

1993
OFFICE OF THE GOVERNOR
STATE OF MONTANA

MARC RACICOT
GOVERNOR



STATE CAPITOL
HELENA, MONTANA 59620-0801

June 5, 1995

TO: Members of the Montana Interagency Coordinating Group
FROM: Governor Marc Racicot (R)
RE: Enclosed Memorandum of Understanding

The purpose of this *Memorandum of Understanding* is to create a more efficient system of cooperation and coordination among natural resource governmental agencies and organizations in Montana. It is intended to establish a process which develops new partnerships, and then allow these partnerships to create a climate of more responsive and efficient governance.

Building sustainable watersheds and ecosystems means different things to different people. Undefined, either in principle or process, sustaining our watersheds and ecosystems is meaningless, possibly even counterproductive. The process outlined in the MOU defines how we in Montana will approach sustainability and solving problems within watersheds and ecosystems; and, through this process, we hope to stimulate cooperation which sustains a healthy environment together with a healthy economy, a sense of community and a quality of life.

Sustaining our watersheds and ecosystems will provide lasting benefits only if constructed through a collaborative, cooperative process which depends upon the active involvement, insight and support of local residents.

We have an opportunity, through this MOU and through the commitment of these signatories, to pioneer a better future for Montana and Montanans.

MONTANA INTERAGENCY COORDINATING GROUP

MEMORANDUM OF UNDERSTANDING

ESTABLISHING A FRAMEWORK FOR COOPERATION TO SUSTAIN ECOSYSTEMS,
WATERSHEDS AND COMMUNITIES IN MONTANA.

Between

U.S. FOREST SERVICE, NORTHERN REGION
BUREAU OF LAND MANAGEMENT
BUREAU OF INDIAN AFFAIRS
BUREAU OF RECLAMATION--Great Plains Region
BUREAU OF RECLAMATION--Pacific Northwest Region
NATIONAL PARK SERVICE
U.S. GEOLOGICAL SURVEY
U.S. BIOLOGICAL SURVEY
U.S.D.A. NATURAL RESOURCES CONSERVATION SERVICE
ENVIRONMENTAL PROTECTION AGENCY
AGRICULTURE STABILIZATION & CONSERVATION SERVICE
U.S. FISH & WILDLIFE SERVICE
MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION
MONTANA DEPARTMENT OF TRANSPORTATION
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
MONTANA UNIVERSITY SYSTEM
ENVIRONMENTAL QUALITY COUNCIL
MONTANA DEPARTMENT OF AGRICULTURE
MONTANA STATE LIBRARY
U.S. ARMY CORPS OF ENGINEERS, OMAHA DISTRICT

This Memorandum of Understanding (MOU) is made and entered into by and between the aforementioned agencies and organizations, who as members of the Montana Interagency Coordinating Group (MICG), share natural resource management responsibilities in the state of Montana. These agencies and organizations will hereinafter be referred to by their name or collectively as "cooperators".

I. Purpose

The purpose of the MOU is to establish a general framework for participation, interaction, and coordination among the cooperators. The objective is to document our intent to work together in a spirit of cooperation by building and nurturing relationships among the agencies responsible for natural resource management and by sharing information, training, and other resources.

Another objective of the cooperators is to forge new partnerships with local communities and other affected interests for achieving more successfully the common goal of developing and implementing sustainable management strategies within Montana's watersheds and

ecosystems. Through the implementation of this MOU, the cooperators hope to better fulfill the requirements of the land and the people who live on it.

Decisions that result from activities undertaken as a result of the MOU will apply only to the respective authorities of each party to **this** agreement.

II. Applicable Laws and Administration

Nothing in this memorandum shall obligate the parties to this agreement to expend funds or to enter into any contract or other obligations.

Specific work projects or activities which involve the transfer of funds, services, or property among the parties to this MOU will require the execution of separate agreements or contracts, contingent upon availability of funds as appropriated by Congress or state legislature and made available administratively. Each subsequent agreement or arrangement involving the transfer of funds, services, or property between the parties to this MOU must comply with all applicable statutes and regulations, including those statutes and regulations applicable to procurement activities, and must be independently authorized by appropriate statutory authority.

This MOU in no way restricts the cooperators from participating in similar activities or arrangements with other public or private agencies.

Nothing in this MOU is intended to affect ongoing relationships among the parties. Nothing in this MOU can be or should be construed to require the cooperators to use each other's services or to require one cooperator to accept assignments from any other cooperator.

No part of this agreement modifies existing authorities under which the parties currently operate.

Unless terminated, this MOU will remain in full force and in effect until July 1, 1999. Each year at the annual Interagency meeting of the Montana Interagency Coordinating Group, the MOU will be reviewed to determine whether there is need for modification or updating.

This MOU shall become effective on the date of the last signature by participants. It may be modified or amended upon written request of any party and the concurrence of all other cooperators. Participation in this MOU may be terminated with a 60 day written notice to all the other cooperators.

Supplements or amendments to this MOU may be proposed by any party and shall become effective upon approval by all participants.

Additional parties may be added to this MOU with the concurrence of the present cooperators.

No member of, or Delegate to, Congress shall be admitted to any share of this instrument, or any benefits that may arise therefrom.

In the execution of this MOU, there shall be no discrimination by any of the parties against any person because of race, creed, color, religion, national origin, handicap or gender.

Activities conducted under this agreement will be in compliance with the nondiscrimination provisions as contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and in accordance with regulations of the Secretary of Agriculture (7CFR-125, subpart A and B) which provide that no person in the United States shall on the grounds of race, color, national origin, age, sex religion, marital status, or handicap be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Agriculture or any agency thereof.

III. **Statement of Mutual Interest and Mutual Benefits**

Building sustaining communities and ecological systems are made even more difficult as the financial and technical resources of local citizens and government become limited. Government agencies no longer have the budget flexibility to embark on independent initiatives, investigations, and planning studies--we need to share professional and technical resources and information. Cooperation and coordination are needed to solve problems more efficiently, to implement effective long-term management solutions and accomplish common goals. Only through cooperation and participation by all private, state and federal landowners and affected interests will sustainable watershed and ecosystem-based management strategies be developed, accepted by the general public and implemented.

The cooperators in this agreement desire to share and discuss management of natural resource issues in the state of Montana with the goal of coordinating efforts and understanding how each entity's individual actions benefit the area's resources and people. The benefit of this shared information is to facilitate a coordinated approach, minimize redundancy, and look for opportunities to work together for the common good of the resources and Montana's citizens.

IV. **The members of Montana Interagency Coordinating Group Agree to:**

Develop and exchange information related to natural resource management decisions, and social, cultural, economic, and natural resource values and conditions.

When appropriate, share available resources, personnel, and technical assistance, as well as training, workshops, and information sessions.

Recognize the common goal, yet different missions of the cooperators in this agreement so as to facilitate discussions of natural resource management ideas and perspectives.

Cooperate in carrying out activities to facilitate development and implementation of projects that further the purpose of this MOU, such as establishing and supporting work groups among the cooperators in this MOU.

Support the framework entitled: **A Framework for Sustaining Ecosystems, Watersheds, and Communities** (appendix A)

Support the plan for implementing the **Framework** (referenced above) entitled:

Implementation Plan (appendix B).

Emphasize, encourage and facilitate citizen participation in ground level decision-making and the formation of private-government partnerships.

Provide guidance, direction, and support to the Montana Watershed Coordination Council (formerly Montana Water Resources Coordinating Committee) and GIS Steering Committee.

Acknowledge that local people play an important role in managing watersheds and ecosystems and that one of the responsibilities of government is to provide them with the appropriate tools, technical assistance, positive incentives, and resources to accomplish this task.

Support ongoing activities and the existing ***Interagency Memorandum of Understanding on Coordinated Resource Management as amended November 30, 1993*** that deals with watershed and ecosystem management (Appendix C).

Meet at least annually to implement the provisions of this MOU.

V. Principal Contacts

To provide for consistent and effective communication among the cooperators, each signator or his/her designee shall become a member of the Montana Interagency Coordinating Group and shall be responsible for implementing the provisions of this MOU.

The members of the Montana Watershed Coordination Council and Montana Interagency GIS Steering Committee shall be appointed by their respective Directors. Other non-agency members of the Coordinating Committee shall be selected by the existing members. Both committees will provide a forum for coordination and education necessary to implement the directives and decisions of the Montana Interagency Coordinating Group and for coordinating all requests for assistance under this MOU.

VII. Approvals of Memorandum of Understanding

REGIONAL FORESTER, Northern Region
U.S. Forest Service

Date

STATE DIRECTOR
Montana Bureau of Land Management

Date

AREA DIRECTOR
Bureau of Indian Affairs

Date

AREA MANAGER, Upper Columbia Area Region
Bureau of Reclamation

Date

AREA MANAGER, Montana Area Office
Bureau of Reclamation

Date

REGIONAL DIRECTOR,
National Park Service

Date

STATE CONSERVATIONIST
U.S. D.A. Natural Resources Conservation Service

Date

STATE DIRECTOR
Environmental Protection Agency

Date

STATE DIRECTOR
Agriculture Stabilization & Conservation Service

Date

ASSISTANT REGIONAL DIRECTOR--REGION 6
U.S. Fish and Wildlife Service

Date

STATE DIRECTOR
U.S. Geological Survey

Date

REGIONAL DIRECTOR
U.S. Biological Survey

Date

DIRECTOR
Montana Department of Fish, Wildlife and Parks

Date

DIRECTOR
Montana Department of Natural Resources and Conservation

Date

DIRECTOR
Montana Department of Environmental Quality

Date

DIRECTOR
Montana Department of Transportation

Date

DIRECTOR
Montana Department of Agriculture

Date

STATE LIBRARIAN
Montana State Library

Date

COMMISSIONER
Montana University System

Date


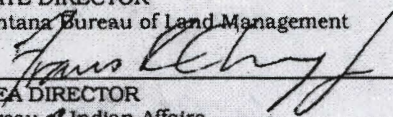

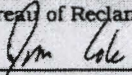
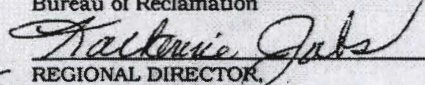

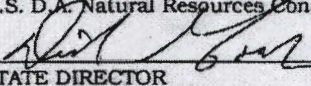
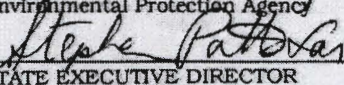
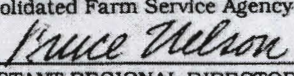
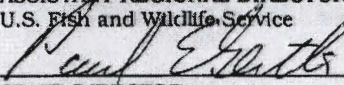
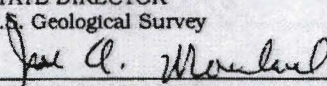
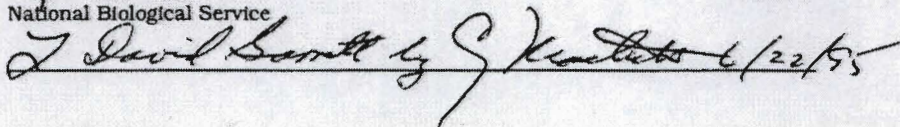
CHAIRPERSON
Environmental Quality Council

Date

DISTRICT ENGINEER
U.S. Army Corps of Engineers, Omaha District

Date

VII. Approvals of Memorandum of Understanding

For REGIONAL FORESTER, Northern Region U.S. Forest Service 	Date 6/22/95
STATE DIRECTOR Montana Bureau of Land Management 	Date 6/22/95
AREA DIRECTOR Bureau of Indian Affairs 	Date 6/22/95
AREA MANAGER, Upper Columbia Area Office Bureau of Reclamation 	Date 6-22-95
AREA MANAGER, Montana Area Office Bureau of Reclamation 	Date 6-22-95
For REGIONAL DIRECTOR, National Park Service 	Date 7-19-95
STATE CONSERVATIONIST U.S. D.A. Natural Resources Conservation Service 	Date 6/22/95
STATE DIRECTOR Environmental Protection Agency 	Date 6/22/95
STATE EXECUTIVE DIRECTOR Consolidated Farm Service Agency 	Date 8/1/95
ASSISTANT REGIONAL DIRECTOR--REGION 6 U.S. Fish and Wildlife Service 	Date 6/22/95
STATE DIRECTOR U.S. Geological Survey 	Date 6/22/95
REGIONAL DIRECTOR National Biological Service 	Date 6/22/95

DIRECTOR Date
Montana Department of Fish, Wildlife and Parks
Patricia J. Overman 6-22-95

DIRECTOR Date
Montana Department of Natural Resources and Conservation
Don Grant 6-22-95

DIRECTOR Date
Montana Department of Environmental Quality
[Signature] 6-22-95

DIRECTOR Date
Montana Department of Transportation
Maxine [Signature] 6/22/95

DIRECTOR Date
Montana Department of Agriculture
W. Ralph Cook 6/22/95

STATE LIBRARIAN Date
Montana State Library
Alfon B. Oy 6/22/95

COMMISSIONER Date
Montana University System
Richard A. Cudde 6-22-95

CHAIRPERSON Date
Environmental Quality Council
Mike [Signature] 6/22/95

DISTRICT ENGINEER Date
U.S. Army Corps of Engineers, Omaha District
Deborah [Signature] for Jimmy Kolbe 6/22/95

VICE PRESIDENT, ENVIRONMENT, FISH AND WILDLIFE Date
Bonneville Power Administration
Gail Kuntz for Alexandra B. Smith 6/22/95

EXECUTIVE DIRECTOR Date
Montana Association of Counties
[Signature] 6/22/95

5/6/95

A Framework for Sustaining Ecosystems, Watersheds, and Communities

by
the Interagency Ecosystem Management Work Group

Introduction

Managing and sustaining watersheds and ecological systems and associated communities have always been complex and difficult. One reason is that their boundaries may not end at the city's limits, the rancher's fence, the forest's edge, or the river's bank. Rather, they can encompass all of these places. Together, each affected stakeholder, whether private or governmental, should be involved in deciding the future of their community, ecosystem or watershed.

Managing and sustaining communities and ecological systems are made even more difficult as the financial and technical resources of local citizens and government become further limited. Government agencies no longer have the budget flexibility to embark on independent initiatives, investigations and planning studies--we need to share professional and technical resources and information. Collaborative, consensus-based, holistic management strategies are needed to help solve problems; implement meaningful, long-term solutions; accomplish common goals; and achieve effective and efficient management.

The framework discussed in this paper is timely, as most local, state, and federal agencies in Montana are beginning to focus on long-term sustainability of communities, ecosystems and watersheds. This framework builds upon Governor Marc Racicot's conference on *Building Sustainable Communities* that was held in the spring of 1993.

Too often, costly government planning has resulted in "shelf art" plans that are never fully implemented. This occurs because government approaches to natural resource management have not involved the community in an effective way nor used creative problem-solving techniques. In many instances, the final plans have ended up causing lengthy and expensive litigation for government and affected parties.

The following paper describes a new framework and guide for developing and implementing management strategies within watersheds and ecosystems. The approach is based on collaboration and consensus-building among all stakeholders, and the sharing of resources and staff by government. It encourages local community involvement in developing management strategies for solving problems within the boundaries of watersheds and ecosystems. Only through improved cooperation and participation by all private, state, and federal landowners and affected interests will sustainable management strategies be developed, accepted by the general public, and implemented.

To successfully craft and implement these types of watershed or ecosystem-based management strategies, we need to become more adaptable and creative in identifying opportunities and solutions to problems, recognizing that there is no single way or formula for achieving the best solution. This framework is a guide--it acknowledges that each community within a watershed or ecosystem is special and distinct and that each requires its own unique blend of solutions.

It also acknowledges that local people play an important role in managing watersheds and ecosystems and that one of the responsibilities of government is to provide them with the appropriate tools, technical assistance, positive incentives, and resources to accomplish this task.

Mission

The mission of this framework is to encourage government and citizens to work together to sustain or restore a healthy environment, a sense of community, and a high quality of life in Montana.

Purpose

The purpose of this framework is to provide a means by which all government agencies, private landowners, and affected interests can work together to meet their respective missions while at the same time fulfilling the requirements of the land and the people who live on it. The objective is to develop and implement sustainable and cost-effective management strategies within watersheds and ecosystems where government agencies and other affected interests are encouraged to cooperate and share information, training, costs, and other resources. To accomplish this, the framework identifies a number of guiding principles and a suggested process for agencies and grassroot organizations to follow.

Guiding Principles

- o Stakeholders can promote the process for sustaining communities, watersheds and ecosystems.
- o It is preferable to establish a broad scale vision and goals first, and then tailor short-term, small-scale objectives, tasks and decisions accordingly.
- o The boundaries for a management strategy should follow identifiable ecosystem(s), or watershed(s), and encompass logical social and economic units related to issues, problems, or opportunities being addressed.
- o Stakeholders within a watershed or ecosystem are encouraged to develop and utilize their own institutional structure and to craft and implement solutions that are tailored to their own unique situation.
- o Consensus-building (Appendix 1), collaboration, and sharing of information and data are the building blocks for attaining and implementing successful management strategies. A facilitator may help achieve consensus and solutions.
- o All stakeholders are encouraged to work toward consensus, but if consensus is not possible, then the stakeholders will need to agree on the dimensions of the disagreement or seek alternative solutions.
- o All stakeholders are encouraged to participate in this public process which includes resource assessment, planning, decision making, implementation, and evaluation.

- o Each stakeholder is encouraged to achieve its particular mission while helping others reach theirs.
- o Individuals representing agencies and organizations on a local management team should have the authority to speak on their behalf. Each representative will need to maintain a continuing and open dialogue with his or her agency or organization and can bind it only with prior approval from that agency or group.
- o All natural and human concerns including ecological, economic, and social factors and values should be integrated and balanced to meet stakeholder's needs and that of future generations.
- o Understanding the nature and long-term requirements of human communities and economies is important for sustaining a productive and healthy watershed or ecosystem.
- o Understanding the many biological aspects of a watershed or ecosystem--such as structure, composition, functions, cumulative effects, historical trends, and natural variability over time and space--is important for sustaining or restoring the health, integrity, variability, and productivity of a system.
- o Scientific-based assessments and accountability for decisions are important. Decisions to manage resources outside the range of natural variability or to create risks to either communities, watersheds, or ecosystems should be made with a clear understanding and full disclosure of the consequences.
- o Activities and decisions carried out under this framework must be consistent with legal authorities and other mandates of the involved government agencies.
- o Adaptability and responsiveness of agencies and other stakeholders to new and changing environmental, economic, and social values and information can only strengthen successful implementation of shared decisions.

**Composition and Role of the Montana Interagency
Coordinating Group**

- o The Montana Interagency Coordinating Group includes the heads of the state, and federal natural resource agencies. Native Americans and other natural resource agencies will be strongly encouraged to participate in the Coordinating Group.
- o The Interagency Coordinating Group should provide the forum to carry out the following functions:
 - * to ensure cooperation and coordination and sharing of resources among the participating agencies for the purpose of developing and implementing management strategies within a watershed or ecosystem;
 - * to prioritize the usage of resources and personnel. (Criteria for prioritization may include severity of the problems, potential for resolution, availability of

agency resources for completing a planning or implementation effort, and opportunities to accomplish objectives that are shared by several agencies);

- * to oversee the implementation of individual management strategies; and

- * to ensure that statewide inventories, data bases, education, and assessments are prioritized, coordinated, and as compatible as possible with each other and with the State Natural Resource Information System.

- o The Montana Watershed Coordination Council, consisting of private organizations, associations, and professional staff members from the above agencies, will serve a valuable coordination role as defined in its *Operating Guidelines*. The Council will provide a forum for "hands on" coordination, and sharing of expertise, data, information, and other resources to local management teams to facilitate development and implementation of management strategies.
- o All meetings of the Interagency Coordinating group and Watershed Coordination Council are open to the public.

Suggested Guideline for Developing and Implementing Management Strategies within a Watershed or Ecosystem

Introduction

This collaborative process is only a guide to help those stakeholders that need assistance in resolving issues and problems within an ecosystem or watershed. It is not intended to replace existing statutorily mandated processes such as those associated with Federal Advisory Committee Act, but rather to supplement them.

Initiate the process

- o Stakeholders can promote the process for developing watershed or ecosystem-based management strategies.
- o A reason to begin the process could be in response to a problem or opportunity within the management area, e.g., the potential listing of a species under the federal Endangered Species Act, deteriorating water quality, an imminent decision by a resource management agency, or the desires of local residents to meet certain ecological, social, or economic objectives.

Select local watershed/ecosystem-based coordinating team

- o A broad group of local, state, federal, and tribal resource agencies, landowners, and other stakeholders should be represented on the local coordinating team. As appropriate, each agency or organization should designate a person to represent its interests.
- o The local coordinating team can be established informally or through Executive Order, rule-making, legislation, or a Memorandum of Understanding among participants. Meetings of the local coordinating team as well as those of the Montana Interagency

Coordinating Group and Watershed Coordinating Council have to be open to the public and in compliance with the Federal Advisory Committee Act.

- o The local coordinating team can request technical and other types of support from the Interagency Coordinating Group. The Watershed Coordinating Council would help ensure that this assistance is carried out.
- o Each local coordinating team is encouraged to follow the above guiding principles in developing and implementing management strategies within the defined watershed or ecosystem.

Define boundaries of the management area

- o The local coordinating team, working with the technical work group (identified below), should define the boundaries of the management area along distinct ecosystem(s), or watershed(s), allowing for modifications to reflect logical social and economic units directly related to the issues, problems, or opportunities being addressed.

Involve affected communities and other stakeholders

- o The local coordinating team needs to involve the affected communities and stakeholders throughout the process by providing periodic updates, finding out what they want to sustain, and learning their vision of what the region should look like in the future. Equally important, each coordinating team member should keep his or her constituency group informed of the process and the activities of the team. The coordinating team has the discretion (within the limits of applicable agency regulations) to determine methods and timing of public involvement, with the goal of full and effective community/stakeholder involvement in a timely manner.

Develop a scientific understanding of the current and potential social, economic, and ecological conditions of the management area

- o The local coordinating team should appoint a technical work group(s). The technical work group can invite additional technical expertise to participate in conducting the needed analyses and investigations within the watershed or ecosystem.
- o The technical work group should: identify data gaps; develop the data and information that are required to define natural variability and ecological processes; identify social, economic, and ecological trends within the management area; and provide other technical support based on continual communication with the local coordinating team.
- o Interagency data bases, a compatible GIS-based mapping system, and other relevant types of information should be developed and used as needed.
- o The technical work group should define and establish those biological, water quality, and other criteria or standards that should be monitored to ensure that the goals and objectives for the management area are met.
- o The technical work group should evaluate the recommendations of the local coordinating team and report back to it on the effects and impacts to the management area. Close cooperation and communication between the local coordinating team and technical work group is essential.

- o The technical work group should serve as the interdisciplinary team responsible for meeting NEPA/MEPA compliance.

Establish vision for the watershed or ecosystem

- o To establish a vision or desired future condition, the local coordinating team should consider the guiding principles (described previously); broader scale visions and goals; the results of all public involvement activities; the social and economic assessments; and important ecological processes, trends, and features. The vision should address key natural resource and human needs within the watershed or ecosystem. If appropriate, the vision may be defined earlier in the process.

Evaluate alternatives and choose appropriate solutions.

- o The local coordinating team and technical work group(s) should develop alternative means for attaining the vision and goals and evaluating the potential effects of each alternative. These analyses should be consistent with the requirements of NEPA and MEPA.
- o The local coordinating team should understand the scientific bases of the ecosystem processes and functions as well as the social and economic trends within the area before selecting a preferred alternative.
- o The preferred alternative, should satisfy the requirements of the vision statement.
- o The local coordinating team, in cooperation with the technical work group, should define and agree on, measurable objectives, tasks, criteria, and standards that should be included in the draft management strategy (see below).
- o Using these results and the guiding principles, the coordinating team should formulate a draft management strategy for the watershed or ecosystem.
- o In the draft management strategy, the local coordinating team should identify those agencies or organizations responsible for implementing the various recommendations and the dates for completion.

Conduct public meetings on the draft management strategy

- o Open houses, community meetings, or other appropriate types of public involvement should be conducted within the management area to gather comments on the draft strategy and associated NEPA/MEPA documents.
- o The local coordinating team should be responsible for periodically informing the people living within the management area about the ecological, social, and economic processes within the area; progress of the coordinating team; issues and problems being addressed; and any other matter deemed appropriate by the coordinating team.

Modify draft management strategy

- o Based on the public comments received, the local coordinating team, with the assistance of the technical work group, should make appropriate modifications to the

draft.

Periodically update the Governor, Interagency Coordinating Group, and Watershed Coordinating Council

- o Throughout the planning process, the local coordinating team should update and seek advice from the Interagency Coordinating Group and the Watershed Coordinating Council to maximize the potential of having the management strategy implemented by the involved stakeholders.
- o The Montana Interagency Coordinating Group and Watershed Coordinating Council should be made aware of each management strategy and as necessary, assist in sharing resources to facilitate implementation.

Implement management strategy

- o A final management strategy will be approved and implemented by the local coordinating team.
- o In some instances, the local coordinating team will make recommendations to land managers. The land managers will need to consider the recommendations and other required information in their decision-making process.
- o The local coordinating team should monitor plan implementation. The team should meet periodically to coordinate implementation and to resolve new and unanticipated concerns.
- o The local coordinating team can establish an institutional structure to ensure long-term collaboration for solving new problems and sharing resources and information within the management area.

Evaluate management strategy

- o The local coordinating team and technical work group should continually monitor the key indicators of the ecological, social, and economic health of the ecosystem or watershed.
- o As appropriate, each local coordinating team should provide a progress report to the Interagency Coordinating Group and Watershed Coordination Council. If there are any new or unanticipated problems, the local coordinating team can seek guidance and appropriate assistance from either the Interagency Coordinating Group or the Watershed Coordination Council on how best to solve them.
- o The local coordinating team should be attentive and flexible enough to meet changing needs, information, and values within the area.

Glossary

Biodiversity - The variety of life and its processes, including complexity of species, communities, gene pools, and ecological functions.

Composition - The content of the ecosystem, e.g., plant and animal species, communities, and physical features.

Community - A group of people living together as a single unit or multiple social units within an ecosystem or watershed.

Consensus - Development of and commitment to a decision by all the stakeholders because they believe it is fair and reasonable.

Ecological system or ecosystem - A geographic area that includes interdependent plants, animals, people, and physical environment and the ecological processes that link them.

Function - Ecological processes and relationships, e.g., exchange of materials and energy between systems over time; events that cause variability in ecosystems.

Health - The ability of an ecosystem to maintain its complexity and capacity for self-organization (resiliency).

Integrity - Within a healthy ecosystem exists (1) the total diversity, or the sum total of the species and associations that historically have inhabited the area, and (2) the systematic organization which maintains that diversity through time.

Productivity - The ability of a system to provide goods and services.

Space - Ecosystems and their biological organization should be viewed at various spatial scales, from landscapes to project areas.

Stakeholder - Any person, organization, or agency that has an interest in or would be affected by the development or implementation of a management strategy within the watershed or ecosystem.

Structure - Patterns or distribution of the elements, e.g., canopy layers in a forest, community types within a watershed.

Sustainability - The balanced relationship between healthy ecological systems in a landscape and the needs of humans to maintain a quality lifestyle. The ability to maintain this balance over time.

Time - Ecological processes and human activities change over time and can affect the health and integrity of ecosystems.

Watershed - A geographic area that is based on the boundaries of a drainage basin and includes interdependent plants, animals, people, and physical environment and ecological processes that lie within the basin boundaries.

Appendix 1

Principles of Consensus

Consensus processes are designed to:

- o ensure that all significant interests are represented and respected.
- o enable participants to deal with each other directly.
- o give an effective voice to all participants.
- o allow the parties involved to design a process appropriate to their special circumstances and needs.
- o provide a forum that forges new partnerships and fosters cooperative problem solving in the search for innovative solutions that maximize all interests and promote sustainability.

In terms of results, consensus processes can:

- o improve the working relationships among all interests participating in the process.
- o help build respect for and a better understanding of different viewpoints among the participants.
- o lead to better informed, more creative, better balanced, and more enduring decisions because of the shared commitment to and responsibility for the process, results, and implementation.
- o often be used to complement other decision-making processes.

5/6/95

Implementation Plan
by
the Interagency Ecosystem Management Work Group

Goals

Our goals are to implement the **Framework** (Appendix A), to encourage cooperation, interaction and participation among the cooperators, to use appropriate ecosystem and watershed management (E&WM) concepts and principles, and to assist local communities and other affected interests in meeting their needs.

The coordinated application of these goals will result in the following public benefits:

- * Agencies will work more closely with private landowners and other affected interests in solving problems of mutual concern.
- * Agency resources (e.g., data, training, skills) will be routinely shared and coordinated across jurisdictions, resulting in efficiencies and cost savings.
- * Resource management decisions will be based on better information and will be focused more on shared, long-term goals and objectives.
- * Opportunities for meeting the social, economic, and environmental needs of present and future generations (sustainable use and development) will be provided.

IMPLEMENTATION PLAN

ACTION ITEM	PRIORITY	RATIONALE
1. Public Service		
1a. Cooperators will jointly develop and distribute a catalog of Federal, State, and other services and resources available for E&WM and other applications in Montana. Such services and resources may include technical expertise, equipment, data, facilitation and mediation assistance, and financial support.	High	Many agencies and organizations can provide services and resources needed for E&WM. A catalog will assist project sponsors and affected interests in locating what they need.
1b. Cooperators will meet periodically to jointly evaluate and prioritize E&WM projects, including projects initiated by local watershed groups, and other non-government organizations. Cooperators will then allocate and coordinate services and resources based on shared priorities. Examples of E&WM projects include ecosystem assessments, water quality and supply problems, land use plans, restoration and enhancement projects, and species conservation and recovery initiatives.		
1c. Cooperators will use the attached guidelines for prioritizing and providing support to E&WM projects.	High	Such guidelines emphasize E&WM principles and grassroots support.
2. Information and Education		
2a. Cooperators will jointly develop and implement a training and continuing education program in E&WM principles and techniques. The program goal will be to assist managers, staff, and other affected interests in building skills, abilities, and support needed for E&WM. The program will be closely coordinated with the Montana Watercourse, the Continuing Education for Ecosystem Management (CEEM) Program, the Natural Resources Conservation Service's Ecosystem-based Assistance Tele Classroom Courses, and other ongoing programs.	High	E&WM implementation will require new or enhanced knowledge, skills, and abilities, consistently applied by all participants. Design and delivery of training is needed ASAP, to enable more managers and staff to effectively participate.
2b. Cooperators will jointly develop and implement an extension and awareness program to involve, inform, and educate the general public in E&WM.		
2c. Cooperators will jointly announce initiation of this effort through appropriate media.	High	It is important to let affected interests know ASAP that coordination is underway.

3. Policies, Procedures, and Organization		
3a. Cooperators will designate management and staff-level positions to coordinate and implement actions identified in this plan.	High	Cooperators need to make assignments, establish contacts, and estimate initial resources that may be available before we can proceed.
3b. Cooperators will independently review and, as appropriate, modify agency policies, procedures, and organizational structures to facilitate E&WM implementation.		
3c. Cooperators will jointly consider organizational arrangements which would facilitate E&WM implementation. For example, cooperators could establish zoned, intergovernmental assistance teams to provide advice and support to local grassroots efforts.		
3d. Cooperators will jointly identify and pursue additional potential cooperators.	High	Effective implementation will require early involvement from Tribes, Conservation Districts, and others.
4. Data Management and Data Sharing		
4a. Cooperators will jointly conduct a comprehensive data inventory and evaluation, to determine what data is available and what data is needed.	High	Data is a key resource needed for E&WM. This step is fundamental in accomplishing ongoing and future ecosystem assessments, and in accomplishing other high priority implementation steps, including steps 1a and 4b.
4b. Cooperators will jointly develop, fund, and implement a strategy for the acquisition, standardization, management, and sharing of data needed for E&WM. Such a strategy would be coordinated through the Montana Natural Resource Information System.	High	Identifying and filling in key data gaps will take time and should be started ASAP. It is important that we recognize our common data needs, including our need for access to data.

5. Inventories, Studies, and Assessments		
5a. Cooperators will jointly identify, prioritize, fund, and coordinate needed ecological inventories, studies, and assessments.		
5b. Cooperators will jointly conduct an initial, statewide, ecological assessment to help prioritize and focus interagency attention on ecological needs within Montana.		
5c. Cooperators will jointly conduct assessments of economic, social, and land use conditions and trends within priority watersheds and ecosystems.		
6. Monitoring and Evaluation		
6a. Cooperators will jointly develop and implement a long-term, comprehensive, monitoring and evaluation program, including identification of parameters and standards.		
7. Technological Acquisition		
7a. Cooperators will jointly prioritize, fund, and coordinate technological acquisitions, such as interagency telecommunications, hardware, software, and monitoring equipment, to facilitate E&WM implementation.		
8. Legislative and Regulatory Initiatives		
8a. Cooperators will jointly recommend changes in Federal Advisory Committee Act (FACA) requirements to facilitate E&WM implementation.		
8b. Cooperators will periodically review other statutes and regulations and make appropriate recommendations to facilitate E&WM implementation.		

GUIDELINES FOR EVALUATING E&WM PROJECTS

Purpose for guidelines: to assure that participating Federal and State agency services and resources are allocated to genuine natural resource priorities, based on a shared process which emphasizes E&WM principles and grassroots support. These criteria (which are intended as general guidelines, not absolute requirements) would be of value when either preparing or evaluating proposals. Use of these criteria would not preclude agencies or other organizations from proceeding with projects which are organizational priorities, or for which interagency cooperation is not needed.

1. Nature of the proposal.
 - ▶ Is there a clear problem or opportunity involving physical and/or biological resources?
 - ▶ Is it multi-jurisdictional?
 - ▶ Are its boundaries natural?
 - ▶ Does the proposal involve consideration of an ecosystem or watershed, rather than just one or a few components?
2. Magnitude of the problem/opportunity.
 - ▶ To what degree are resources and/or sustainability at risk?
 - ▶ How important are those resources?
 - ▶ What social and economic considerations are involved?
3. Potential for resolution.
 - ▶ Does a genuine, implementable, long-term solution appear to be attainable?
 - ▶ How will we assure that new problems are not created or overlooked when solving the present problem?
4. Level of grassroots support.
 - ▶ Is there broad-based concern?
 - ▶ Multiple interests involved?
 - ▶ Support from federal and state agency field offices?
 - ▶ Support from local government entities?
5. Availability of matching funds/resources from private sector.
6. Consistency with Federal, State, and other applicable policies and priorities.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
GOVERNOR OF THE STATE OF MONTANA
AND THE
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
DEPARTMENT OF STATE LANDS
DEPARTMENT OF FISH, WILDLIFE AND PARKS
AND THE
MONTANA ASSOCIATION OF CONSERVATION DISTRICTS
AND THE
UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
EXTENSION SERVICE
SOIL CONSERVATION SERVICE
AND THE
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

1. PURPOSES:

- A. To implement the 1987 National Memorandum of Understanding between the Bureau of Land Management (BLM), Soil Conservation Service (SCS), Forest Service (FS), and Extension Service (ES) on coordinated resource management on intermingled or adjacent public and private lands;
- B. Reaffirm membership of the State Executive Group, State Task Group, and County Task Group;
- C. Establish procedures whereby local conservation districts can enter into supplemental agreements with the Executive Group for the purpose of coordinating planning and implementation activities on particular resource areas at the request of any of the concerned agencies and/or the affected landowner(s) having direct involvement in the coordinated planning and implementation activities;
- D. To support agreements between the subject parties and local conservation districts which include cooperative agreements at the state and regional level.

II. POLICY:

Techniques and procedures developed through the Experimental Stewardship Program may be implemented through Coordinated Resource Management (CRM) where statutory authority, resource needs, public support, and financial capability exists.

In implementing the provisions of this memorandum, each agency's participation will vary depending upon the land ownership and the land use and administration within the area. Other agencies, organizations, and individuals will be asked to participate as appropriate.

CRM is an approach for reaching decisions and resolving resource conflicts. It can complement any planning or management situation where mixed land ownerships or multiple resource management uses are involved. Some of the elements common to the CRM approach are:

Cooperation and equitable voluntary participation of all affected interests using a "team" approach.

Open communication among all participants.

Strong and effective local leadership.

Agreement by consensus of the team.

Commitment to monitoring, review, and revision of plans, agreements, and projects to insure objectives are met.

The signatory agencies will cooperate with all owners, managers, and users of land and resources within each specific area, including Federal, State, Counties, and private landowners. The persons, agencies, and organizations with interest in the CRM area will be involved as appropriate.

III. OBJECTIVES:

A. To promote coordinated planning and implementation of programs where the land ownership pattern is intermingled and coordinated activities are essential for reaching sound land management decisions and resolving resource conflicts;

B. To provide statewide coordination for planning and implementation through the Executive Group resulting in consistency between agencies at the state level;

C. To develop and implement resource management programs and activities to achieve compatible resource uses based on sound ecologic and economic relationships;

D. To improve communication by striving for common understanding among those interested in and affected by land and resource management decisions;

E. To provide for periodic review of progress, scheduling of coordinated planning activities, and determination of respective responsibilities;

F. To encourage the Conservation Districts to endorse a joint agency resource planning effort by accepting the role of a catalyst;

G. To establish the makeup of state and county task groups to carry out the intent of this MOU.

IV. ROLE OF CONSERVATION DISTRICTS:

A. Conservation Districts in Montana are legal subdivisions of State Government, authorized by the Conservation District law. Districts are formed by petition and referendum. Administration is by supervisors who are locally elected and serve without pay. Districts have rather broad powers in the areas of resource conservation and land use on private lands. They may adopt land use regulations, establish special project areas, and levy permissive taxes to accomplish the purposes of the District Law;

B. Conservation Districts are in the position to provide significant leadership with regard to soil, water, vegetative, and related resources. They can give assistance, counsel, and guidance to resource planning and programs of governmental agencies, particularly where coordination with private lands is needed or desirable;

C. Conservation Districts will coordinate County Task Group meetings, with assistance from other group members as needed, to be held as described under Section V.C. of this Agreement;

D. Individual Conservation Districts are urged to draft meetings agendas and to distribute them to agency representatives in advance of regular Conservation District meeting in order to maintain communication. Agency people are encouraged to suggest agenda topics and attend meetings when they can make an effective contribution to districts and resource programs.

V. ORGANIZATIONAL TASK GROUPS: The following task groups will be established to pursue CRM objectives, fulfill responsibilities, and implement procedures for achieving the desired coordination for planning and management.

STATE EXECUTIVE AND TASK GROUPS

A. Membership of the State Executive Group shall consist of the State Director of BLM, Regional Forester of Region 1 of the FS, State Conservationist of SCS, the President of the Montana Association of Conservation Districts (MACD) and State Director of Extension Service; Director, Montana Department of Fish, Wildlife and Parks; Director, Montana Department of Natural Resources and Conservation, and the Commissioner, Montana Department of State Lands.

The State Executive Group shall meet at the request of any of the members. Their duties shall be to develop and put into effect supplemental agreements, as needed, and to provide guidance to the State Task Group when needed to:

- 1) Meet the intent and objectives of the National Memorandum of Understanding;

- 2) Review progress in carrying out the National Memorandum and the State supplement on a statewide basis;
- 3) Resolve any conflicts which may arise in carrying out these agreements.

B. Membership of the State Task Group shall consist of designated representatives from the following agencies or organizations; USDA Forest Service; USDA Soil Conservation Service; USDI Bureau of Land Management; USDA Extension Service; Montana Association of Conservation Districts; Montana Rangeland Resource Committee; Montana Department of State Lands; and the Montana Department of Fish, Wildlife and Parks.

The State Task Group shall meet at the request of any of the members for the following purposes:

- 1) Provide guidance to the County Task Groups when needed;
- 2) Serve as liaison between County Task Groups and State Executive Group;
- 3) To provide information and training to assist in coordinated planning;
- 4) To provide technical assistance to the coordinated planning activities;
- 5) Review coordinated planning proposed by County groups.

C. Membership of County Task Groups shall consist of agency personnel (Appendix A) and individual representatives from the Conservation Districts who are designated to carry out the intent of this MOU (Appendix B), plus, appropriate representation from state agencies.

The County Task Groups shall meet at the request of any of the members. Their duties shall be to:

- 1) Implement the intent and objectives of the National Memorandum of Understanding and this MOU and supplemental agreements at the local level;
- 2) Make employees responsible for implementing and carrying out coordinated planning, fully aware of the need to include all concerned landowners and agencies in planning implementation activities;
- 3) Establish ways of carrying out planning and implementation within the authorities and limitations of each agency with assistance of the Conservation District;
- 4) Keep the State Task Group informed about conflicts in authorities and procedures which require their action.

VI. COORDINATING AND SCHEDULING PLANNING ACTIVITIES

Conservation Districts have broad powers in the resource conservation and land use on private lands. They are in a position to provide significant leadership with regard to coordinated planning.

A. It is hereby agreed that the Executive Group will seek supplemental agreements with individual conservation districts to attain their assistance in coordinating the planning and implementation of activities on individual operating units or resource areas. The State Task Group will provide liaison between the Executive Group and the County Task Groups;

B. As a minimum, the Executive Group and the State Task Group will meet prior to the State MACD annual convention each calendar year. The County Task Groups will meet in conjunction with the annual area Conservation District meeting and more often as needed;

C. Individual Forest or (BLM) Resource Area land use planning efforts will be announced to the general public and government agencies by the Forest Supervisor or (BLM) District Manager. The "scoping" exercise for the plan and associated-environmental impact statement will be open to the Soil Conservation Service and Conservation Districts as required by the Council of Environmental Quality regulations.

VII. PLANNING PROCEDURES ON INDIVIDUAL PROJECTS

To the extent possible, all coordinated planning on operating units or resource areas will be carried out at the local level by those individuals assigned by each agency with the responsibilities for carrying out such planning activities (e.g., District Rangers, Area Managers, District Conservationists). They will work with the Conservation District board of supervisors to arrange meetings for determining needs for coordinated planning, reaching agreements to carry out coordinated planning, and arranging for review of completed plans. County Task Groups may be involved when needed or desired to help with priority setting, scheduling, and *reducing conflicts in operating policies, when possible.*

A. Objective - to coordinate planning activities on individual projects;

B. Scope - an individual CRM agreement to coordinate planning will cover a specific program such as grazing allotment management plan, farm and ranch plan, timber management plan (management plans for state and private forest lands are prepared by the Division of Forestry, Montana Department of Lands), group plan, Resource Conservation and Development (RC&D) measure plan, or FS and BLM wildlife habitat management plan and any other plans where all parties involved have a common objective, and where current and adequate multiple use plans exist for the federal land involved:

C. Process - the following is suggested in dealing with resource plans:

- 1) The agency or landowner desiring to develop a coordinated plan will request a meeting through the concerned conservation district board with all concerned parties. The need, suitability for interagency planning, and availability of manpower and equipment to be used by the initiating agency or person will be stated;
- 2) Based on consultation with the other parties concerned parties will determine whether or not sufficient priority exists to proceed with planning;
- 3) If a coordinated plan is determined to be beneficial, the concerned parties will develop a mutually acceptable planning agreement which includes the following:
 - a) designated area, parties involved, and lead agency as assigned by the Conservation District;
 - b) evaluation of technical expertise needed and availability of shared equipment;
 - c) identification of significant resource objectives, inventories needed, and analyses and plan selection processes;
 - d) applicable standards and procedures which will be used on each component (land ownership);
 - e) responsibility for accomplishment of all significant steps;
 - f) time schedule for plan competition, project evaluation, and followup if necessary.

D. Documenting Decisions and Commitments of Coordinated Resource Management Activities

As a minimum, the decision regarding management systems and developments that affect or are contingent on actions on both public and private land will be recorded on appropriate mosaics, map sketches, forms or other documents. Responsibility for funding and time of accomplishment, as appropriate, will be shown.

It is recognized that the funding responsibility, as recorded, indicates intent; but performance will depend on the budget of the cooperator or agency for the given year.

The above documents will be accompanied by a signature sheet signed by the responsible cooperator(s) and agency representatives. A copy of all documents will be provided to each agency and cooperator involved.

E. Resolving Conflicts in Priorities

Each agency will endeavor to schedule participation in coordinated planning activities within a time frame reasonable for the activity under consideration. In the event a public agency is unable to participate because of other priorities within a specified time period, it is recognized that it may be necessary to proceed with planning on the private lands, giving consideration to the public lands that is the best possible under the circumstances.

VIII. ADMINISTRATION

A. Nothing in this MOU obligates any party to the expenditure of funds in excess of appropriations authorized by law. Where exchange of funds or other resources will be involved, an appropriate agreement or procurement arrangement will be developed;

B. The officials approving this MOU may, at their discretion, delegate portions of their authority and responsibility to field officials who may act on behalf of the signing official. In the event of irreconcilable differences, the problems will be referred to the next higher authority for resolution;

C. Annual coordination meetings will be held to facilitate implementation of this agreement. Such meetings may be combined with or part of other coordination meetings required by other cooperative agreements;

D. Nothing herein should be construed as binding the signatory agencies to this agreement to decisions, planning schedules, or on-the-ground actions not authorized by law, regulation, or policy;

E. This MOU supersedes the Montana Supplemental Agreement and Amendment No. 1 to the National Memorandum of Understanding signed in June 1981 and amended in 1986;

F. Amendments or supplements to the MOU and written guides or procedures attached hereto may be proposed by any subject party and shall become effective upon written approval by all parties. The amendments or supplements will terminate if this agreement is terminated;

G. This MOU and any written guides or procedures attached hereto shall become effective as soon as signed by the subject parties and shall continue in force until formally terminated by any party hereto after thirty (30) days notice in writing to the others of its intention to do so.

APPROVED:

John W. Merriam 7/10/90
Regional Forester
Forest Service

Brad Dyer 7/13/90
Governor
State of Montana

Richard Santolucito 5/31/90
State Director
Bureau of Land Management

Paul Kowal 7/19/90
State Conservationist
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James Wickham 6/4/90
Dean and Director
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Kenneth J. Fawcett 7/13/90
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Lois Bortfeld 7-16-90
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