

**MEMORANDUM OF UNDERSTANDING
BETWEEN
MADISON COUNTY
AND
DILLON FIELD OFFICE,
BUREAU OF LAND MANAGEMENT
UNITED STATES DEPARTMENT OF THE INTERIOR**

This Memorandum of Understanding (MOU) is entered into by and between Madison County (hereinafter referred to as the County) and the Dillon Field Office of the Bureau of Land Management (hereinafter referred to as the BLM) to maximize coordination and achieve consistency where practical in development of a Resource Management Plan (RMP) that includes public lands located in Madison County.

WHEREAS, the BLM is directed by Congress to administer the public lands so that all various land and resource uses and values are managed in combinations that will best meet the needs of the American people, and

WHEREAS, the BLM is preparing a Resource Management Plan (RMP) for the public lands and resources it manages in Beaverhead and Madison Counties in southwest Montana, and

WHEREAS, the BLM must consider a wide range of alternatives in development of the RMP must comply with the provisions of the National Environmental Policy Act (NEPA) and the Federal Land Policy and Management Act of 1976 (FLPMA), and all amendatory acts and implementing regulations in development of the RMP, and

WHEREAS, the County is interested in consistency between the Madison County Comprehensive Plan and the BLM's Resource Management Plan whenever possible,

THEREFORE, it is agreed and understood between the County and the BLM as follows:

ROLE OF THE BLM

The Bureau of Land Management will:

1. Serve as the Lead Agency for the plan.
2. Assume responsibilities for public participation activities.
3. Convene an interdisciplinary team (ID Team) as required under NEPA and provide primary members of the planning team to develop the RMP and analyze impacts.
4. Provide opportunity for a Madison County representative to serve on the ID Team.
5. Ensure the Madison County representative is informed of ID team meetings, assignments and deadlines related to preparation of the RMP.

6. Make available to Madison County information to be used in preparation of the plan, subject to any non-disclosure provisions as required by statute.
7. Discuss with Madison County requirements of Federal and State statute that must be followed which may result in inconsistencies with the Madison County Comprehensive Plan.
8. Retain authority for approval and signature of the Record of Decision after conclusion of the RMP/EIS process. The BLM cannot delegate this decision authority to others.

ROLE OF MADISON COUNTY

Madison County will:

1. Be a cooperating agency subject to NEPA Part 1501.6 and 1506.2 and 1508.5;
2. Assign a representative approved by the Board of County Commissioners and accepted by the BLM to serve as the liaison for the County in the RMP effort. This representative shall:
 - a) Participate as a full member of the ID Team.
 - b) Attend scheduled ID Team meetings.
 - c) Submit written assignments as required within specified deadlines and in proper format.
 - d) Keep Commissioner's apprised of RMP efforts and direction as plan is developed.
 - e) Provide specific expertise and input on county roads, access issues, weeds, land tenure, and social and economic data.
 - f) Discuss any apparent inconsistencies with Madison County planning documents with BLM during development of plan alternatives and inform Madison County Commissioners of any required inconsistencies.
3. Prepare and make available to the BLM information and data on county roads, access issues, weeds, land tenure, and social and economic data in possession of the County.
4. Notify the BLM, in writing, of apparent inconsistencies during the Draft RMP comment period.
5. Rely on county funds for participation in this project.

COMPONENTS OF THE PROJECT

1. Scoping

The public as well as Federal, State, Tribal, and local governments will be invited to identify issues and concerns and comment on planning criteria and other pertinent items as part of the scoping process to initiate the planning process.

2. The RMP

A Draft RMP will be prepared and released for public comment and review. Development of the Draft RMP includes compiling information and data on the public lands, preparing an Analysis of the Management Situation (which includes information on the existing environment, conditions, trends and management opportunities), and presenting alternatives for public review and comment.

3. The EIS

An Environmental Impact Statement will be prepared concurrently with the Draft RMP and Proposed RMP to satisfy all requirements under NEPA and the implementing regulations. The EIS will analyze and disclose the impacts of the alternatives described in the Draft RMP and the subsequent management described in the Proposed RMP.

4. Decision Process

Approval of the Proposed RMP will result in a Record of Decision (ROD) recommended by the Dillon Field Manager and signed by the BLM Montana/Dakotas State Director. BLM retains the sole decisionmaking authority for the public lands and resources it administers.

5. Implementation and Monitoring

Implementation of the plan will begin upon signature of the ROD. Some decisions require immediate action, others will be implemented during the life of the plan, and others only require action if a particular activity is initiated. An Implementation Plan will be prepared to serve as a link to BLM's budgeting process. The plan and associated decisions will be monitored on an on-going basis to determine the effectiveness of the RMP and the need for revision or amendment.

SCHEDULE

The County and BLM agree that the time for preparation of the RMP/EIS is limited. The proposed RMP schedule is attached in Appendix A. Each party agrees that it will work within the attached schedule to the best of its ability and meet deadlines as identified throughout the planning process.

OTHER PROVISIONS

1. Limits of Authority and Funding

Nothing in this agreement will be construed as limiting or affecting in any way the authority or legal responsibility of the County or the BLM. Nothing in this agreement binds the County or BLM to perform beyond the respective authority of each. Nothing in this agreement requires any party to assume or expend any sum in excess of appropriations available. BLM retains the sole decision making authority for public lands and resources it administers.

2. Amendment of Agreement

Amendments or supplements to this MOU may be proposed by any of the parties and shall become effective upon written approval of all parties.

3. Termination of Agreement

The MOU may be terminated by any of the parties thirty (30) days after notice in writing to the others of the intention to do so.

4. Effective Date of Agreement

This MOU shall become effective as soon as signed by all of the parties. It shall continue in force until the Record of Decision for this RMP/EIS is signed by the BLM State Director.

IN WITNESS WHEREOF, THE PARTIES HERETO have executed this Memorandum of Agreement on this _____ day of _____, 2003.

Chairman
Board of County Commissioners Madison County

Field Manager
Dillon Field Office
Bureau of Land Management

DILLON RMP EXTENSION SCHEDULE

Extension Timeframe	# of weeks	Task
9-13-2002	----	Finalize No Action Table/Hard Constraints
10-18-2002	----	Draft Due on Chapter 1 & 3
10-21 to 11-1-2002	2 weeks	IDT Develop
11-4 to 11-15-2002	2 weeks	Review Questions MSO
11-18 to 11-29-2002	6 weeks	Finalize Focus Questions
10-18 to 11-29-2002	6 weeks	Edit Chapters 1 & 3
12-2 to 1-3-2003	5 weeks	MSO/Solicitor review of release package
1-6 to 1-17-2003	2 weeks	Incorporate changes
1-20 to 1-24-2003	1 week	Print/Mail Labels/Prep for Release
1-27-2003	1 day	Release
1-27 to 3-14-2003	45 days	Convene Public Forums
By 3-30-2003	2 weeks	Feedback to BLM
3-31 to 6-6-2003	10 weeks	Develop Alternative Table, Draft Chapter 2
6-9 to 7-4-2003	4 weeks	Alternative Review by MSO
7-7 to 9-12-2003	10 weeks	Specialist Preparation of Estimation of Effects, Draft Chapter 4 (Environmental Consequences)
9-15 to 9-26-2003	2 weeks	Select Preferred Alternative in Consultation with MSO
9-26 to 10-3-2003	1 week	Prelim Materials to WO
10-5 to 10-24-2003	3 weeks	Edit Chapter 4 and Prepare and Edit Chapter 5, Appendices, Complete Maps
10-27-2003	1 day	Forward Draft RMP/EIS and NOA to MSO/WO
10-27 to 11-21-2003	4 weeks	MSO/WO Review of Draft RMP/EIS and NOA
11-24 to 12-19-2003	4 weeks	Incorporate MSO/WO Comments into Draft RMP/EIS and NOA
12-22 to 12-26-2003	1 week	Brief State Director/WO if necessary
12-29 to 2-6-2004	2 weeks	Document to MSO Printing for format
2-9 to 3-19-2004	6 weeks	GPO Printing
By 3-30-2004	2 weeks	NOA Published/Draft RMP/EIS Released for Comment
4-1 to 6-30-2004	90 days	90-day comment period
7-1 to 10-22-2004	16 weeks	Conduct Comment Analysis, Prepare Responses, Select Proposed RMP and prepare Proposed RMP/FEIS
10-25 to 11-19-2004	4 weeks	Proposed RMP/Final EIS NOA Submitted for MSO/MO Review and Briefings
11-22 to 1-14-2005	8 weeks	Send to State of Montana for Governor's 60-day Consistency Review **Will request expedited review of 30 days prior to final print

Extension Timeframe	# of weeks	Task
1-17 to 2-25-2005	6 weeks	Send to MSO for Printing
By 2-25-2005	2 weeks	Prepare and Submit NOA/NOA for Proposed RMP/Final EIS published
2-28 to 3-11-2005	2 weeks	Distribute Proposed RMP/FEIS
3-14 to 4-11-2005	30 days	30 day Protest Period
4-12 to 5-5-2005	6 weeks	Prepare Record of Decision (ROD), Approved Plan and Implementation Plan **This is dependent upon resolution of any protests within a timely manner.
5-9 to 6-3-2005	4 weeks	MSO Review
6-6 to 6-17-2005	2 weeks	Incorporate Comments and Finalize/Format
6-20 to 6-24-2005	1 weeks	State Director Briefing
6-27 to 8-5-2005	6 weeks	Send to MSO for Printing
8-8-2005	-----	Issue ROD/ Approved RMP