



MICHIGAN DEPARTMENT OF NATURAL RESOURCES

INTEROFFICE COMMUNICATION

Lower Peninsula Field Headquarters
P.O. Box 128
Roscommon, Michigan 48653

April 1, 1997

TO: George Burgoyne, Chief, Wildlife Division

FROM: Gary Boushelle, Field Operations Supervisor
Wildlife Division

SUBJECT: Request to Amend the Cooperative Agreement Between the
Michigan Departments of Military Affairs and Natural Resources

Attached is a copy of the original cooperative agreement between the Departments of Military Affairs and Natural Resources detailing the terms for managing the Kirtland's warbler on military controlled lands.

In the Spring of 1990, the "Stephan Bridge Fire" in Crawford County and the 1987 "West Camp Burn" in Kalkaska County burned portions of lands under the jurisdiction of the Department of Military Affairs. Subsequent requests by the Department of Military Affairs for permitting military training on these units came under continual conflict with the terms of the original cooperative agreement.

After a series of field reviews with the Departments of Military Affairs, Natural Resources, the U.S. Fish and Wildlife Services and the Kirtland's Warbler Recovery Team a draft amendment is being proposed for formal adoption. I have been part of that review process and support the recommendations.

If agreeable to you, I'll request formal approval from the U.S. Fish and Wildlife Service and the Kirtland's Warbler Recovery Team and return it to your office for approval signatures from the two directors.

Attachments

cc: Larry Jacobs
Bob Hess
Tom Havard

APPENDIX A

COOPERATIVE AGREEMENT
BETWEEN
MICHIGAN DEPARTMENT OF MILITARY AFFAIRS
AND
MICHIGAN DEPARTMENT OF NATURAL RESOURCES

THIS AGREEMENT is entered into between the Michigan Department of Military Affairs, hereinafter referred to as the Military (which also means authorized representative), and the Michigan Department of Natural Resources, hereinafter referred to as the DNR, to establish by mutual agreement a management program for the Kirtland's warbler.

WITNESS THAT:

WHEREAS, the Kirtland's warbler (Dendroica kirtlandii) is an endangered species included in the United States and State of Michigan's endangered species lists pursuant to P.L. 93-205 (87 Stat. 884) as amended, and Michigan P.A. 203, 1974, and

WHEREAS, of the many factors which have an impact on this bird's continued existence, habitat is of great importance, and

WHEREAS, lands under primary jurisdiction of the Military contain parcels essential to the continued existence of the Kirtland's warbler, and because it is the desire of the Military and DNR to cooperate in a program of habitat management for the benefit of the Kirtland's warbler.

NOW THEREFORE, it is mutually agreed that:

1. The DNR with cooperation of the Military will develop and implement a Management Plan for all Kirtland's warbler areas on Military lands.
2. The DNR will advise the Military of occupied territories of the Kirtland's warbler on Military lands by publishing a Closure Order, under authority of the Director of Department of Natural Resources, at the first of the year based on the previous year's census subject to change based on the actual year's census, and provide a copy of the census used to develop the Closure Order to the Military.
3. With the cooperation of the Military, the DNR will post against entry the areas occupied by Kirtland's warblers. The posted areas will be determined by habitat needs and definable boundaries. Maps of these areas will be provided to the Military.
4. The DNR will determine those activities detrimental to the Kirtland's warbler and restrict same on appropriate areas identified in the Closure Order.
5. Established trails in the Closure Order areas will be open for travel by the Military unless mutually agreed to by the DNR and the Military.

6. The Military will keep all Michigan and visiting Military staff and unit commanders advised of their responsibilities under federal and state endangered species statutes and this Cooperative Agreement.
7. Under terms of the existing Memorandum of Understanding between the Military and DNR concerning fire management, the Military shall cooperate to prevent and suppress fires in areas of currently occupied habitat and developing habitat.
8. The Military will permit access to Military lands for official Kirtland's warbler activities with coordination of the Camp Commander.
9. In the event that the Military fails to implement the control of habitat regeneration with mechanical means or fire and Kirtland's warbler occupy such habitats, the area will be protected under Director's Closure Order.

This Cooperative Agreement shall be in effect as soon as approved and signed by representatives of the Departments of Military Affairs and Natural Resources. Management plans developed under this Agreement will be reviewed annually by both agencies and revised by mutual consent.

APPROVED:

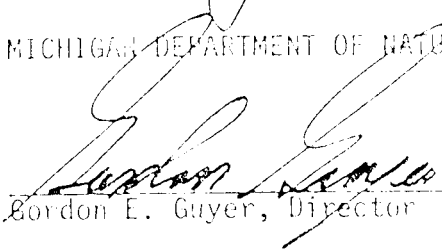
22 May 1986
Date

MICHIGAN DEPARTMENT OF MILITARY AFFAIRS


Adjutant General Vernon J. Andrews, Director

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

22 May 1986
Date


Gordon E. Guyer, Director

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10. The Military will allow the regeneration of any Kirtland's warbler habitat generated by the Stephan Bridge Fire of 1990. Training will continue in this area at the discretion of the Military unless or until Kirtland's warblers are found. Occupied areas would then be made off-limits to training during the period May 1 to August 15 based on the previous year's census and delineation by D.N.R. . Camp Grayling would restrict use of these areas to existing roads and trails by distinctly identifying these areas on training maps and in pre-camp environmental briefings. These areas will not be posted by D.N.R..

11. The management strategy outlined in Item # 10 would also be applied to the West Camp Burn Area, Kalkaska County, T26N, R5W, Sections 31 and 32.

Spring census, cowbird trapping, and other official Kirtland's warbler activities will be permitted on both these areas, but any of these activities must be scheduled and coordinated with Camp Grayling.

This amendment shall be in effect as soon as approved and signed by representatives of the Departments of Military Affairs and Natural Resources.

APPROVED:

MICHIGAN DEPARTMENT OF MILITARY AFFAIRS

Date

Adjutant General Gordon E. Stump, Director

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

Date

K.L. Cool, Director

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