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Agreement Between Fish and Wildlife Service
Department of the Interior, and Corps of Engineers
Department of the Army

This agreement is entered into for the purpose of promoting sound planning on fish and wildlife matters related to river basin projects of the Corps of Engineers. The agreement is designed to cover the application of the Coordination Act of August 14, 1946 (60 Stat. 1080), to these projects for the guidance of all personnel in the Corps of Engineers and the Fish and Wildlife Service.

Recommendations of the Fish and Wildlife Service

1. Recommendations of the Fish and Wildlife Service shall be as specific as is practicable as to purpose, lands to be utilized or acquired, costs, and results expected, and insofar as feasible shall be presented to the public and to State agencies for coordination. If necessary, supplementary hearings shall be held jointly by the Fish and Wildlife Service and by the Corps for this purpose. Costs of carrying out the recommendations of the Fish and Wildlife Service shall be estimated by the Corps except for recommendations involving facilities for fish and wildlife which are separable from other project features.
2. The District Engineer shall incorporate in the body of his signed report the substance of the report of the Fish and Wildlife Service. Findings of the Fish and Wildlife Service shall indicate both gains and losses to fish and wildlife, including sport fishing opportunities, expected to result from Corps of Engineers' reservoirs.
3. The District Engineer shall incorporate in the body of his signed report language specifically accepting each of the recommendations in the report of the Fish and Wildlife Service (including recommendations for land acquisition)* which are considered satisfactory to him. If any of the Service's recommendations are not acceptable, the District Engineer shall incorporate in the body of his signed report his reasons for considering them unacceptable. If any recommendations are not specific, it is understood that the District Engineer's

*The project authorization and general authorities available to the Corps of Engineers including the Coordination-Act (60 Stat. 1080) allow the submission of requests by the Corps of Engineers to Congress for additional funds for fish and wildlife conservation on previously authorized projects, but do not give statutory authority to construction agencies either for (a) acquisition of additional land for replacement of habitat or compensation for fish and wildlife damage caused by a project or for (b) major changes in project scope, cost or purpose, unless the project document, the authorizing legislation, or other legislation, provide specific statutory authority.

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opinion can be given only tentatively, subject to definite project studies after authorization. The Corps of Engineers cannot recommend substantial remedial measures for wildlife losses, except with an estimate of cost, or with the understanding that the additional cost will be nominal.

4. For reports prepared by District Engineers prior to this agreement, but not transmitted to the Congress by the Secretary of the Army, the signed report or supplemental report by the Chief of Engineers shall deal with recommendations of the Fish and Wildlife Service in the manner specified in 2 and 3 above for reports of the District Engineer.

5. The report of the Fish and Wildlife Service shall be incorporated in full in the appendix of the report of the Corps of Engineers.

Statement of project purposes

6. Where the effects of a project on fish and wildlife resources are significant, the report of the Corps of Engineers on that project shall include fish and wildlife conservation as one of the purposes of the project. Recommendations for fish and wildlife conservation shall be consistent with current standards and procedures established by the Bureau of the Budget for including such improvements in water resource development programs.

General Plans

7. General plans, as specified in Section 3 of the Coordination Act (60 Stat. 1080) shall be developed jointly by the Corps of Engineers, the Fish and Wildlife Service, and the appropriate State agency for all project lands and waters where management for fish and wildlife purposes is proposed. The parties hereto will endeavor to see that a general plan agreement is entered into by the three parties in all such cases, irrespective of whether the lands and waters have particular value in carrying out the national migratory bird management program.

8. Standard procedures for development of general plans shall be developed jointly by the Office of the Chief of Engineers and the Fish and Wildlife Service, and copies of such procedures will be made available to all field offices of both agencies. It is agreed that every endeavor will be made to develop such procedures by not later than 1 December 1954. This plan shall be referred to as the General Plan for Fish and Wildlife Management to avoid confusion with other types of reservoir plans.

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Leases of Project Lands

9. Leases of project lands by the Corps of Engineers for agricultural purposes shall specify that these lands shall be open to public hunting and fishing in accordance with applicable State and Federal laws, provided that a lessee may request permission to post such lands, giving his reasons in detail. Such a request will be considered jointly by the Corps of Engineers, the Fish and Wildlife Service and the appropriate State fish and game agency before being acted upon by the Corps of Engineers.

Approved:

/s/ John L. Farley
Director, Fish and Wildlife Service
Aug 6 1954

Approved:

/s/ Ralph A. Tudor
Actg. Secretary of the Interior

Approved:

/s/ S. D. Sturgis
Chief of Engineers
Aug 12 1954

Approved: Aug 20 1954

/s/ Robert T. Stevens
Secretary of the Army