realty/index.html>

**U.S. Fish & Wildlife Service**  
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Ryan Hagerty/USFWS



*A mother and daughter share a moment at Silvio O. Conte National Fish and Wildlife Refuge Nulhegan Basin Division in Vermont.*