



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240



In Response Reply to:  
FWS/ANRS/BP35142

DEC 23 2019

## Memorandum

To: Regional Directors Interior Regions 3 and 5  
From: Principal Deputy Director *Hauke*  
Subject: Template for a Revised Format for Pre-1976 Wetland Easement Maps

The Department of the Interior Secretary's Fiscal Year 2020 priorities for the U.S. Fish and Wildlife Service (FWS) stipulate that pre-1976 wetland easements will be mapped and mailed to landowners in a new format. Effective immediately, correspondence sent to owners regarding lands encumbered by pre-1976 wetland easements will include a map depicting the protected wetland areas, overlaid on a high-quality aerial image (example attached), and shall be sent via certified mail. These maps shall:

1. Be created by Section (1 mile x 1 mile) and produced on a 6" scale;
2. List the easement number, county, and legal description of the easement tract above the upper left corner of the image;
3. Include a legend that identifies Section Boundary, Easement Boundary, and Wetland Areas Covered by Provisions of the Easement;
4. Include a clarifying statement that reiterates the provisions of the wetland easement and limitations of the map;
5. List the map data sources and map creation date;
6. Include a scale immediately below the image, and a map direction symbol on the lower right side of the image; and
7. List the acreage of each wetland area that is subject to the wetland easement.

The correspondence will also include a copy of the wetland easement agreement and identify the servicing wetland management district office, which the landowner should contact with any questions.

Finally, the correspondence shall inform them of their right to appeal these mapping determinations to the FWS Regional Director and FWS Director. The following language shall be inserted into all initial correspondence from the FWS to landowners transmitting pre-1976 wetland easement maps:

**"Please review the enclosed contract and map carefully. You may contact me at the address listed above within the next 40 calendar days from the date you received this letter via certified mail if you have objections with the map. I am willing to discuss and/or meet with you and review your concerns and correct any errors. If we cannot agree on the boundaries and location depicted on the map within 30 calendar days of our initial contact, you may appeal the map as follows:**

- **Submit your appeal and any supporting materials or explanation in writing within 30 calendar days of the date of the decision from the Refuge Manager to the Regional Director at the address listed below. Include a detailed explanation of why you are appealing the map.**

**Regional Director  
C/O: Map Appeal  
U.S. Fish and Wildlife Service or  
P.O. Box 25486  
Denver, Colorado 80225**

**Regional Director  
C/O: Map Appeal  
U.S. Fish and Wildlife Service  
5600 American Blvd. West  
Suite 990  
Bloomington, MN 55437-1458**

- **The Regional Director will review and make a decision on your appeal within 45 calendar days from receipt of your letter. The Regional Director is willing to discuss and/or meet with you and review your concerns. If the Regional Director grants your appeal, the wetland map will be revised and a new copy of the map, with an explanation of the decision, will be sent to you and the local U.S Fish and Wildlife Service office.**
- **If your appeal is not granted, you may submit your appeal to the Director of the U.S. Fish and Wildlife Service. Submit your appeal and any supporting materials or explanation in writing within 30 calendar days of the date of the decision from the Regional Director to the Director of the U.S. Fish and Wildlife Service at the address listed below. Include a detailed explanation of why you are appealing the map.**

**Director  
C/O: Map Appeal  
U.S. Fish and Wildlife Service  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, D.C. 20240**

- **The Director of the U.S. Fish and Wildlife Service will review and make a decision on your appeal within 45 calendar days of receipt of your letter. If the Director grants your appeal, the wetland map will be revised and a new copy of the map, with an explanation of the decision, will be sent to you and the local U.S. Fish and Wildlife Service office.**

- If your appeal is not granted, a copy of the final wetland map and an explanation of the decision will be sent to you and the local U.S. Fish and Wildlife Service office. The decision of the Director will be considered the final agency action on the determination and, at this point, your administrative appeals will have been deemed exhausted.

Please be advised that if you choose to appeal your wetland easement map, no action will be taken against you, based on the map, until you have exhausted your appeal within the FWS."

All future correspondence with the landowner in which the Service provides wetland easement maps and wetland easement contracts are to include a map that displays the protected wetland areas over an updated aerial image.