

**Amendment
to Fish and Wildlife Service Manual Chapter**

Series: Interagency Activities
Part 504: Department of Agriculture Programs
Chapter 1 Inventory Property Disposal Program
Amendment Number: 1
Purpose: The purpose of this amendment is to change the Service policy to allow exchanges of lower quality Farm Service Agency (FSA) lands for high quality inholdings without the concurrence of the FSA.
Background: Our current policy (504 FW 1.16D) requires that we either retain a conservation easement on former FSA property when disposing of it, or obtain the concurrence of the FSA State Executive Director if we are not retaining a conservation easement. There is no legal requirement for obtaining FSA concurrence before disposing of former FSA lands without a conservation easement.

Action:

Change 504 FW 1.16(D)(4) from:

(4) A letter from the FSA State executive director concurring with the disposal of the property without a conservation easement.

To:

(4) A statement that the Regional Realty Officer has notified the State FSA Executive Director of the Service's intent to dispose of the former FSA fee tract without retaining a conservation easement. The Realty Officer must notify the Executive Director in writing at least 21 calendar days before the disposition and include a Service point of contact. Although we do not need to obtain concurrence from the FSA State Executive Director, we must satisfy all other Service rules and regulations governing exchanges (see 342 FW 5.7 (Non-Purchase Acquisition, Exchanges)).

/sgd/ Daniel M. Ashe
DEPUTY DIRECTOR

Date: September 18, 2009