

MEMO

The question before the January 2013 LAC was as follows: **Thorburn moved to accept the evaluation team recommendation and forward tract 1227 to the GC with a recommendation to commence appraisal and negotiations as complex habitat. Bendfeldt Seconded. Rabbe** commented that acquisition of this tract crosses over a tipping point, and he believes acquiring this tract comes at the cost of potential future purchases. **John Heaston abstained. The LAC did not reach a consensus on this motion.** A memo will be compiled for the GC with justification in support of and in opposition to the motion.

**Tract 1227- Opposition to motion to acquire**

USFWS LAC Representative Position

Tract 1227 is roughly 799 acres. While this tract contains habitat suitable for PRRIP target species and is situated in proximity to the Ft. Kearney complex, I oppose acquisition of this tract.

To date, the PRRIP has purchased approximately 3,150 acres of lands that were not protected and/or managed for the benefit of the target species prior to the 1997 baseline for the FWS Biological Opinion on the PRRIP (excluding 379 acres planned for excess). Of the 3,150, some lands were purchased/protected after the baseline and subsequently sold to the PRRIP (i.e. CNPPID's Cook tract, 356 acres). Upon inception in 2007, the PRRIP was automatically credited with 3,156 acres of lands (Cottonwood Ranch, Wyoming tract, Younkin tract [portion]). These tracts are maintained through sponsorship/lease agreements. The PRRIP has also purchased approximately 3,184 acres of land previously protected and managed for the benefit of the target species from The Crane Trust or The Nature Conservancy. Additionally 352 acres of management agreements are credited toward the program land objectives (mixture of conservation land/private) but can be terminated with a 60-day notice and have no long-term protection or monetary commitment. In the FWS Biological Opinion it is stated: "Land protected and managed prior to July 1, 1997, for the benefit of endangered and threatened species by the Platte River Whooping Crane Critical Habitat Maintenance Trust, the National Audubon Society, and The Nature Conservancy within the associated habitats and the CNPPID (Jeffrey Island) will be credited to the Program's long-term objectives if such land meets criteria established by the Governance Committee, but not toward the objectives of the first Program increment\*\*\*. Lands acquired by

**Tract 1227- Support of motion to acquire**

Jim Bendfeldt, Nebraska Landowner

Since I am pecking one handed I will be brief. At THIS point in time I feel the Evaluation Teams recommendation is correct. We should move to acquire. The entire goal of the program I feel needs to be more adaptive. The use of this and or much of the acquired properties can and will differ in perceived benefit over time. The Program should not be limited by our inability to be a little more fluid in our goal setting. The acquisition can only add to the value of our adjoining property.

---

Wyoming LAC Representative

Wyoming's reasons for supporting the request to move forward with acquisition of parcel 1227 include:

- The parcel contains excellent complex habitat
- The parcel is an integral part of the Ft. Kearney complex
- The loss of this parcel to a non-conservation owner will have a devastating impact on the Ft. Kearney complex
- The program has surplus properties that may have a trade value to several conservation organizations which has the potential to reduce the cash outlay by the Program to purchase 1227

these entities after July 1, 1997, may be contributed to the Program and counted toward first increment objectives with the approval of the Governance Committee and the managing entity.”

Based on previous PRRIP acquisitions and current complexes developed within the first increment, there are two reasons why I oppose acquisition of Tract 1227 by the PRRIP.

1. While discrepancies exist between the above statement and the Program document (\*\*\*)which adds “without the prior approval of the GC and the managing entity”), it was clear that acquiring currently protected land was not the preferred method of land acquisition. However, to date, the majority of land acquired in fee title or under easement, falls within this category. From a purely habitat maximization perspective, acquiring additional acres (already protected) and crediting them toward the first increment objective will ultimately reduce the total number of “new” acres restored, managed or protected as well as total acres managed for the target species within the central Platte valley. Lands under previous conservation management/protection typically have already been restored. To drastically improve suitability and assist in recovery of the target species, prioritizing acquisition of “new” properties that have restoration potential may be more beneficial. If PRRIP acquires tract 1227, approximately 56 percent of the lands acquired since Program inception (after automatically credited properties) would be prior protected conservation lands from TNC and the Crane Trust. With limited acres remaining in the first increment, it is my position that higher priority properties will better meet the goals and objectives of the PRRIP.
2. Given that this land was purchased in part with North American Waterfowl Conservation Act (NAWCA) funds, and factoring in TNC’s agency mission and disposal requirements, it is highly likely that a conservation easement will be required upon sale and transfer to any buyer. This will provide some level of long-term protection even if PRRIP turns this down and it is sold to other potential buyers.

---

Brock Merrill

Justin, my no vote opinion on Tract 1227 is as follows:

The motion brought before the LAC was to forward Tract 1227 (~800 acres) to the GC with a recommendation of acquisition for complex habitat. At \$3,000 an acre, which is probably conservative given the price of Nebraska land at the moment, it would cost the Program about \$2.4 million for land that is already in conservation ownership. Since the Program is only 200 or so acres from achieving the land milestone, Program funding would be better spent bringing in some new land, especially when you consider that the Program still has to finish up the wet meadow/OCSW components of the land plan. Land priorities aside, the Program has to shift it's focus to obtaining water, not land, and in my mind I would rather save the \$2.4 million and keep that funding for water projects like the proposed contract for water from J2, instead of expending that funding towards the purchase of land which is currently in conservation ownership. Water projects are going to require significant expenditures of Program funding through the remainder of the First Increment, and given the current fiscal climate the Program needs to prioritize where funding is expended in order to insure that the Program's milestones are met.

That said, if the Executive Director's office would like to bring forward a plan to sell some of our other tracts that are isolated and don't really fit into a complex in order to defray the cost of the acquisition of this tract in order to tie off the Ft. Kearney complex, I would be willing to consider that option; however, I would need an opinion from the Service on such an action prior to making a decision on a recommendation to the GC.

---

The Central Nebraska Public Power and Irrigation District's Points (Tract 1227)

The original goal of the land component of the Program was to develop 10,000 acres of "new" habitat for the three bird species along the river between Lexington and Chapman. These "new" acres would then be a baseline for the second component of the Program in which the goal would be 29,000 acres of protected lands. Those lands would not have to be Program lands, but would be lands that would be managed in a similar fashion as the Program lands.

Tract 1227  
Information to GC June 2013

To insure that Program lands contributed to a net gain in managed acres it was agreed that no conservation lands would be considered if those lands were purchased prior to 1997 (the date that agreement was made). The Program, however, has discarded that agreement and a considerable portion of lands now being managed under the Program are lands that were a) purchased prior to 1997 but agreed upon in the negotiations for the Program to count toward the 10,000 acres...i.e. Cottonwood Ranch and the Wyoming property, and b) conservation properties that do not contribute to the goal of a net gain in managed properties.

This aspect of no net gain through the purchase of conservation grounds was mentioned by the FWS in our meeting along with the comment that in a second increment there will be a greater land component than originally intended because of the amount of conservation land purchased in the first increment. If the Program goes through with this purchase the three largest pieces of Program Land purchased (not counting Cottonwood Ranch and the Wyoming Property) will be lands that were already protected and being managed by conservation groups. Well over half the 10,000 acre goal of the Program will be in previously protected properties.

Thus, I'm not sure that purchasing the property in question moves us toward the ultimate goal of the quantity of land that will be needed to satisfy the FWS's opinion as to how much is needed in the reach to recover the species as it does not result in a net gain in managed acres within the reach.

Because the purchase of conservation grounds has not reduced the ultimate number of acres that will be needed under the second increment of the Program nor have the purchased of these properties provided any net benefit to the three species beyond what was already being provided Central voted not to recommend the purchase of this property.

---

Nebraska Public Power District's Points (Tract 1227)

The Program is nearing the end for the need to purchase lands and the Districts believe the Fort Kearney Complex built around pre 1997 conservation properties, will stay whole should the TNC divest themselves of their interest in tract 1227. A higher priority for us is to utilize remaining available acres for

Tract 1227  
Information to GC June 2013

the very small but potentially significant non-complex acres. Sandpits continue to support all or most nesting by least terns and piping plovers and there has been documented use of palustrine wetlands by whooping cranes in the associated habitat even though that habitat type makes up only 0.02 percent of the land cover in the associated habitats.

Tract 1227

Information to GC June 2013

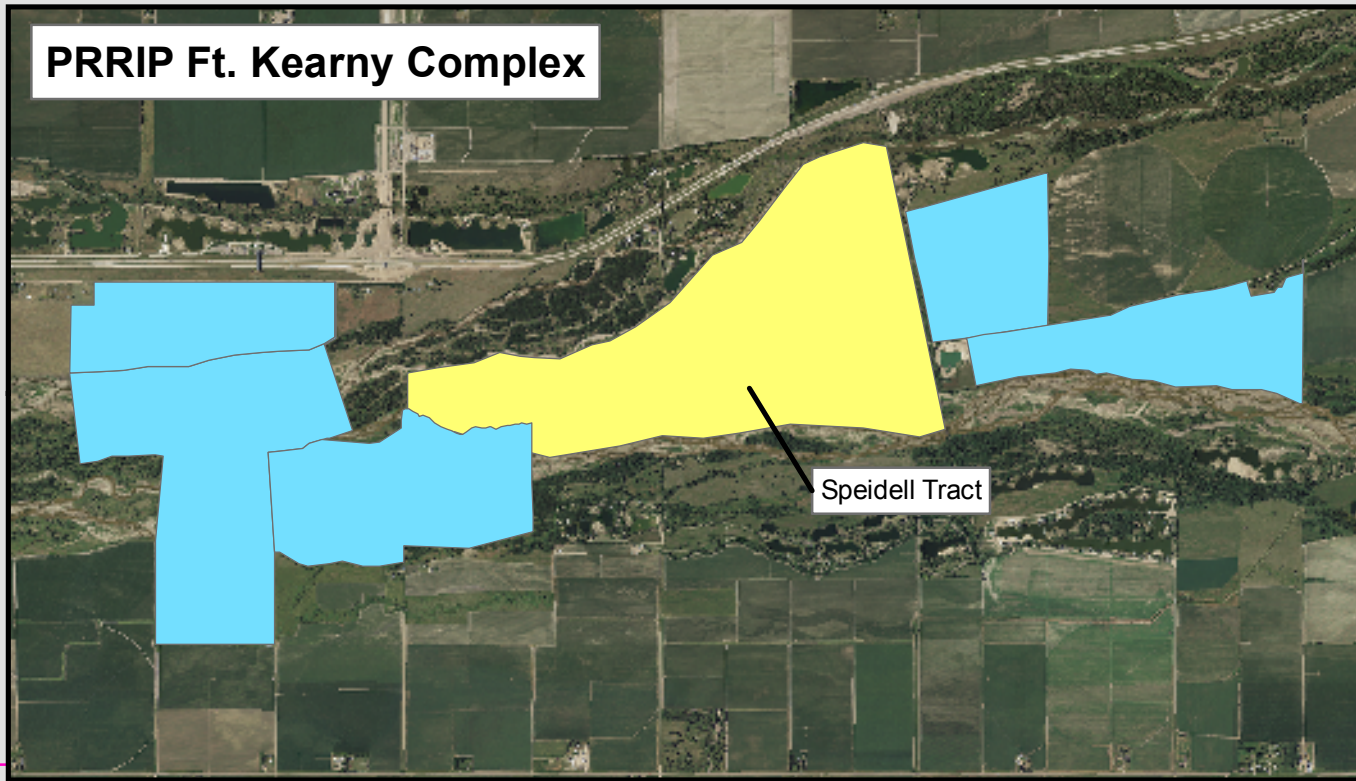
There is a multitude of potential exchanges that may or could occur. The final consolidation of lands will end with a picture similar to the attached drawings. Details of the final numbers are still being drafted.



# LAND TRADE OVERVIEW

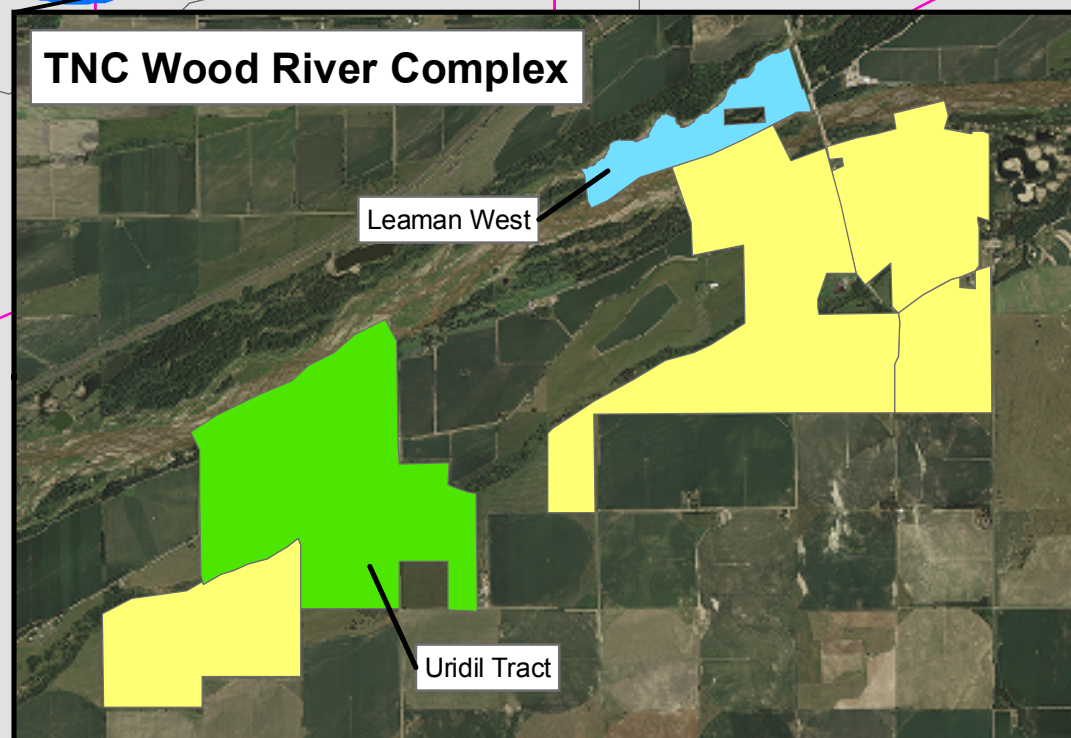
## CURRENT OWNERSHIP

### PRRIP Ft. Kearny Complex



Speidell Tract

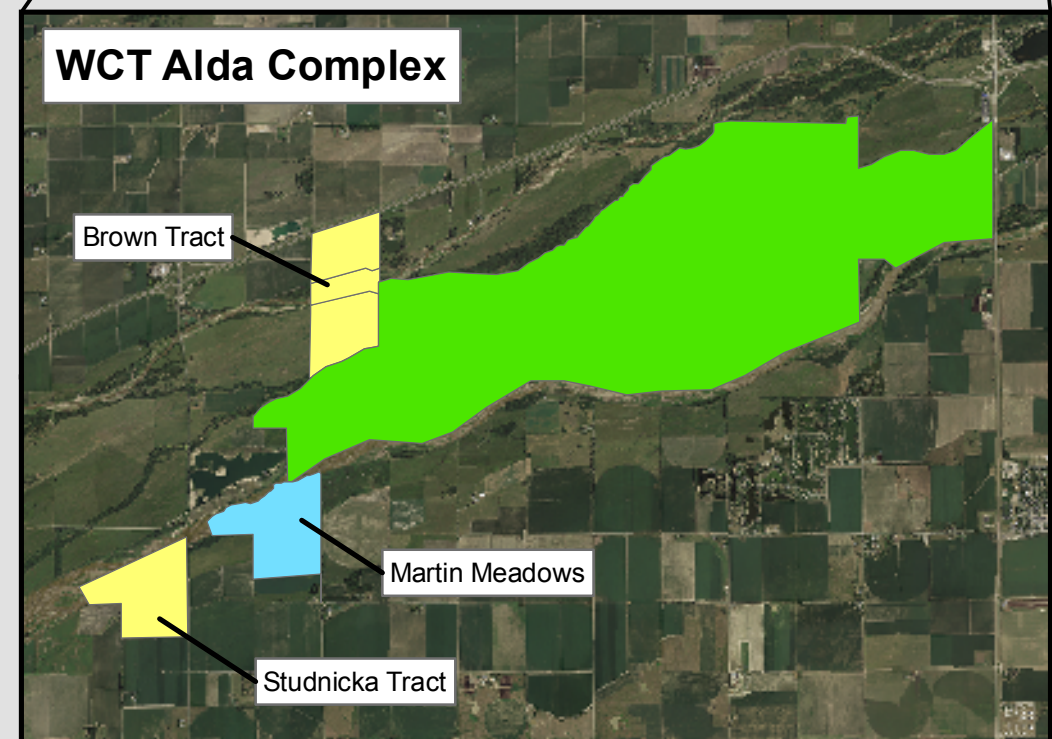
### TNC Wood River Complex



Leaman West

Uridil Tract

### WCT Alda Complex



Brown Tract

Martin Meadows

Studnicka Tract



#### Legend

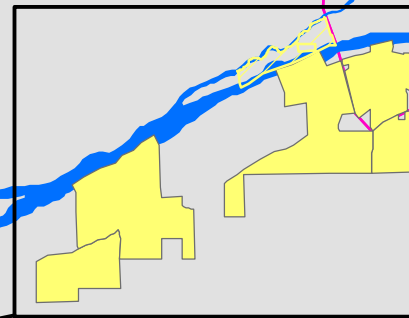
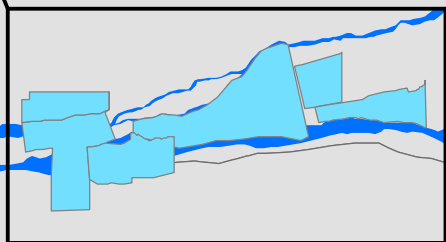
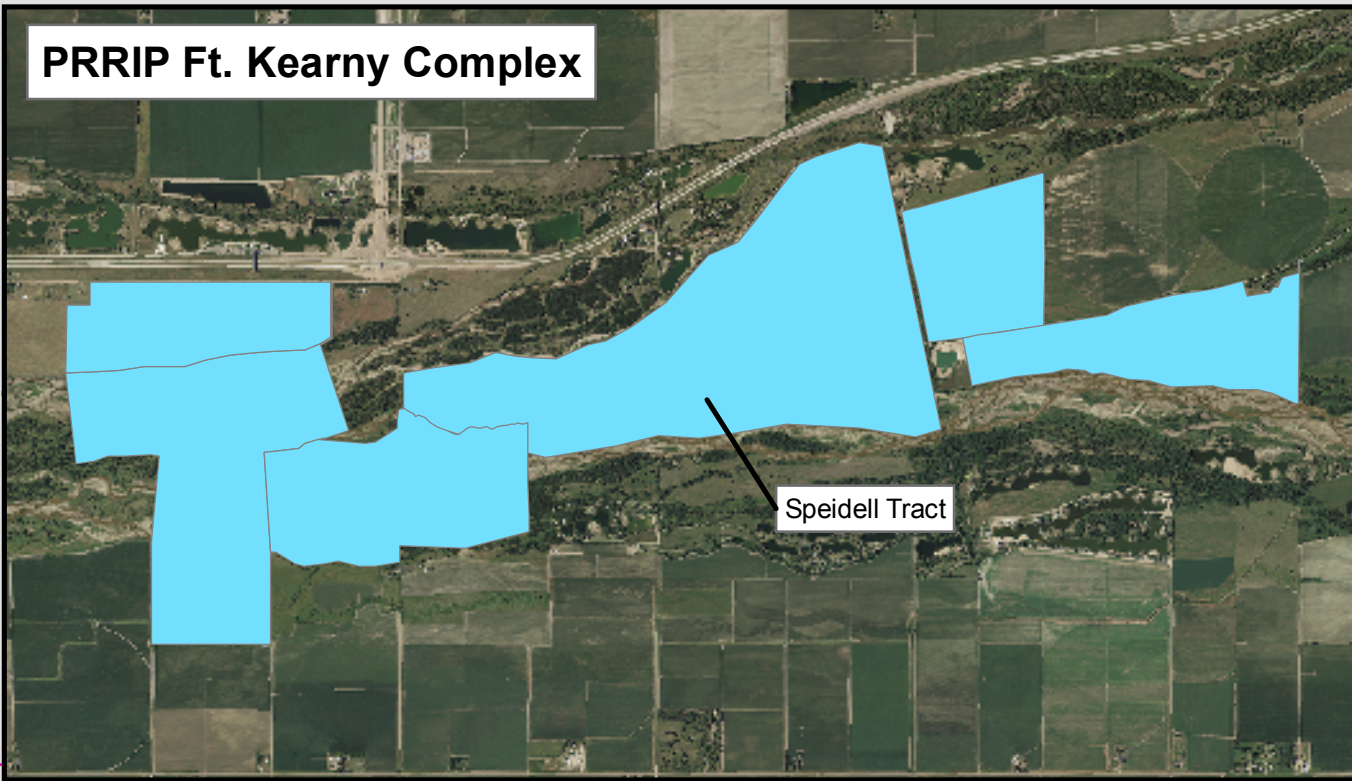
- PRRIP
- PRWCT
- TNC
- Platte River
- Bridge Segments
- County

0 1 2 4 Miles

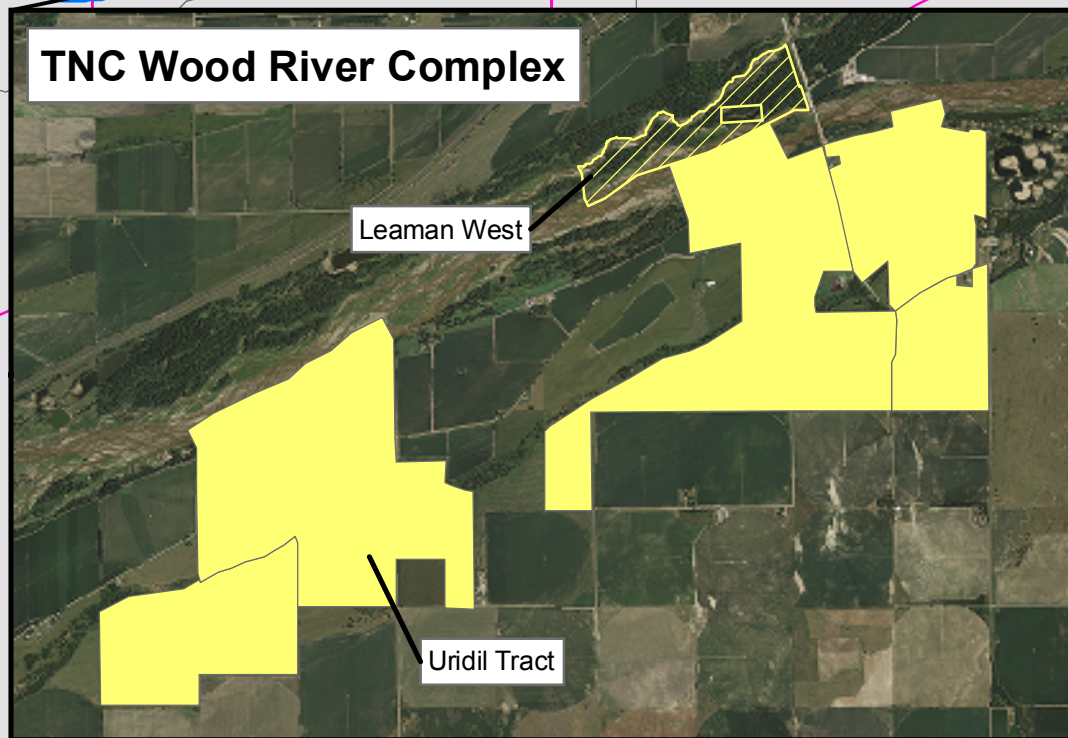


# LAND TRADE OVERVIEW PROPOSED OWNERSHIP

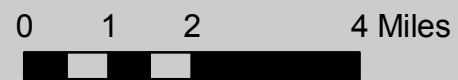
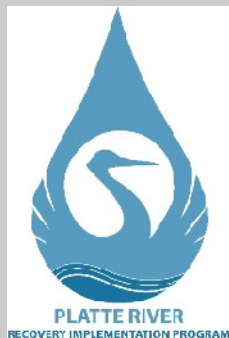
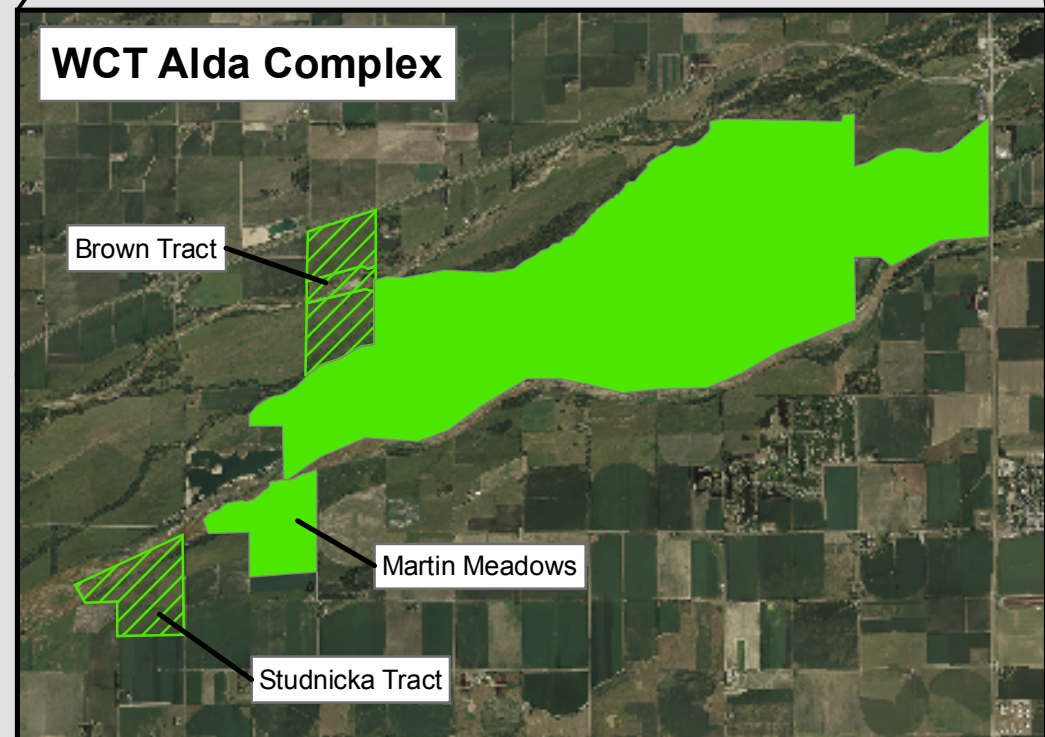
## PRRIP Ft. Kearny Complex



## TNC Wood River Complex



## WCT Alda Complex



### Legend

- PRRIP
- PRWCT
- PRWCT Potential
- TNC
- TNC Potential
- Platte River
- Bridge Segments
- County