

**MEMORANDUM OF UNDERSTANDING
BETWEEN
MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
AND
MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**

This Memorandum of Understanding (MOU) is entered into this 21st day of May 2021, by the Montana Department of Fish, Wildlife and Parks (DFWP) and Montana Department of Natural Resources and Conservation (DNRC).

PARTIES

The DNRC administers the Montana Sage Grouse Habitat Conservation Program (Program). The Program provides competitive grant funding and free-market mechanisms for voluntary, incentive-based conservation measures that emphasize maintaining, enhancing, restoring, expanding, and benefiting greater sage-grouse habitat and populations on private lands, and public lands as needed, that lie within core areas, general habitat, or connectivity areas. Montana's greater sage-grouse conservation strategy is based on the collaborative work of diverse stakeholders. The Montana Sage Grouse Oversight Team (MSGOT) and the Program implement Executive Order 12-2015 and the Greater Sage-Grouse Stewardship Act (Act) in partnership with landowners, state and federal agencies, and many diverse, private stakeholders to avoid a federal listing of the greater sage-grouse while maintaining management flexibility of land, wildlife and associated economies.

The DFWP is the state executive branch agency responsible for the maintaining and enhancing of fish, wildlife, and recreational opportunities in Montana. The DFWP has the exclusive power to spend for the protection, preservation, management and propagation of fish and wildlife as authorized under MCA Title 87, Chapter 1, Part 2.

PURPOSE

This MOU outlines the roles and responsibilities of the DNRC and DFWP for the administration of the Program as authorized under MCA Title 87.

Under the terms of this MOU, the DFWP will provide funding not to exceed \$600,000.00 per fiscal year to the DNRC to fund the salaries and related expenses necessary to administer the Program in accordance with applicable statute, administrative rules, and relevant Executive Orders. This funding shall not be used to fund any costs (including salaries) for staff not charged with implementing the Program.

TERMS

The DNRC staff will administer the Program in strict accordance with the Act and the relevant new section of Title 87, post recodification, and relevant Executive Orders and administrative rules.

The DFWP shall reimburse DNRC expenses incurred for funding of the administration of the Program. The DNRC will bill DFWP quarterly for these expenses. Each quarterly invoice will include copies of the three monthly SABHRS reports for the quarter and a summary invoice listing the total quarterly expenses, cumulative total expenditure, and the remaining budget. Operations and personnel/salary costs shall be presented separately. The DFWP shall reimburse DNRC within 30 days of the DFWP's receipt of the DNRC's proper accounting of expenses.

The DNRC will continue to produce and provide an end-of-year annual report describing Program efforts and accomplishments.

The DNRC will notice DFWP prior to making or recommending any change to statute, executive order, or administrative rule. This notice shall allow enough time for interagency discussion and possible modification of any recommended changes before they are made or recommended.

This MOU will become effective upon signature of all parties and may not be terminated unless relevant Montana statutes and fiscal appropriations support or require a dissolution of this MOU.

This MOU is not assignable.

This MOU does not prevent the DNRC and DFWP from working with or entering agreements with other agencies or organizations in furtherance of the state's goals to conserve greater sage-grouse populations and their habitats.

This MOU may be modified by mutual agreement of the parties in the future.

Nothing in this MOU is intended to waive or otherwise limit any applicable law, rule, or regulation or any other requirements or duties under such laws, rules, or regulations.

The parties through their authorized agents have executed this MOU on the dates set forth below.

STATE OF MONTANA

Department of Fish, Wildlife & Parks
PO Box 200701
Helena, MT 59620-0701
Federal ID No. 81-0302402

By: Hank Worsch, Director
(Name/Title)

[Signature]
(Signature)

6/4/21
(Date)

STATE OF MONTANA

Department of Natural Resources and
Conservation
1539 Eleventh Avenue
Helena, MT 59620-1601
Federal ID No. 81-0302402

By: Amanda Koster, Director
(Name/Title)

Amanda Koster
(Signature)

5/21/21
(Date)

Approved as to Legal Content:

[Signature] 6/3/2021
Fish, Wildlife & Parks Legal Counsel (Date)

[Signature] 5/21/21
Natural Resources & Conservation Legal Counsel (Date)