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FINAL PERFORMANCE REPORT

FEDERAL AID GRANT NO. T-39-P-1

WESTERN ASSOCIATATION OF FISH AND WILDLIFE AGENCIES INTERSTATE PRAIRIE GRASSLAND CONSERVATION COORDINATION

OKLAHOMA DEPARTMENT OF WILDLIFE CONSERVATION

July 1, 2006 through June 30, 2010

FINAL PERFORMANCE REPORT

STATE: OKLAHOMA **PROJECT NUMBER:** T-39-P-1

GRANT PROGRAM: State Wildlife Grants

GRANT TITLE: Western Association of Fish and Wildlife Agencies Interstate Prairie Grassland Conservation Coordination

GRANT PERIOD: July 1, 2006 – June 30, 2010

PRINCIPAL INVESTIGATOR: Interstate Grasslands Coordinator: Bill Van Pelt

ABSTRACT

It had long been recognized by Western Association of Fish and Wildlife Agencies (WAFWA) members the North American grasslands in the central portions of Mexico, Canada and United States is the only continuous biome spanning across the three countries like a belt around a waist. With past (agricultural conversion, infrastructure development, and urbanization) and current (invasive species, energy development, climate change, and urban sprawl) impacts this region needed a conservation focus. In 2004, the WAFWA directed its Habitat and Nongame and Endangered Species committees to use renewal of an MOU for black-tailed prairie dog conservation as a vehicle for beginning the transition toward an ecosystem approach (i.e. prairie) in the Western Great Plains. In January 2006, WAFWA finalized the Memorandum of Understanding for the *Conservation and Management of Species of Conservation Concern Associated with Prairie Ecosystems* (MOU) and refers to this effort as the WAFWA Grassland Initiative (WGI). The participating agencies agree that cooperation is necessary to collect and analyze data on these species and their habitats, and to plan and implement actions necessary to establish and/or maintain viable populations of each species that are sufficient to ***preclude present or future endangerment***, within the constraints of approved budgets. This report summarizes the 5 years of activities guided by the WAFWA Grassland Coordinator (WGC) in relation to the 9 objectives identified in the MOU and other associated activities.

OBJECTIVE

Cooperate with Western Association of Fish and Wildlife Agencies (WAFWA) member states in conserving species of greatest conservation need throughout the western Great Plains through WAFWAs multi-state Prairie Memorandum of Understanding (Prairie MOU; Appendix 1).

SUMMARY OF PROGRESS

1. Recognize that because the white-tailed prairie dog (WTPD) and Gunnison's prairie dog (GPD) inhabit sage-steppe and prairie scrub ecosystems rather than grasslands, they will fall under the purview of the WAFWA Sagebrush MOU when a new one is developed in 2007. WAFWA fully recognizes WTPD and GPD dogs inhabit the sage-steppe biomes of the Great Basin. However, with the

increased focus on sage grouse conservation, WAFWA did not pursue a WAFWA Sagebrush MOU including these prairie dog species. The WGC continued to monitor the conservation actions for these 2 prairie dog species. Because of this continued presence, WAFWA and their partners had the ability to contribute directly toward the status review of these 2 prairie dog species. The decision for the GPD came out ***warranted but precluded*** for a portion of its range in New Mexico and Colorado and ***not warranted*** in Utah and Arizona on February 5, 2008. This decision is currently being litigated by various nongovernmental organizations. The WTPD decision came out ***not warranted*** on June 1, 2010. The USFWS recognized the states conservation efforts through the WGI in both of these findings, which emphasizes the importance of continuing the coalition.

2. Develop a WTPD and GPD conservation strategy by January 31, 2006 to complement WAFWA's existing black-tailed prairie dog (BTPD) conservation strategy. This task **was completed in 2006**. It was distributed with a date of May, 4, 2006. The Prairie Dog Conservation Team (PDCT) continues to work on objectives identified in this Strategy, which includes monitoring both species, promoting public education, identifying, prioritizing, and implementing research needs, developing species specific addendums, and evaluating progress. A GPD addendum **was completed** and distributed in August 2007. The WTPD addendum is **still in draft form**. An issue with survey methods and management triggers are an issue with the current draft.

3. Develop state-specific prairie dog management plans, or integrate prairie dog management components into other state-specific and/or regional management plans, as appropriate, by December 31, 2007. This is an objective that was carried forward from the WTPG and GPD strategic plan. This is **completed**. Involved states have incorporated prairie dog management actions and grassland habitat conservation into existing planning efforts, like their State Wildlife Action Plans, or developed state specific plans.

4. Develop a cohesive, comprehensive, WAFWA prairie conservation strategy by June 30, 2010 that integrates pertinent components of companion efforts for the WTPD, GPD, BTPD, black-footed ferret, swift and kit foxes, lesser prairie chicken, mountain plover, burrowing owl, ferruginous hawk, Swainson's hawk, loggerhead shrike, and, as appropriate and feasible, other shrub and grassland species in the Western Great Plains. A draft of this document has **not been completed** by the WGC. A draft Executive Summary has been completed for the Sponsor Director to review. Standing direction by WAFWA is to use the existing Western Trout Initiative as a template.

5. Coordinate with, establish, or otherwise convene various conservation teams, work groups, etc. as necessary to implement this MOU. This is an on-going objective. The WGI continues to maintain and participate in the Swift Fox and Prairie Dog Conservation Teams, Lesser Prairie Chicken Interstate Working Group, and Black-footed Ferret Recovery Implementation Team. On a regular

basis, the WGC coordinates with USFWS, USFS, BLM, NPS, APHIS-WS, and Native American Tribes, state and local governments, pseudo governmental entities like the Western Governors Wildlife Council and Association of Fish and Wildlife Agencies, and nongovernmental organizations and entities like Defenders of Wildlife, World Wildlife Trust, and various Joint Ventures. This coordination includes, providing species specific information for status reviews, assisting with developing an incentive program to further conservation efforts, providing information on funding needs, and writing endorsement letters for conservation efforts that would further the WGI. Results of this coordination has benefitted WGI by having the: Navajo and Hopi Tribes receiving a Competitive Tribal grant award to inventory Gunnison's prairie dogs on tribal lands, USFWS reject an APA petition to reclassify black-footed ferrets from nonessential experimental to endangered, and having the EPA initiate a label review for the use of anticoagulants (Rozol and Kaput) to poison prairie dogs. Other activities undertaken by the various conservation teams or work groups with WGI involvement have included:

Swift Fox Conservation Team

In 1992, the U.S. Fish and Wildlife Service (Service) received a petition to list the swift fox under the ESA in the northern portion of the species' range (Montana, North Dakota, South Dakota and Nebraska), if not the entire range. In 1994, the ten affected state wildlife management agencies and interested cooperators formed the Swift Fox Conservation Team (SFCT). In 1997, the SFCT prepared a species conservation assessment and conservation strategy to guide management and conservation activities. By implementing the conservation measures within this plan the states contributed to the Service's ability to remove the swift fox from the candidate species list in 2001.

- Continuing with updating the 1997 Conservation Strategy. The WGC crafted the first draft of an updated Conservation Plan paralleling other WAFWA efforts. The SFCT distributed it for review and the draft is still being worked on by the Team.
- Continuing with outreach efforts highlighting conservation activities. The outreach effort includes maintaining a SFCT website, which is hosted by CDOW, producing and distributing an annual report, and crafting a newsletter on activities.

Lesser Prairie Chicken Working Group

In 1995, the USFWS was petitioned to list the LPC as threatened under provisions of the ESA. The USFWS finding was "warranted but precluded" indicating that evidence supported listing the species, but the agency had higher-priority species to work with, given its limited resources. The LPC was assigned a listing priority number (LPN) of 8. Over the past decade, LPC recovered from another more recent sharp decline primarily due to weather but in part by proactive measures of some WAFWA member states (i.e. Kansas and CRP planting) and the partnerships forged on the ground. Subsequent to that recovery, populations have continued to

increase in some areas, but overall have been considered stable to slowly declining. This overall assessment, however, belies the serious and immediate threats to the species that are occurring over significant portions of the range, and in early 2009, the LPN for the species rose from an 8 to a 2.With the signing of the Grassland MOU, the WAFWA Directors placed lesser prairie chicken under the purview of this MOU.

- Holding a Lesser prairie Chicken Interstate Working Group meeting in Lubbock, Texas February 11-12, 2009. States reported on conservation effort with included the use of CRP lands for LPC habitat, habitat restoration efforts for energy development, and developing a predictive habitat model. In addition, the group began the process of reorganizing itself to emulate other WAFWA efforts.
- Completing the Lesser Prairie Chicken Conservation Initiative and receiving endorsement of this plan from WAFWA and the 2008 mid-winter meeting. Direction from the WGC to the group was to have them prioritize conservation measure necessary to reverse the current trends. Recently, the USFWS announced the LPN for the LPC going from an 8 to a 2. The Working group began working on outreach material regarding the meaning of this action and how industry can assist with conservation efforts. In addition, with Playa Lakes Joint venture leading the way pursued funding from the National Fish and Wildlife Foundation and the farm Bill.
- Monthly conference calls were initiated by the Playa Lake Joint Venture to promote information exchange for the species. They are held the third Thursdays of the month.

Prairie Dog Conservation Team

- Collecting, compiling, and summarizing information from the 11 BTPD states to provide input to the status review for the BTPD. The information highlighted WGI six target objectives for the species. It reported the WGI effort met, or exceeded the first three objectives and identified the tremendous progress being made on objectives 4-6, which are distributional objectives. For objectives 4-6, 73 % of the states have met objective 4, 45% have met objective 5, and 64 % of the states have met objective 6. This progress is significant in the sense of complexes over 5000 acres (objective 4). In 1998, there were only 2 known complexes greater than 5000 acres and in 2008 we knew of at least 25 in at least 8 states! Overall, WAFWA reported the current acreage estimate for black-tailed prairie dogs at 2,286,492 acres, which is over three times higher then national estimate of 676,000 acres just 10 years ago. On December 3, 2009 the USFWS made a determination of ***not warranted*** for the species. Again, the USFWS recognized the states continued conservation efforts through the WGI in their findings.
- At the November 2008 PDCT it was decided to convene an evaluation board to review prairie dog survey methodologies, which is consistent with existing conservation strategies. On January 25-28, 2010 the workshop was held in Fort Collins, Colorado. The meeting was facilitated by Dr. Lee Lamb of

Negotiation Guidance Associates and Dr. Michael Hutchins, Executive Director of *The Wildlife Society* provided opening remarks. This workshop took an interactive approach where WAFWA partners and interested parties presented their survey methodology to an evaluation board. The evaluation board consisted of 6 members. They were Dr. Warren Ballard, Texas Tech University, Dr. John Koprowski, University of Arizona, Dr. Dave Otis, Iowa Cooperative Fish and Wildlife Research Unit at Iowa State University, Dr. Lyman McDonald, Western EcoSystems Technology, Inc., Dr. Thomas Stanley, U.S. Geological Survey, and Dr. Dean Biggins, U.S. Geological Survey. The intent was to have participants follow an agreed upon presentation and homework format, which was sent to the board prior to the workshop for review. After the presentation, a dialog occurred between the presenter and the evaluation board to answer any questions about the methodology. While all the states were able to send the informational homework, only 9 out of 12 states were able to directly participate in the workshop and present information on their survey methodologies. The evaluation board has produced a draft report highlighting the strengths and weaknesses of the different methods looking at efficiencies, economics, statistical validity, and survey results and made several recommendations to WGI to consider. The workshop participants have provided comments and the evaluation board is currently evaluating the comments.

Black-footed Ferret Recovery Implementation Team

The linkage between ferrets and prairie dogs is well known. The WGI has been directly involved in conservation actions directed toward ferret conservation.

- Participating in the annual Black-footed ferret Recovery Implementation Team's Executive Committee in Phoenix, Arizona. Discussions at the meeting included using various components of the ESA for reintroduction efforts, plague management options, and ferret recovery objectives. The WGC has participated in various coordination planning meetings associated with developing an incentive program and reintroduction site in the southern Great Plains.

- Reviewing material associated with educational materials and drafting letters of support. Also, reviewing allocation proposals for existing reintroduction sites.

- In 2009, black-footed ferret recovery hit an important milestone – releases of ferrets into the wild had occurred in all 3 countries.

6. Cooperate to maintain and enhance, to the extent practicable, the populations and habitats of the species addressed pursuant to this MOU. This is an ongoing objective with many components. In the last 2 years, the WGC has pursued and received **$1,110,586.00** in funding to maintain and enhance the populations and habitats addressed in this MOU. This is nearly twice the amount invested by financial contributors (**$578,500.00**) over the last 5 years to fund the WGC

created under this MOU. Funding received went to 8 of 12 states, the USGS, and other WAFWA supported projects. Funding was derived from:

- Competitive State Wildlife Grant Program - In 2009, WAFWA Grassland Initiative was 1 of 13 grants awarded funds ($484,780.00) under this program. Objectives under this grant include surveys of prairie dogs ($65,000.00–TX, KS, and OK), genetic analysis ($50,000.00-CO), reintroduction efforts ($62,200.00-AZ), and further development of an oral vaccination against plague for prairie dogs ($275,752.00-USGS).
- Western Governors Association Pilot Projects – In 2009, the WGI and Lesser Prairie Chicken (LPC) Pilot projects were funded at $500,000.00. The purpose of these grants is to develop GIS based informational tool system for industry and others to identify important wildlife areas while planning activities. The LPC ($200,000.00-KS and OK) pilot is focused primarily on them one species and the WGI in the northern Great Plains ($300,000.00-NE, ND, and SD) is focused on at least 8 species.
- National Fish and Wildlife Foundation – In 2009, WGC worked with AZ to submit and eventually be awarded $71,511.00 under their Keystone Initiative Grant Program. The purpose of the grant is to further BTPD restoration efforts in AZ. In 2010, the WGC and AZ were notified their pre proposal for an additional $100,000.00 was accepted for full proposal development. Match for these grants are coming from State Lottery dollars and partnering with Pima County.
- Partner support – In 2009, the WGC sent a request to federal partners involved with WGI for year end funds to support 2 WAFWA supported projects - a rapid field test for plague detection and support for a survey methodology workshop held January 25-28, 2010 in Fort Collins, Colorado. The USFWS and NPS through direct financial support ($54,295.00) and USGS and APHIS-WS in-directly (staff and logistical support) responded to the request.

Additional funding opportunities (2010 Competitive State Wildlife Grants, 2011 Multi-state Conservation Grant, and Landscape Conservation Cooperative Grant) were pursued by the WGC but no funding was received from these funding pools. However, it should be noted, by having someone in place, WAFWA was able to pursue these funding opportunities.

7. Coordinate with, as necessary and appropriate, companion conservation efforts in the United States, Canada, and Mexico. This is an ongoing objective. It is recognized by the WGI close collaboration with Canada and Mexico is critical. Many of the grassland bird species migrate between these 3 countries with most of them nesting in the north and wintering in the south. The WGI has been represented at the *Trilateral Committee for Wildlife and Ecosystem Conservation and Management* for the last 3 years by the WGC. The WGC has presented updates on the WGI and ferret recovery. Also, associated with the Trilateral is the *Commission of Environmental Cooperation* (CEC). Since 1994, Canada, Mexico

and the United States have collaborated in protecting North America's environment through the North American Agreement on Environmental Cooperation (NAAEC). The NAAEC came into force at the same time as the North American Free Trade Agreement (NAFTA) and marks a commitment that liberalization of trade and economic growth in North America would be accompanied by effective cooperation and continuous improvement in the environmental protection provided by each country. A focus of the CEC has been the North American Grasslands. Since 2005, the WGI has participated and provided species information for various planning documents produced by the CEC. The primary document titled *North American Central grasslands priority conservation areas: technical report and documentation* (CEC and TNC, 2005). In this document, 55 Grassland Priority Conservation Areas were identified in the 3 countries. Currently, the report is being revised based upon more recent monitoring and ground-truthing data. Many of the objectives identified in this report are consistent with the WGI, which is conserving North America's grasslands through regional partnerships and species monitoring and inventory.

8. Enhance awareness of the Signatories and local communities, industries, nongovernmental organizations, and private individuals regarding this conservation effort, and encourage and enhance their participation in partnerships to accomplish mutually agreeable conservation objectives. This is an ongoing objective. The WGI has slowly been gaining recognition since it inception in 2006. The WGC is being sought out by Signatories, federal agencies, pseudo governmental entities, nongovernmental organizations, and private individuals regarding the WGI effort. It is anticipated increased recognition will occur once the Strategic Plan is completed and distributed by WAFWA. Similar to the Western Trout Initiative, the mission of the WGI is to serve as the primary contributor for the implementation of conservation or management actions, through partnerships and cooperative efforts, resulting in improved species status, grassland habitats, and recreational opportunities for grassland dependent species across North America. Many of the partners find it beneficial to have a point-of-contact to disseminate information. The WGI has also benefitted in the funding arena by having a focused conservation objective mutually agreeable to all involved with the project.

9. Remain aware of, and inform WAFWA on, any legal, regulatory, or policy action associated with the species addressed pursuant to this MOU. This is an ongoing objective. Information on various listing decisions, status reviews, a request to change species designations, and rodenticide permitting, was distributed by the WGC. On a regular basis the WGC sought direction from WAFWA Directors on the desired course of action. As a result, the WGI effort has effected listing decisions for three prairie dogs species, denying the change of status for 3 black-footed ferret populations designated experimental nonessential, and prompted a review of a rodenticide label.

SIGNIFICANT DEVIATIONS: None

PRINCIPAL INVESTIGATOR: Bill Van Pelt
Interstate Grasslands Coordinator,
Western Association of Fish and Wildlife Agencies

PREPARED BY: Bill Van Pelt
Interstate Grasslands Coordinator
Western Association of Fish and Wildlife Agencies

DATE: August 3, 2010

APPROVED BY:

Alan Peoples
Wildlife Division Administration
Oklahoma Department of Wildlife Conservation

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Oklahoma Department of Wildlife Conservation

Appendix 1.

MEMORANDUM OF UNDERSTANDING
FOR
CONSERVATION AND MANAGEMENT OF SPECIES OF CONSERVATION CONCERN
ASSOCIATED WITH PRAIRIE ECOSYSTEMS

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to provide, under auspices of the Western Association of Fish and Wildlife Agencies (WAFWA), for interagency cooperation in conservation and management of species associated with prairie ecosystems of the Western Great Plains (i.e. parts of Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Wyoming, and Utah). The primary focus is on federally-listed species, state-listed species, and species of conservation concern. The participating agencies agree that cooperation is necessary to collect and analyze data on these species and their habitats, and to plan and implement actions necessary to establish and/or maintain viable populations of each species that are sufficient to preclude present or future endangerment, within the constraints of approved budgets.

Parties to this MOU are collectively referred to herein as Signatories.

II. Background

The Signatories have been involved in a variety of long-standing and recently initiated efforts to conserve and manage wildlife and habitats in the Western Great Plains. Many of these efforts have been conducted with a single species approach. Despite significant successes to date, the Signatories believe it is in their best long-term interest to move toward a landscape level approach that enables better planning and coordination, efficiency in time and scale of accomplishment, and greater cost effectiveness. The Signatories recognize that such a transition will take time, require adaptive management to respond to emerging needs and priorities, and present unique challenges in terms of process management, shared decision-making, and increased emphasis on community based conservation. They also recognize that as they move toward a landscape level or ecosystem focused, they must ensure that their commitment to conservation and management of individual species cannot be diminished such that imperilment occurs. Given these considerations, in 2004 WAFWA directed its Habitat and Nongame and Endangered Species committees to use renewal of an MOU for black-tailed prairie dog conservation as a vehicle for beginning the transition toward an ecosystem approach (i.e. prairie) in the Western Great Plains. WAFWA also directed the two committees to ensure that the prairie effort is fully coordinated with, and complementary to, a companion effort to conserve sagebrush and sage-steppe communities (and associated species of wildlife) in the Great Basin, because the two biomes share many important species.

III. Objectives

The Signatories agree to accomplish the following conservation objectives:

1. Recognize that because the white-tailed prairie dog (WTPD) and Gunnison's prairie dog (GPD) inhabit sage-steppe and prairie scrub ecosystems rather than grasslands, they will fall under the purview of the WAFWA Sagebrush MOU when a new one is developed in 2007.
2. Develop a WTPD and GPD conservation strategy by January 31, 2006 to complement WAFWA's existing black-tailed prairie dog conservation strategy.
3. Develop state-specific prairie dog management plans, or integrate prairie dog management components into other state-specific and/or regional management plans, as appropriate, by December 31, 2007.

4. Develop a cohesive, comprehensive, WAFWA prairie conservation strategy by June 30, 2010 that integrates pertinent components of companion efforts for the WTPD, GPD, BTPD, black-footed ferret, swift and kit foxes, lesser prairie chicken, mountain plover, burrowing owl, ferruginous hawk, Swainson's hawk, loggerhead shrike, and, as appropriate and feasible, other shrub and grassland species in the Western Great Plains.
5. Coordinate with, establish, or otherwise convene various conservation teams, work groups, etc. as necessary to implement this MOU.
6. Cooperate to maintain and enhance, to the extent practicable, the populations and habitats of the species addressed pursuant to this MOU.
7. Coordinate with, as necessary and appropriate, companion conservation efforts in the United States, Canada, and Mexico.
8. Enhance awareness of the Signatories and local communities, industries, nongovernmental organizations, and private individuals regarding this conservation effort, and encourage and enhance their participation in partnerships to accomplish mutually agreeable conservation objectives.
9. Remain aware of, and inform WAFWA on, any legal, regulatory, or policy action associated with the species addressed pursuant to this MOU.

IV. Actions

1. WAFWA will identify a State Director to serve as Sponsor for this MOU.
2. The State Sponsor or their designee will:
   a. Approve additional Signatories and modifications to this MOU;
   b. Collaborate with IAFWA in contracting an Interstate Coordinator for this MOU; and
   c. Provide appropriate guidance to the Interstate Coordinator for managing this MOU, including (i) ensuring timely, effective coordination with the companion WAFWA conservation effort for sagebrush and sage-steppe habitats and the species therein; and (ii) integrating this conservation effort into WAFWA's support for development of a Western Shrubland Science and Management Information Consortium.

3. The Interstate Coordinator will serve as Chair for WAFWA's Prairie Dog Conservation Team and liaison to WAFWA's sagebrush and sage-steppe conservation program.
4. The Interstate Coordinator will facilitate the Signatories' efforts to identify and implement the most appropriate way(s) to collect data (e.g. rangewide survey and monitoring recommendations) for the species addressed pursuant to this MOU.
5. The Interstate Coordinator will assist WAFWA in integrating WTPD and GPD strategies into its sagebrush and sage-steppe conservation effort.
6. The Interstate Coordinator will facilitate Signatory cooperation in developing major media releases and media projects, as well as website support and other public outreach efforts, pursuant to this MOU.
7. The Interstate Coordinator will provide quarterly reports to WAFWA and IAFWA in April, July, and October, an Annual Report to WAFWA and IAFWA in February of each year, progress reports to WAFWA's Habitat Committee at annual WAFWA Summer Conferences and Mid-Winter Business Meetings, and an annual report to the Prairie Dog Conservation Team.
8. The Interstate Coordinator will provide appropriate grant progress reports to the National Fish and Wildlife Foundation in May 2006 (Phase 2 Report).
9. The Signatories will assist the Interstate Coordinator as necessary to ensure timely, effective, and well coordinated activities and completion of products and services pursuant to this MOU.

10. The Signatories will cooperate to maintain, and enhance to the extent practicable, viable populations and habitats of the species addressed pursuant to this MOU.
11. The Signatories will assist the Interstate Coordinator in ensuring local governments, communities, private citizens, and other interested and affected parties are informed on the status of this conservation effort, including ways that might provide local economic benefits.
12. The Signatories will recognize and respect the separate authorities of each signatory agency and the interests of other affected or interested parties.
13. The Signatories will cooperate in providing financial support for the Interstate Coordinator for this MOU, with a total annual budget of: YR1 $112,000; YR2 $112,000; YR3 $116,000; YR4 $118,000; and YR5 $123,000 (the intent is for 50% of the stated annual amounts to be contributed by State Wildlife Agencies and 50% by Federal Agencies).
14. The Signatories will provide facilities, equipment, logistical support, authorizations, and permits as necessary and available to implement this MOU.

V. Authorities

This MOU is among various WAFWA States and the Bureau of Indian Affairs, Bureau of Land Management, Department of Defense, National Park Service, Natural Resources Conservation Service, U.S.D.A. APHIS Wildlife Service, U.S.D.A Forest Service, U.S. Fish and Wildlife Service, and U.S. Geological Survey, under provisions of the following Federal laws:

Federal Land and Policy Management Act of 1976 (43 U.S.C. 1701 et seq.)
Fish and Wildlife Act of 1956 (16 U.S.C. 742 et seq.)
Fish and Wildlife Coordination Act (16 U.S.C. 661-667)
Multiple-Use Sustained-Yield Act [of 1960] (16 U.S.C. 528-531)
Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1641-48)
National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.)
Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.)
National Wildlife Refuge Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C 668dd et seq.)

VI. Terms and Conditions

It is mutually agreed and understood by and between the Signatories that:

1. This MOU is neither a fiscal nor a funds obligation document. Nothing in this agreement may be construed to obligate Federal Agencies or the United States to any current or future expenditure of resources in advance of the availability of appropriations from Congress. Any endeavor involving reimbursement or contribution of funds between the Signatories to this MOU will be handled in accordance with applicable regulations, and procedures, including those for federal government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the Signatories and shall be independently authorized in accordance with appropriate statutory authority. This MOU does not provide such authority.
2. This MOU in no way restricts the Signatories from participating in similar activities with other public or private agencies, organizations, and individuals.
3. This MOU is executed as of the last date shown below and expires five years from the execution date, at which time it will be subject to review, renewal, or expiration.
4. Modifications within the scope of this MOU shall be made by issuance of a mutually executed modification prior to any changes being performed.
5. Any party to this MOU may withdraw with a 60-day written notice to the State Sponsor.

6. Any press releases with reference to this MOU, the Signatories, or the relationship established between the Signatories of this MOU, shall be reviewed by the Interstate Coordinator and State Sponsor prior to release.
7. In any advertising done by any of the Signatories, this MOU shall not be referred to in a manner that states or implies that any Signatory approves of or endorses unrelated activities of any other.
8. During the performance of this MOU, the Signatories agree to abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, age, color, religion, gender, national origin, or disability.
9. No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise from, but these provisions shall not be construed to extend to this agreement if made with a corporation for its general benefits.

10. The Signatories agree to implement the provisions of this MOU to the extent personnel and budgets allow. In addition, nothing in the MOU is intended to supersede any laws, regulations, or directives by which the Signatories must legally abide.

RECEIVED FEB 2011 OKLA. PUB. CLEARINGHOUSE

VII. Approval

In witness thereof, the Signatories hereto have executed this Memorandum of Understanding as of the last written date below. *(Original has signatures)*