

# MISSOURI RIVER



US Army Corps  
of Engineers®



## RECOVERY PROGRAM RECLAIMING LOST HABITAT: REAL ESTATE PROGRAM

### MISSOURI RIVER FISH & WILDLIFE MITIGATION PROJECT

Historically, the Missouri River continually reshaped itself by eroding banks in some areas and building up islands and sandbars in other areas. The river's dynamic nature provided plenty of habitat for native species of animals and plants.

Efforts in the 1900s to manage the river by building dams, levees and a navigation channel provided many social and economic benefits to the nation but drastically reduced the amount of habitat available for the river's native species. Today, lack of habitat is a major reason that several Missouri River species are endangered or threatened, such as the pallid sturgeon, least tern and piping plover.

Since the 1980s, the U.S. Army Corps of Engineers has been implementing the Missouri River Fish & Wildlife Mitigation Project – part of the Missouri River Recovery Program – to restore some of the habitat lost due to past river management activities.

A critical piece of the Mitigation Project is acquiring land along the river from public and private landowners to build new habitat sites. This fact sheet explains the Corps' process for acquiring new land for habitat while compensating landowners and communities fairly.

### WILLING SELLER PROGRAM

The main characteristic of the Corps' real estate program is that land is acquired only from willing sellers. Property owners interested in selling their land may contact the Corps directly. The Corps also makes inquiries by mailing a questionnaire to owners of land that may be suitable for new habitat.

When a property owner expresses interest in selling his or her land for habitat development, a title commitment is obtained by the Corps to make sure there is clear title to the property and then an independent appraiser inspects the property to determine its fair market value. After the appraised value is determined, the landowner and a negotiator work to reach an agreed-upon selling price. Once a selling price is set, the Corps and landowner sign a contract, conveying fee ownership or easement rights to the Corps, and the property owner is paid.

### COMMUNITY COMPENSATION

Once the property is purchased by the government, property taxes are no longer paid to local authorities. The Corps understands that the decrease in property tax revenues resulting from selling private property to the Corps can affect local government budgets and impact services like schools, parks and fire departments. Therefore, the U.S. Government provides payments to local government entities through a Payment in Lieu of Taxes (PILT) program. The Corps reports the number of fee acres acquired to the Department of the Interior, Bureau of Land Management. PILT allows the U.S. government to pay local county governments a percentage of the property tax previously paid by the private landowner.

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Each county is then free to use these funds for any government purpose. The PILT program is managed through the Bureau of Land Management, and payments are made through the U.S. Department of the Treasury. More information on the PILT program is available here: [www.doi.gov/pilt/](http://www.doi.gov/pilt/).

In addition, once the land is acquired, the Corps may spend a few years planning the project before starting construction at the site. In these cases, the Corps may lease the property to private parties, usually for a term of three to five years, for agricultural use. Sensitive to

the needs of local entities while construction plans are being finalized, agricultural leasing is a practical land management method to prevent weeds from growing and spreading on the site. It can also help to attract wildlife to the area away from neighboring farming fields. The U.S. Government, through each state's Department of Revenue, returns 75 percent of agricultural lease revenues to the county government to fund local services. This program can temporarily help with the shortfall of lost property taxes over and above the PILT payment, but leased acreages will be reduced as wildlife mitigation features are put into place.

## PROPERTY TO HABITAT

Land acquired for the Mitigation Project is redeveloped as habitat for native river species. The Corps uses a variety of methods to recreate conditions that more closely represent the historic state of the river, such as dredging, eroding banks, creating wetlands and planting vegetation. The new habitat sites eventually attract native fish and birds because they provide ideal conditions for reproduction, feeding and raising young.



As of December 2008, the Corps has acquired 55,847 acres through the Mitigation Project, or approximately 34 percent of the 166,250 acres the Corps is currently authorized to acquire in Missouri, Kansas, Iowa and Nebraska.

After habitat construction is complete, the Corps transfers responsibility for management of the site to the U.S. Fish & Wildlife Service or the state's wildlife agency. These lands are then open to the public for appropriate recreational uses which may include hunting, fishing, hiking, wildlife viewing and nature study. There may be site specific restrictions to protect natural resources or the public. When easements are used instead of outright purchase, the land remains privately owned even after the habitat construction is completed. Access to these privately owned lands is controlled by the landowner as with any private property. The easement protects the habitat improvement in perpetuity.

Landowners interested in learning more about selling property to the Missouri River Fish & Wildlife Mitigation Project can contact:

In Missouri or Kansas: Karl Mueller,  
[W.Karl.Mueller@usace.army.mil](mailto:W.Karl.Mueller@usace.army.mil), 816-389-3764

In Iowa or Nebraska: Jerry Smith,  
[Jerry.L.Smith@usace.army.mil](mailto:Jerry.L.Smith@usace.army.mil), 402-995-2833

*The mission of the Missouri River Recovery Program is to implement actions to accomplish Missouri River ecosystem recovery goals in coordination and collaboration with agency partners and stakeholders. The vision of the program is to create a sustainable ecosystem supporting thriving populations of native species while providing for current social and economic values.*

For more information on the Missouri River Recovery Program, please visit [www.moriverrecovery.org](http://www.moriverrecovery.org).

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