
1/89

**Cooperative Agreement
Between the Department of the Interior
and the
Department of the Army
Regarding Waterfowl Habitat Conservation Opportunities
Associated with
Corps of Engineers Civil Works Projects and Activities
Consistent with the
North American Waterfowl Management Plan**



**U.S. Army Corps
of Engineers**

II. AUTHORITY:

This Agreement conforms with the Memoranda of Agreement (August 20, 1954 and September 21, 1980) between the Department of the Interior and the Department of the Army for carrying out fish and wildlife conservation and management activities set forth in the Fish and Wildlife Coordination Act of 1946 (60 Stat. 1080) and the Fish and Wildlife Coordination Act of 1958 (16 U.S.C 661-666), as amended; the Forest Cover Act of 1960 (66 U.S.C. 580m-580n); the Federal Water Project Recreation Act of 1965, as amended, (16 U.S.C. 460-1(12), et seq); Section 150 of the Water Resources Development Act of 1976 (PL 94-587); and, Section 906(e), et al, of the Water Resources Development Act of 1986 (PL 99-662).

III. DISCUSSION:

On May 14, 1986, the U.S. Secretary of the Interior and the Canadian Minister of the Environment signed the North American Waterfowl Management Plan. The Plan recognizes the value of North America's waterfowl and provides a blueprint for restoring waterfowl populations on the North American continent. The Plan places emphasis on protection and improvement of waterfowl habitat in the two countries and identifies 34 major habitat areas involving approximately six million acres. It also focuses on a goal to ensure habitat for 62 million breeding ducks on the continent and a fall flight in excess of 100 million birds. This goal is based on the amount of habitat present during 1970-1979.

Both the Canadian and U.S. wildlife services realize they cannot accomplish Plan goals alone. Timely and effective coordination and cooperation between the public and private sectors are required. In the Plan, this coordination and cooperation process is identified as the "Joint Venture" approach. It provides the framework of a Federal, State, private partnership to implement a combination of wetland habitat protection, restoration, and development actions designed and managed to benefit breeding, migrating, and wintering waterfowl. It is in this spirit of cooperation that the Department of the Interior and Department of the Army agree to participate in a coordinated effort to address Plan goals. The Army will participate in the NAWMP by identifying the extent to which Corps of Engineers civil works projects address Plan goals; by identifying other opportunities at operating projects to address Plan goals; and by identifying and evaluating

opportunities for restoring and developing waterfowl habitats during the planning, design and construction of new Corps projects.

IV. RESPONSIBILITIES AND PROCEDURES:

A. The Fish and Wildlife Service of the Department of the Interior will:

1. Initiate coordination with appropriate Corps offices and provide full details on Regional and National Plan goals and the location and status of current and proposed joint venture activities within the boundary of each Corps district.

2. Advise Corps districts of Federal and non-Federal joint venture proponents.

3. Provide consultation, at its own expense, in Corps approved planning for and implementation of activities to improve waterfowl habitat on operating Corps projects.

B. The Corps of Engineers of the Department of the Army will:

1. Provide appropriate FWS field offices and joint venture partners with a list of Army civil works projects, operated and managed by the Corps, in major habitat and joint venture areas identified by FWS.

2. For these projects, provide FWS with:

a. A description of current waterfowl-oriented management activities being carried out by the Corps;

b. Available maps and other material showing the extent and location of resource areas frequented by waterfowl on project lands; and

c. Information on waterfowl management on lands licensed to States under Section 663(b) of the FWCA.

3. Identify, in coordination with FWS, waterfowl habitat improvement opportunities for Corps projects, and describe generally the types of actions required to accomplish identified opportunities.

4. Consistent with the FWCA, invite FWS into early stages of planning for new projects to avoid or minimize adverse impacts to waterfowl habitat, and to identify opportunities for contributing to the NAWMP goals.

C. The FWS and Corps will jointly:

1. Determine how technical expertise within each agency may be shared in addressing NAWMP goals.

2. a. For projects identified under B1 above, coordinate with States during scheduled reviews of General Plans and related licenses to determine if such documents address Plan goals and address the national migratory bird management program set forth in the Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 663(b), and recommend changes considered appropriate.

b. Describe how and to what extent waterfowl habitat conservation and development opportunities, identified under B.2. above, would address regional and national Plan goals.

3. Consider Plan goals during the planning, engineering and design, and construction phases of Corps projects within high priority, joint-venture areas.

4. Share with others in the Joint Venture Group the materials developed for planning purposes from these efforts including material resulting from B2.

V. COMMITMENTS IN FUNDING:

This agreement does not commit nor obligate funds, equipment, or personnel from either agency. All activities under this Agreement will be undertaken subject to availability of funds.

VI. AGENCY POINTS OF CONTACT (POCs) AND REPORTING:

Within 90 days of the effective date of this Agreement, the signature parties will identify agency POCs, who will recommend internal and joint reporting and coordination procedures under this Agreement.

VII. EFFECTIVE DATE AND DURATION:

This Agreement is effective immediately upon the last signature date below and will continue in effect for three calendar years, or until modified or revoked by agreement of

both parties, or revoked by either party alone upon 30 days written notice. Modifications to this document may be made by mutual agreement and such modifications will be in effect upon signature of the modified document.

Becky Horton Dunlop
Assistant Secretary of the
Interior for Fish and
Wildlife and Parks

John S. Anglin, Sr., Secretary
for Assistant Secretary of the
Army (Civil Works)

January 23, 1989
Date

JANUARY 10, 1989
Date

Three Mile Canyon Treaty Fishing Access Site, Oregon

Underwood In-lieu Fishing Site, Washington

White Salmon Treaty Fishing Access Site, Washington

Wind River In-lieu Fishing Site, Washington

Wind River Treaty Fishing Access Site, Washington