

MEMORANDUM OF UNDERSTANDING

The Nevada Partners for Conservation and Development

Regarding the Need for Increased Efforts in Management and Restoration of Sagebrush Communities in the Great Basin

The Nevada Partners for Conservation and Development, understanding the threat of ecological conversion of Great Basin sagebrush communities by fire, noxious/ invasive weeds and other land uses, have agreed to the following resolution to recognize the severity of the threat to Nevada's sagebrush communities and to commit to cooperation among partner members and stakeholders, leverage of resources and development of innovative approaches to problem solving.

Authority

Participation in this MOU is authorized by Section 307 of the Federal Land Policy and Management Act of 1976, 43 U.S.C.1701 *et seq.* (FLPMA), as amended. The FLPMA mandates that Federal Agencies manage lands under their jurisdiction for multiple use and sustained yield in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmosphere, water resources and archaeological values. Other federal authorities include:

Sikes Act, 16 U.S.C. 670a *et seq.* and the

Fish and Wildlife Coordination Act, 16 U.S.C. 661

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 and 1533 *et seq.*)

The Federal Agencies must comply with the National Environmental Policy Act (NEPA), 42, U.S.C. sec. 4321, *et seq.* and related requirements including the Council on Environmental Quality (CEQ) regulations 40CCFR 1500-1508 published in the Federal Register, November 29, 1978.

The Nevada Department of Wildlife (NDOW) possesses the authority to enter into cooperative and reciprocal agreements under NRS 501.351

The Nevada Department of Agriculture (NDOA) possesses the authority to enter into cooperative and reciprocal agreements under NRS 561.245

The Nevada Division of Forestry possesses the authority to enter into cooperative and reciprocal agreements under NRS 527.220.

The Nevada Department of Conservation and Natural Resources (NDCNR) possesses the authority to enter into cooperative and reciprocal agreements under NRS 232.070.

Nevada State and local agencies possess the authority to enter into cooperative and reciprocal agreements generally under NRS 277.045.

Conditions

1- Freedom of Information Act (FOIA)- Any information furnished to Federal Agencies under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552)

2- Participation in Similar Activities- This instrument in no way restricts the participants from participating in similar activities with other public or private agencies, organizations or individuals.

3- Commencement/Expiration/Termination This MOU takes effect upon the signature of the respective representatives and shall remain in effect for a period of five years after the date of the last signature. This MOU may be extended or amended upon written request of any party and subsequent written concurrence of the other signatories. Any party may terminate their participation in this MOU with a 60-day written notice to the other signatories.

4- Responsibilities of Parties- Each participant will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

5- Principal Contact- Principal contacts for this MOU will be:

State Agencies

Ken Mayer- Nevada Department of Wildlife

Allen Biaggi- Department of Conservation and Natural Resources

Tony Lesperance- Nevada Department of Agriculture

Pete Anderson- Nevada Division of Forestry

James Lawrence- Nevada Division of State Lands

Ronald James- Nevada Historic Preservation Office

Federal Agencies

Ron Wenker- Bureau of Land Management

Bob Williams- U.S. Fish and Wildlife Service

Ed Monnig- U.S. Forest Service, Humboldt-Toiyabe National Forest

Bruce Petersen- Natural Resource Conservation Service

Jeanne Chambers- U.S. Forest Service, Rocky Mountain Research Station

Steven Brown- Bureau of Indian Affairs
Kristina Shierenbeck- Agricultural Research Service
University of Nevada
Kurt Pregitzer- College of Agriculture Biotechnology and Natural Resources
Karen Hilton- University of Nevada Cooperative Extension

6- Non-Fund Obligating Document- Nothing in this MOU shall obligate the participating parties to obligate or transfer any funds. Specific work or activities that involve the transfer of funds, services or property among the various agencies will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution and administration of each such agreement must comply with all applicable statutes and regulations.

7- Establishment of Responsibility- This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.

8- Authorized Representatives- By signature below, the cooperator certifies that the individuals listed in this document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

Be it resolved by the Nevada Partners for Conservation and Development:

WHEREAS, although the federal and state land managing agencies and private land managers have historically coordinated and carried out rangeland restoration activities in Nevada, the effort has not kept pace with the dynamic changes that are occurring in Nevada and the Great Basin;

WHEREAS, many of the productive rangelands have been replaced by annual weeds such as cheatgrass (*Bromus tectorum*) or dense stands of pinyon-juniper woodland;

WHEREAS, many of Nevada's livestock enterprises, wildlife species, particularly those of conservation concern, and species listed or petitioned for listing under the Endangered Species Act (ESA), and wild horses and burros are dependent on healthy ranges for their survival;

WHEREAS, noxious and invasive weeds are pervasive on many of these ranges setting the state for an unalterable increase in the frequency of fire and the subsequent loss of productive rangelands for livestock, wildlife, and wild horses and burros;

WHEREAS, vast areas within these ecosystems no longer function to provide healthy watersheds, diverse wildlife habitats and/or productive grazing lands;

WHEREAS, healthy rangelands are essential in reducing sediment and other pollutant loading to waters of the state;

WHEREAS, watersheds dominated by noxious/invasive weeds and closed-canopied, pinyon-juniper woodlands lack sufficient herbaceous plant cover to protect soil health and trap, store and slowly release water to springs, streams, lakes and reservoirs;

WHEREAS, prolonged drought has contributed to sagebrush die-off, delays in rangeland recovery and has the potential to cause long-term effects to ecosystems and economies;

WHEREAS, natural recovery is no longer possible in many areas due to wildfire, loss of seed reserves in the soil, and the introduction of noxious/invasive weeds;

WHEREAS, a well-planned, long-term restoration and management program and on-the-ground action is necessary to prevent the large-scale conversion of diverse, productive rangelands to undesirable plant species or dense stands of pinyon-juniper woodlands;

WHEREAS, rangeland health is a unifying goal that cuts across all economic, social and political boundaries and is important to the quality of life for all in Nevada;

NOW, THEREFORE, BE IT RESOLVED that the Nevada Partners for Conservation and Development will work together and take cooperative action as partners with federal, state and local agencies, tribal governments, non-governmental organizations, private livestock operations and other affected private landowners, communities and stakeholders to define a common vision and goals for these rangelands; coordinate and leverage resources; set priorities for management and restoration; strengthen efforts for monitoring and assessment; develop innovative approaches to problem solving; and develop and implement outreach and educational efforts.

BE IT FURTHER RESOLVED that a copy of this Memorandum of Understanding be sent to partner members' field offices, county commissions, non-governmental organizations and private livestock, mining and other natural resource industries involved in conservation efforts in Nevada, the Nevada Governor's Office and members of Nevada's Congressional delegation.

We, the undersigned hereby affirm our commitment to the Nevada Partners for Conservation and Development effort. As partners, we recognize the organizations we represent each have their own unique missions, legislative mandates and duties. Yet, we know we are interdependent, share the same client base, and serve the resource protection needs of the general public.

Nevada Department of Wildlife
Kenneth E. Mayer, Director

Kenneth E. Mayer 11/6/09
Date

State of Nevada
Department of Conservation and Natural Resources
Allen Biaggi, Director

Allen Biaggi 11/16/09
Date

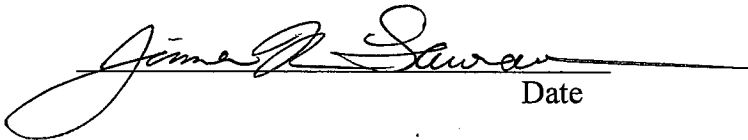
State of Nevada
Department of Agriculture
Tony Lesperance, Director

Anthony Lesperance 12/21/09
Date

State of Nevada
Division for Forestry
Pete Anderson, State Forester, Firewarden

Pete Anderson 11/17/09
Date

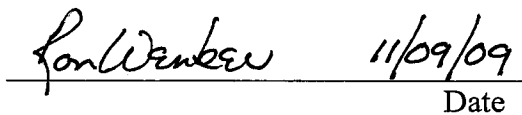
State of Nevada
Division of State Lands, *Division of Conservation Districts*
James R. Lawrence, Administrator


Date

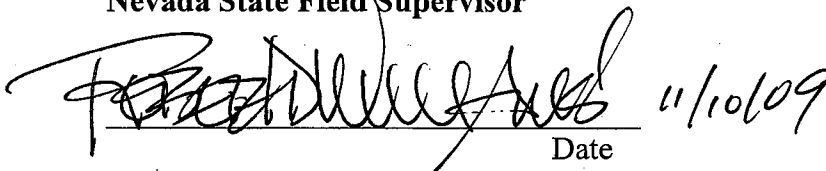
State of Nevada
Historic Preservation Office
Ronald M. James
State Historic Preservation Officer


Date

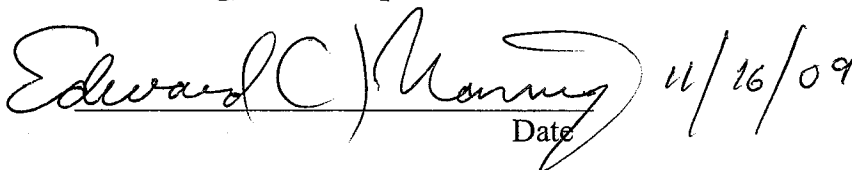
Bureau of Land Management
Ron Wenker, Nevada State Director


Date

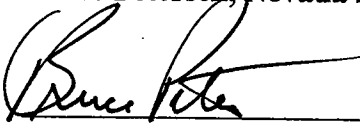
United States Fish and Wildlife Service
Robert D. Williams
Nevada State Field Supervisor


Date

United States Forest Service
Humboldt-Toiyabe National Forest
Ed Monnig, Forest Supervisor


Date

United States Department of Agriculture
Natural Resources Conservation Service
Bruce Petersen, Nevada State Conservationist

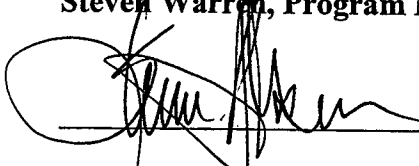


11/13/9
Date

Bureau of Indian Affairs
Allen Anspach
Regional Director, Western Region

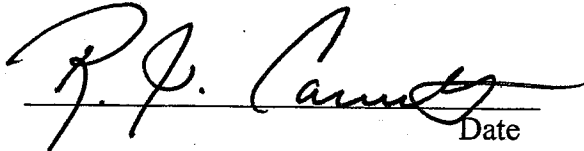
Date

U.S.D.A. U.S. Forest Service
Rocky Mountain Research Station
Steven Warren, Program Manager

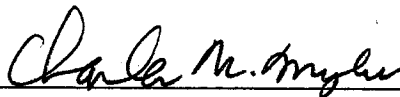


Date

United States Department of Agriculture
Agricultural Research Service
Raymond Carruthers
Research Leader and Plant Scientist,
Exotic and Invasive Weeds Research

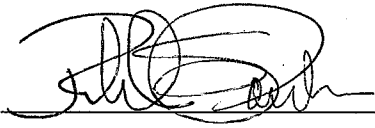


Date

 4/2/10

Date
Charles W. Myers
Authorized Departmental Officer

University of Nevada
College of Agriculture, Biotechnology
and Natural Resources
Ronald Pardini, Acting Dean


Date 11/30/09

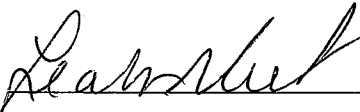
Board of Regents
Nevada System of Higher Education
Leah Gorbet, Controller, UNR


Date 11-24-09

University of Nevada
Cooperative Extension
Karen Hinton, Dean & Director
Board of Regents of
Nevada System of Higher Education


Date 11/24/09

Board of Regents
Nevada System of Higher Education
Leah Gorbet, Controller, UNR


Date 11-24-09