

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

**MONTANA DEPARTMENT OF FISH, WILDLIFE
AND PARKS**

AND THE

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
BUTTE FIELD OFFICE

AND THE

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
**BEAVERHEAD-DEERLODGE NATIONAL FOREST
HELENA NATIONAL FOREST**

**Memorandum of Understanding (MOU)
Elkhorns Cooperative Management Area**

"An Agreement on Working Together"

Original Document - 1992

Updated October 1996

Updated April 2000

I. Preamble

The Elkhorn Mountains, located about 16 miles southeast of Helena, are a relatively small and isolated range of about 250,000 acres. About 160,000 acres of this productive mosaic of mountain grasslands, forests and alpine vistas are managed by both the Helena and Beaverhead-Deerlodge National Forests. The portion of the range in Forest Service ownership, by virtue of special Forest Plan direction, are managed as the only Wildlife Management Unit in the National Forest System. In addition, there is another 75,000 acres of foothills predominated by grassland/shrubland vegetation, that is managed by the Bureau of Land Management (BLM). The adjacent BLM lands are managed under the Headwaters Resource Management Plan (RMP) which provides for multiple use management. Some of the major uses on BLM lands include a utility corridor occupied by the Colstrip 500-KV line, the National Guard training range, the Continental Lime quarry, and livestock grazing. In addition, some tracts in the northeast corner of the Elkhorns are designated for disposal in the RMP.

The Elkhorn Mountains have been the center of intense land-use debates since the mid-1960's when concern was raised over the effect of livestock grazing on public elk winter ranges. Public debate over management of the Elkhorns continued to grow into the 1970's as timber harvest and road building progressed into certain drainages. The culmination of this controversy was a congressional hearing conducted by John Melcher in Helena on Labor Day, 1976. This hearing resulted in legislation requiring a study of the 76,000 acres of inventoried roadless portion of the Elkhorns for possible inclusion in the Wilderness Preservation System.

The Final Wilderness Study EIS & ROD did not recommend wilderness status for any portion of the Elkhorns, but instead provided specific criteria to be followed in developing a "Wildlife Management Unit." This criteria provided strong direction for emphasizing wildlife and non-motorized recreation, while still allowing for other uses if they were compatible with the area's wildlife values. In turn, there is a BLM wilderness study area adjacent to the FS study area in Muskrat Creek which was not recommended for wilderness, but is managed in concert with the Forest wildlife emphasis.

Forest Plans were developed in the early mid-1980's on both the Deerlodge and Helena National Forests. The criteria from the Wilderness Study decision were adopted and developed for the entire National Forest portion of the mountain range in order to include more of the total ecosystem and the key winter range areas that were outside the Wilderness Study area. A unique feature of the Elkhorns is that about 70 percent of the big game winter range is on public land.

As a part of the Forest Plan direction for the Elkhorns, a partnership with Montana Department of Fish, Wildlife and Parks (FW&P) was established to provide cooperation in the management and monitoring of wildlife in the Elkhorns. A department wildlife biologist position, with responsibilities only in the Elkhorns, was established in 1982. Through this position, intensive research and monitoring of elk has been completed .

In response to increasing complexity in managing the Elkhorns as an ecosystem among three agencies, two National Forests, and three Ranger Districts, the Forest Service recently established a full-time Elkhorn Coordinator position to serve as a public and internal contact person, as well as staff to three District Rangers, and the unit managers for BLM and FW&P as well. This position was assigned to the Townsend Ranger District and filled in February 1991.

Although a decade has passed since the Wilderness Study, management of the Elkhorns continues to be controversial. Primary issues continue to be the relationship between wildlife and management activities such as vegetation treatments, travel management, mining, grazing, timber harvest, and recreational uses. The number of elk and their management also is an on-going controversial issue.

Since the inception of this MOU in 1992, and the completion of the Elkhorn Landscape Analysis, much of the internal and inter-agency controversy and conflict has dissipated.

The Elkhorns Landscape Analysis was completed by a team of natural resource specialists from two land management agencies in conjunction with Montana Fish, Wildlife and Parks. This analysis established the historic and existing conditions of the soil, water, vegetation, and wildlife resources in the Elkhorn Mountains. The desired conditions for all the resources were then integrated and compared with the existing conditions to establish general, mountain-range wide management direction. This also allowed the Forests to monitor the direction given in the Forest Plans.

Once this analysis was completed, the mountain range was broken into three large watersheds. These three "implementation areas" are referenced as the South Elkhorns, North Elkhorns and Crow Creek. The analysis on these areas focused on more site-specific existing conditions and compared them with the desired conditions. This comparison generated a list of prioritized "management opportunities" for each implementation area.

The management opportunities are the basis for developing the annual interagency Elkhorn "Program of Work". To date, all three implementation area analyses have been completed and many mountain range and implementation area projects have been completed. These include a comprehensive Elkhorn Travel Plan; reintroduction of bighorn sheep; the revision of allotment management plans and a portion of the vegetation treatments that reflect the landscape analyses in Crow Creek, North Elkhorns, and South Elkhorns implementation areas; a comprehensive Forest Plan Amendment; rehabilitation of historic mine sites; a mountain range wide "fire plan", bighorn sheep habitat enhancements; westslope cutthroat trout restoration; a comprehensive recreation and travel map; and signing and interpretive projects.

II. Purpose

This MOU establishes the principles and organization under which the area consisting of the Forest Service Elkhorn Wildlife Management Unit and the surrounding BLM and private lands are combined for the purposes of this cooperative effort and is therefore referred to as the Elkhorn Cooperative Management Area (ECMA). Private lands are included in the ECMA to facilitate resource analyses and cooperative projects. It is clearly recognized that no authority exists on private lands emanating from this MOU.

Continued cooperation and coordination by all involved agencies, local governments, and the public are essential to successful management of the Elkhorns. This MOU describes the goals and principles, organization, roles and responsibilities and coordination and decision-making procedures for management of the ECMA.

III. Area Boundaries

The area encompassed by the ECMA (see ECMA map attachment) represents a logical ecological/geographical unit and has readily identifiable boundaries consisting of Interstate 15, State Highways 12/287 and 69 and the Lone Mountain County Road to the south.

IV. Related Documents

Implementation Plan:

An ECMA Implementation Plan (Appendix A) addresses the management responsibilities of the Unit Manager chair and how this position relates to coordination procedures and cooperation with the three FS District Rangers, BLM Resource Area Manager, and FWP Regional Wildlife Manager. Specifically, this document establishes when, where, and how the Unit Manager chair may apply jurisdiction and authority in administration of the ECMA. This document also schematically shows the relationships between the Elkhorn Steering Committee, Unit Manager chair, Elkhorn Coordinator, Implementation Group, Extended Team, other specialists and personnel.

Program of Work and Budget:

As previously mentioned, management opportunities from the landscape analyses form the basis for development of an annual program of work. Public comment, national priorities, and other factors are considered in prioritizing projects. The annual program of work provides the basis for funding requests and partnership proposals. It is developed by the Implementation Group with unit manager and Steering Committee input and approval. Once a program of work is developed and approved, it is the unit managers responsibility to ensure adequate funds are obtained.

V. Goals:

1. To manage the Elkhorns as an ecological unit across political boundaries for the purpose of sustaining ecological systems, including the full range of potential biological diversity and ecosystem processes.
2. To cooperatively manage the ECMA with consistent policies and standards for resource management.
3. To establish and maintain channels of intra- and interagency communication to enhance management consistency, commitment, and cost effectiveness.

VI. Vision Statement (a picture of the desired future)

The Elkhorn Cooperative Management Area is a unique, cooperatively administered geographic area, where management of all lands within public ownership emphasizes sustainable ecosystems. In addition, where opportunities and authority allow, wildlife and recreation values are emphasized.

Grasslands consist of mostly native species that provide abundant forage. Shrublands exist in varying patch sizes, densities, and several stages across the mountain range. The forests represent a variety of age classes. Many of the lower elevation forested stands exist in an open savannah-like structure. Streams run clear and riparian areas are productive, diverse, and function to store water and trap sediment. Riparian areas do not appear over-utilized by grazing animals.

There is a diversity and abundance of wild animals. A high-quality recreation experience is provided through the viewing and interpretation of wildlife and their habitats. A variety of other recreation experiences, both motorized and non-motorized are also possible within the area; however, travel management emphasizes the protection of soil, water, vegetation, and wildlife. Recreation management, including signing, is consistent throughout the area regardless of land ownership.

VII. Principles:

This MOU recognizes the following management principles which will guide development of recommendations, management strategies, and the annual program of work for the ECMA.

- A. Ecosystem Management is the umbrella concept in management of the Elkhorns.
- B. Wildlife and wildlife habitat are managed to support populations of species associated with endemic vegetative communities, with emphasis on providing the necessary habitat components for those species with specialized needs.
- C. Wildlife values are a strong consideration in evaluating all land use proposals, and are the major emphasis item on National Forest lands.

D. Management opportunities identified for each of the three implementation areas drive the development of an annual program of work. Elkhorn Unit Managers develop budget/allocate funds jointly for the implementation of the annual program of work.

E. Public users, local governments, and adjacent land owners are involved in the management of the ECMA.

F. Valid existing rights are recognized, and considered in accordance with applicable laws, regulations, etc. regarding all actions taken in the ECMA.

VIII. Authority

Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq.

IX. Administration

Nothing in this MOU will be construed as affecting the authorities of the participants or as binding beyond their respective authorities or to require any of the participants to obligate or expend funds in excess of available appropriations.

X. Organization, Roles and Responsibilities

Although there are 3 separate committees outlined in this MOU, in general, the committees will meet together and accomplish the goals and objectives of the MOU as a team.

A. Elkhorn Steering Committee:

The purpose of the ECMA Steering committee is to provide coordinated and cooperative management direction, provide leadership for progressive resource management and development of policy, facilitate implementation of management activities and resolution of issues. The Committee is to be chaired by one of the members, with the Chair being rotated every year. The Committee will meet at least two (2) times a year. The Committee will set goals, recommend consistent standards with existing planning efforts, encourage cooperative projects, the sharing of resources, and cooperation in areas of sustainable ecosystem management, land-use planning, land acquisition and exchange, private landowner cooperation, educational outreach and public participation, monitoring and inventory, project implementation, and research/technology development.

Chair:

- * Serves as a key contact for information regarding Steering Committee activities.
- * Maintains the mailing list for the Steering Committee.
- * Facilitates accomplishment of the Committee's tasks throughout the year.
- * Organizes group meetings.
- * Maintains a file of correspondence and documentation.

Committee:

- * Provides a collective vision for the ECMA.
- * Facilitates and supports implementation of the ECMA resource program.
- * Provides coordinated decisions on policy matters and issues.
- * Sets priorities for the program of work.
- * Communicates and demonstrates visible support for sustainable ecosystems concepts and wildlife management both internally and externally.

- * Establishes and maintains external contacts with the congressional delegation and key interest groups.
- * Provides a link to regional and national issues.
- * Provides direction and support to Elkhorn Unit Managers and Elkhorn Implementation Group.

Members:

- * Field Manager, Bureau of Land Management
- * R-3 Regional Supervisor, MDFWP (or Helena Area Coordinator)
- * Forest Supervisor, Helena National Forest
- * Forest Supervisor, Beaverhead-Deerlodge National Forest

B. Unit Managers/chair

The chairperson for the Elkhorn Unit Managers will be a liason between the Implementation Group and the Steering Committee. However, line management authority will remain with the respective managing agencies. The chairperson is an ad hoc member of the Steering Committee. As such, the unit manager chair attends all Steering Committee meetings and keeps other unit managers (rangers on the Townsend, Helena, and Jefferson Ranger Districts, the assistant BLM Field Managers, and the R3 MDFWP Wildlife Manager and Helena Area Coordinator) informed.

The unit manager chair provides overview and leadership to the ECMA Implementation Group and its chair, the Elkhorn Coordinator. The unit manager chair represents the ECMA with the public through other cooperating agency managers. This position is responsible for providing interagency consistency and for ensuring that all management actions are consistent with the direction provided by the ECMA Program of Work.

C. Elkhorn Coordinator:

The Elkhorn Coordinator position consists of 1/2 FTE , is located at the Townsend Ranger District, and is directly supervised by the Townsend District Ranger relative to day to day activities. Relative to the Elkhorn Program of Work and overall program management, the Elkhorn Coordinator is responsible for working closely with the Unit Manager chairperson. The performance review for this position is conducted by the Unit Manager chair with input from all the unit managers.

The Elkhorn Coordinator is a Forest Service position, but represents and coordinates with all the agencies involved in managing the Elkhorns and is funded accordingly. Contributions include \$8,000 per year from the Beaverhead-Deerlodge, BLM, and FWP. The Helena National Forest supports the remaining 62.5% of the funding.

The Coordinator acts as chair for the Implementation Group; serves as team leader or chair/co-team leader on major ECMA planning projects; and promotes and communicates ecosystem management principles and the Wildlife Management Unit status of National Forest system lands both internally and externally.

D. Implementation Group:

Employees from the Forest Service, BLM, and MDFWP are identified to serve on an implementation group to represent their organizations and area of expertise in the ECMA. This group, chaired by the Elkhorn Coordinator, is responsible for providing overview, conducting major planning actions, and developing recommendations and action items to meet the goals of this MOU. They advise the unit managers on resource issues and proposals, and are responsible for coordination with other specialists throughout the ECMA to ensure consistency in interpretation and implementation of management activities. This group identifies the need for, and then coordinates work done by

additional personnel who will constitute an "extended" team on an as needed basis (see Part E that follows). This group develops the annual Program of Work by October 15th of each new fiscal year. These individuals continue to work within their respective agency positions, but have Elkhorn CMA responsibilities built into their time allocations and performance elements.

The Implementation Group consists of:

1 representative from BLM and FWP and each of 3 ranger districts which also represent the following disciplines if possible:

Wildlife, Minerals, Recreation, Range, and Ecology.

E. Extended Team:

These individuals are the personnel needed to complement skills on the Implementation Group for the purpose of carrying out the annual program of work. The following disciplines could be included:

GIS-automation, forestry, economist, fisheries, fire, engineering, NEPA, PIO, cultural resources, soils, watershed/hydrology, lands/reality, hazmat, etc.

F. Project NEPA work, Administration, and Project Implementation:

NEPA work, administration of permits and operating plans, and on the ground activities usually will be accomplished by district/area personnel.

The Implementation Group will be involved in some aspects of NEPA, administration, or project accomplishment in the cases where a proposal is judged to have very significant impacts, overlaps more than one agencies' jurisdiction, or is highly controversial.

XI. Management Reviews

Management reviews will be conducted annually by the Steering Committee with assistance provided by the Unit Manager chair and Implementation Group to evaluate the success in meeting the goals of this MOU and in accomplishing the annual Program of Work.

XII. General Provisions

A. The terms of this MOU may be renegotiated or cancelled at any time at the initiative of one or more of its participants, following at least 30 days notice to the other participants.

B. Any participant may propose changes to this MOU during its term. Such changes will be in the form of an amendment and will become effective upon signature by all of the participants.

C. This MOU shall become effective on the date of the last signature approval hereon and shall remain in effect indefinitely unless terminated in accordance with A. above.

XIII. Approval of MOU

DATE _____

Rick Hotaling
Field Manager
Butte Field Office
Bureau of Land Management

Thomas Clifford
Forest Supervisor
Helena National Forest

Jeanette Kaiser
Forest Supervisor
Beaverhead-Deerlodge National Forest

Micheal Korn
Helena Area Coordinator
Montana Department of Fish, Wildlife and Parks

APPENDIX A IMPLEMENTATION PLAN

The purpose of the Implementation Plan is to provide a link between the Memorandum of Understanding (MOU) and daily work activities. The Implementation Plan will be monitored and amended as needed to meet the intent of the MOU. Monitoring will be done with a yearly review by all Unit Managers and the Implementation Group.

Figure 1 displays the relationships and communication flow between the Elkhorn Steering Committee, Unit Manager Chair, other Unit Managers, Elkhorn Coordinator, Implementation Group, Extended Team, other specialists, and other personnel. The relationships and direct lines of communication are displayed by solid arrows. The dotted arrows allow for necessary communication to occur in addition to the direct communication.

Each unit will be responsible for implementation, monitoring, and evaluation of projects occurring on their administrative unit. Our landscape/NFMA analyses will generally drive the program of work in the Elkhorns. Program review and evaluation will occur on an annual basis.

Elkhorn Committees will meet as needed or quarterly to review the progress on the annual Program of Work and to discuss issues and concerns.

Decisions on projects in the Elkhorns are coordinated among the agencies and with local governments. Routine administrative decisions will be routed through the Elkhorn Coordinator, through Implementation Group meetings or by direct contacts with unit managers or staff. The Elkhorn Coordinator will keep the Unit Manager Chair informed on a continual basis.

"Non-routine" decisions on projects in the Elkhorns will be coordinated and analyzed through the Unit Manager chair and Elkhorn Coordinator before they are made final. As a general policy, analyses that are jointly prepared by the FS and BLM will have a Decision signed by both agencies.

All major decisions that affect management of the Elkhorns, regardless of the initiating agency, are coordinated with the other partners in the MOU. All major project decisions will include a letter from the other agencies documenting their involvement relative to the decision. This letter will be attached to the decision document or found in the project file.

Decisions made at Steering Committee level will be discussed at Steering Committee meetings and be made with input from the Elkhorn Unit Managers and Implementation Group.

In January 2000, the Implementation Group consists of the following individuals:

1. Jodie Canfield, Elkhorn Coordinator, Implementation Group Leader
2. Bill Dean, BLM Wildlife Biologist
3. Tom Carlsen, MDFW&P Wildlife Biologist
4. Brett Stansberry, Interagency Technician
5. Eric Tolf, Recreation and Range, Jefferson RD, Deerlodge NF
6. Sharon Scott, Forest Ecologist, Helena RD, Helena NF
7. Gary Brown, Fire Management Officer, Townsend RD, Helena NF

The amount of time for members of this Implementation Group to accomplish their duties is expected to be 10%-30% of their total work time. Each unit will commit to time necessary to accomplish annual POW.

In general, this group stays constant in order to maintain a variety of expertise and consistency from year-to-year; if needed, changes in this group are recommended by the Elkhorn Coordinator and approved by the Unit Managers.

The Implementation Group will accomplish the following tasks: (See Figure 2)

1. The Elkhorn Coordinator will be the Interdisciplinary Team Leader for all Landscape Analyses (and updates). The Implementation Group will be the Core Interdisciplinary Team which will manage and complete the landscape analysis and subsequent project planning and implementation work. The Implementation Group will use an Extended Team to assist in accomplishment of this work.
2. The Implementation Group will develop the Program of Work on an annual basis with input and approval from the Unit Managers. They will also periodically monitor and update the landscape analyses. The Implementation Group will meet jointly with the Unit Managers twice yearly -- in the fall during development of the Program of Work, and during the spring to monitor progress. The Implementation Group and Unit Managers will jointly present the annual Program of Work to the Steering Committee for their input and approval.
3. The IG will meet as needed to review all proposed or anticipated activities or issues in the Elkhorn Cooperative Management Area (ECMA). Following these meetings, the Elkhorn Coordinator will make any recommendations to the Unit Manager chair, who will in turn coordinate activities with other unit managers. Each Implementation Group member will be responsible for up-to-date knowledge of activities on their respective units, and coordination/completion of the quarterly Elkhorn project update documents.
4. For non-routine environmental analysis work, at least one Implementation Group member will be a team member. The Implementation Group will recommend a person for each project to be approved by the Unit Manager responsible for that project.

Extended Teams will be developed as necessary to accomplish specific tasks in management of the ECMA. Extended Team assignments will be made by individual project. Extended Team participation could take between 10%-20% of total time for each project assigned depending on complexity. Extended Teams will be identified in the annual Program of Work. Unit Managers will work together to pool resources to supply extended team expertise and needs.

