

COOPERATIVE AGREEMENT

Between the

U.S. FISH & WILDLIFE SERVICE

and the

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

1. This Cooperative Agreement between the U.S. Fish and Wildlife Service, Department of the Interior, hereafter referred to as the Service, and the Michigan Department of Natural Resources, hereafter referred to as the Department, is hereby entered into under the Authority of PL 93-205, the Endangered Species Act of 1973. This Cooperative Agreement is to facilitate limited interchange of services, personnel, equipment, facilities and funds to obtain this goal.

II. SCOPE OF WORK

- A. For a period as hereinafter set forth, the Michigan DNR and the Service will furnish the necessary personnel, material, services, facilities and funds to:
 1. Improve, expand and protect the active nesting habitat.
 2. Develop and maintain suitable nesting habitat.
 3. Protect the Kirtland's warbler from detrimental disturbances during the nesting season.
 4. Maintain a high nest productivity of Kirtland's warblers by controlling cowbirds on the nest grounds.
 5. Develop and maintain an information and education program to keep people informed on the status of the Kirtland's warbler.
 6. Provide for other land uses compatible with Kirtland's warbler management.
- B. This will be accomplished in accordance with the delineation of duties contained herein and with the "Definition and List of Critical Habitat for the Kirtland's warbler" which is attached hereto and incorporated herein. NOT ATTACHED?
- C. The Department shall:
 1. Provide management expertise, equipment and personnel to pursue the stated objectives with the option of costsharing under Michigan's Endangered Species Program, except where specific management activities are conducted by the Fish and Wildlife Service by mutual agreement, e.g., cowbird control.

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2. Agree to assume all liabilities which may result from activities or actions conducted by the Department.
3. Agree that any revenues derived from the administration of federally owned lands shall be subject to the provisions of Section 401 of the Act of June 15, 1935 (49 Stat. 383; 16 U.S.C. 715s). The revenues will be transmitted within 90 days of the end of each fiscal year.

D. The Service Shall:

1. Provide technical assistance and personnel to assist in meeting the objectives, with specific mutually agreed upon activities to be conducted by the Service (such as cowbird control).
2. Provide \$15,000 to the DNR to defray program expenses.

III. PERIOD OF PERFORMANCE

The Period of Performance of this cooperative agreement is from the date the document is signed by the last signatory to September 30, 1982. This agreement may be terminated by the DNR upon sixty (60) days written notice to the Government or by the Government as provided by the Termination for Convenience Clause.

IV. FINANCIAL ADMINISTRATION

The DNR may bill the Service for the agreed amount of funds at any time prior to September 30, 1982.

V. PROJECT OFFICERS

A. U.S. Fish and Wildlife Service

Mr. Richard O. Winters

Assistant Area Manager, Refuges & Wildlife Resources (RW)

East Lansing Area Office

202 Manly Miles Building

1405 South Harrison Road

East Lansing, Michigan 48823

B. Michigan Department of Natural Resources

Dr. Sylvia M. Taylor

Endangered Species Coordinator

Box 30028

Steven T. Mason Building

Lansing, Michigan 48909

VI. SPECIAL PROVISIONS

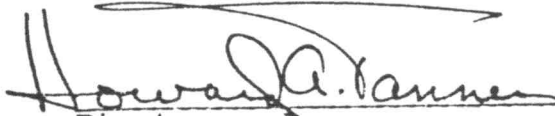
A. Liability

Each party waives any and all claims against the other party for compensation for any loss, damage, personal injury, or deaths except those caused by intentional acts of gross negligence occurring in consequence of the performance of this agreement.

B. General Provisions

The attached Special Provisions, Clauses 1 through 18 are incorporated.

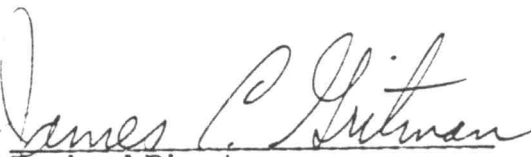
In witness whereof, the parties have executed this Cooperative Agreement on the day, month and year indicated:



Director
Michigan Department of Natural Resources

3/18/82

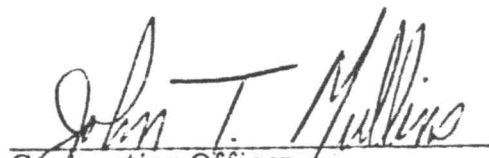
Date



Regional Director
U.S. Fish and Wildlife Service

MAR 31 1982

Date



Contracting Officer
U.S. Fish and Wildlife Service

3-25-82

Date