

- I. Project Title: Land Acquisition Activities for the Habitat Restoration Program
- II. Principal Investigator: David L. Soker, Colorado River Recovery Program, 764 Horizon Drive, South Annex A, Grand Junction, Colorado 81506. E-mail: David_Soker@fws.gov Phone: (970)243-2778 Ext 20. FAX (970)245-6933.
- III. Project Summary: The purpose is to acquire interests in land from public and private landowners to restore and protect bottomland habitat. This involves acquisition planning, community involvement, establishing and monitoring acquisition procedure, acquiring land from willing landowners, and transferring that land.

During Fiscal Year 2000, fourteen new offers were made for fee and easement properties and negotiations were initiated. Three easements and two fee tracts were acquired. These will be transferred to the Fish and Wildlife Service in Fiscal Year 2001. One of the offers was withdrawn, but the remaining outstanding offers are still being negotiated. Approximately 20 properties are currently in various stages of the pre-acquisition process.

- IV. Study Schedule:
 - Initial Year: FY 97
 - Final Year: Unknown

- V. Relationship to RIPRAP:

GREEN RIVER ACTION PLAN: MAINSTEM
ACTIVITY II RESTORE HABITAT

II.A.2. Acquire interest in high-priority flooded bottomland habitats

COLORADO RIVER ACTION PLAN: MAINSTEM
ACTIVITY II RESTORE HABITAT

II.A.5. Acquire interest in high-priority flooded bottomland habitats

COLORADO RIVER ACTION PLAN: GUNNISON RIVER
ACTIVITY II RESTORE HABITAT

II.A.3. Acquire interest in high-priority flooded bottomland habitats

- VI. Accomplishment of FY 2000 Tasks and Deliverables, Discussion of Initial Findings and Shortcomings: An agreement was reached between the Program, Bureau of Reclamation and Fish and Wildlife Service to have the Fish and Wildlife Service acquire endangered fish habitat on a portion of the Colorado River above DeBeque Canyon. Now we have two agencies actively acquiring fee and easement properties.

All required project approvals have been received as shown below:

Land acquisition steps to start the project:

1. Define habitat requirements/policy - completed
2. Set geographic limits - completed.
3. Preliminary project ownership research - completed on the Green River and in Mesa and Garfield Counties on the Colorado River. Research on priority properties on the Gunnison River is underway.
4. Navigable river ownership (Green River). Researched legal rights and contacted State of Utah. This issue will have to be resolved by the Solicitor's Office.
5. Negotiate real estate agency responsibility - Resolved. Working closely with the Land Acquisition Coordinator, Bureau of Reclamation (Reclamation) will acquire easements. Acquired property will be transferred to Fish and Wildlife Service (Service) once their planning has been completed. If the Service receives approvals to use Land and Water Conservation Funding for acquiring habitat, they will complete those acquisitions and hold the property.
6. Draft right-of entry agreements and get approvals - completed.
7. Draft easement document and get approvals - completed. Document has been drafted, reviewed and approved by Program staff, Reclamation, and Service.
8. Draft growout pond leases - completed. These were drafted, reviewed, and approved.
9. Project ownership maps - Completed for the Green River and Mesa County between Palisade and Loma on the Colorado River.
10. Contact landowners - 95% of the Green River landowners have been contacted by letter and phone. Landowner in other areas are being contacted on a priority basis.
11. Process tracts for interested landowners - See discussion below.
12. National Environmental Protection Act (NEPA) compliance - The environmental assessment was drafted, approved, and then supplemented.
13. Section 7 compliance with the Endangered Species Act - Biological Opinion was drafted and approved.
14. Non-profit participation in fee/easement conversions - This applies on an "as needed" basis when a landowner will not sell and easement, but will only sell in fee. Non-profit help to acquire one property was requested in FY 98.

New landowners were contacted and a number of acquisition prospects were developed. Floodability surveys, contaminant surveys, title work, land surveys, maps, and appraisals were completed on individual tracts. As discussed above, 16 additional offers were made to landowners, three easements and two fee properties were acquired.

- VII. Recommendations: Continue acquisition efforts using the following priorities:
1. Complete acquisitions for properties with existing offers.
 2. Process property where the landowner is willing to consider acquisition so that an offer can be made.
 3. Contact new landowners to line up potential acquisition properties.
 4. Continue to develop alternatives to speed up the acquisition process.
 5. Develop and strengthen partnerships with local government and gravel industry leaders to protect habitat.
- VIII. Project Status: The complexity and amount of time required to conduct land acquisitions for habitat has been underestimated from the beginning of this project. Project approvals

that were required to begin acquisition were not received until the middle of FY 1998. The amount of effort required to define the project, establish policy, set up interagency coordination, develop community awareness and support, and obtain project approvals has been extensive and continues to evolve. This coupled with the need to identify potential habitat, find willing landowners, study each individual property for suitability, prepare them for acquisition, and acquire those properties is complicated and time consuming out of necessity.

This considerable effort that has been invested to restore and protect habitat through land acquisitions is now being realized through successful easement agreements. At the same time, we need to find alternative methods to speed the acquisition process so we can be more successful.

IX. FY 2000 Budget Status

- A. Funds Provided: \$799.8K
- B. Funds Expended: \$332.9K
- C. Difference: \$466.9K

Percent of the FY 2000 work completed, and projected costs to complete: N/A
Recovery Program funds spent for publication charges: None

X. Status of Data Submission: Not Applicable

XI. Signed David L. Soker December 28, 2000
Principal Investigator Date