



United States Department of the Interior

Fish and Wildlife Service
Seney National Wildlife Refuge
HCR #2, Box 1
Seney, Michigan 49883



In Reply Refer to:

October 26, 1994

George Burgoyne
Wildlife Division Chief
Department of Natural Resources
Stevens T. Mason Building
Box 30028
Lansing, Michigan 48909

Dear George:

I have a few comments you should be aware of prior to your discussions on the proposed Kirtland's warbler (KW) land exchange between our agencies.

An issue that seems to keep coming up is the Fish and Wildlife Services' commitment to hunting. Since our first Kirtland's warbler acquisitions in 1980, we have purchased 6,529 acres at a cost of \$3,384,086. Those previously private acres are now open to the general public for hunting. Just this summer, we reviewed the issue of hunting on KW lands and determined, once again, that it is compatible with our objectives. The Service has supported hunting for many decades. I have been watching and listening closely to Service leadership up the line to the Secretary of Interior and there has not been a change in our support of hunting.

An alternative to the proposed exchange was brought up by Gary Boushelle. Gary suggested an exchange of management rights instead of a direct title exchange. There are a few reasons why a management rights exchange would not work. First, the Service is required to comply with the National Historic Preservation Act of 1966. Whenever there are soil disturbing activities proposed on Service owned lands, a review of the potential impacts must be made by the State Historic Preservation Officer (SHPO). This means a consultation with the SHPO for every timber sale, underground electric service right-of-way, gas pipeline, etc. The SHPO once recommended an archeological survey prior to a timber sale, which cost \$4,500. Even though we could possibly exchange land management rights, the Historic Preservation Act would still apply to Service owned tracts. The DNR may be able to act on our behalf and consult with the SHPO and obtain clearance for activities. It is an administrative requirement that must be met. In the event a survey is recommended prior to a timber sale, the archaeological survey often costs more than the value of the timber receipts received.

Another issue that could present problems with a management rights exchange is the exchange of equal values. In an outright deed exchange, you trade acres based on equal value and the issue is concluded with the exchange. You could exchange management rights based on equal value, but what if a decision was made to terminate the rights exchange after a few years. There could be a difference in the values remaining. For some, in both our agencies, this would not be a concern, but for others it may be.

A direct land exchange needs to proceed as soon as possible. It will result in improved efficiencies and effectiveness for both our agencies. Jack pine regeneration cuts will require fewer boundaries to be marked and regeneration unit sizes on Service tracts should increase. Instead of my staff being responsible for management on 118 tracts in eight counties, we will only have four tracts in four counties. It makes good sense for both agencies. Please give me a call so I can address any concerns you may have [REDACTED]

Sincerely,


Michael G. Tansy
Refuge Manager