

COOPERATIVE AGREEMENT FOR MANAGEMENT  
OF CERTAIN LANDS TO BENEFIT  
THE KIRTLAND'S WARBLER

This agreement made this 14th day of September, 1978, between the Michigan Department of Natural Resources, hereinafter called the "Department" and the U.S. Department of the Interior, U.S. Fish and Wildlife Service, hereinafter called the "Service";

WITNESSETH:

WHEREAS, the advancement, pursuit, and application of wildlife studies, management, and programs are among the objectives and interests of both parties hereto, and

WHEREAS, both parties have an interest in the protection, conservation, management, and restoration of the Kirtland's warbler.

NOW THEREFORE, the parties hereto mutually agree as follows:

1. Certain tracts of lands, as listed on the attached Appendix, shall be managed for the benefit of the Kirtland's warbler. The objectives of this management include the following:
  - a. To improve, expand and protect the active nesting habitat.
  - b. To develop and maintain suitable nesting habitat.
  - c. To protect the Kirtland's warbler from detrimental disturbances during the nesting season.
  - d. To maintain a high nest productivity of Kirtland's warblers by controlling cowbirds on the nesting grounds.
  - e. To develop and maintain an information and education program to keep people informed on the status of the Kirtland's warbler.
  - f. To provide for other land uses compatible with Kirtland's warbler management.
2. The Department shall:
  - a. Provide management expertise, equipment and personnel to pursue the above objectives with the option of cost-sharing under Michigan's Endangered Species Program, except where specific management activities are conducted by the Fish and Wildlife Service by mutual agreement (such as cowbird control).
  - b. Agree to abide by the attached Equal Employment Opportunity clause.

Agree not to employ any person undergoing sentence of imprisonment at hard labor ;

- d. Agree to assume liabilities which may result from activities or actions conducted by the Department.
- e. Agree that any revenues derived from the administration of these areas 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 end of each fiscal year.


3. The Service shall:

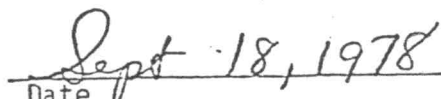
- a. Conduct its activities as authorized under the Endangered Species Act (87 Stat. 889; 16 U.S.C. 1531-1543 as amended).
- b. Retain fee title on the tracts of land under consideration.

4. This agreement may be terminated by either party thirty days following written notification.

5. The agreement and/or listings of lands may be amended by mutual consent between both parties.

6. That nothing in this agreement shall be construed as obligating the Service or the Department to expend, or as involving the State or the United States in any contracts or other obligation for the future payment of money in excess of the appropriations authorized by law.

  
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Director  
Michigan Department of Natural Resources

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Regional Director  
U.S. Fish and Wildlife Service

\_\_\_\_\_  
Date