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May 90

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U. S. ARMY CORPS OF ENGINEERS, LOUISVILLE DISTRICT
AND THE
INDIANA DEPARTMENT OF NATURAL RESOURCES

1. The purpose of this Memorandum of Understanding between the U. S. Army Corps of Engineers, Louisville District and the Indiana Department of Natural Resources is to achieve an integration of forest management principles into the management of other natural resources on lands leased to the State by the Corps so that a total resource management approach which considers all values may be undertaken by the State of Indiana.

2. The Corps of Engineers is directed to manage its forest resources by the Forest Cover Act (Public Law 86-717). The State of Indiana is the Corps of Engineers lessee and is responsible for management of Corps project resources outgranted to the State of Indiana in compliance with existing laws and in accordance with the terms and conditions of the lease agreements. The outgranted lands are located at the following projects: Brookville Lake, Cagles Mill Lake, C. M. Harden Lake (Mansfield), Huntington Lake, Mississinewa Lake, Monroe Lake, Patoka Lake, and Salamonie Lake. It is the intent of the Corps of Engineers and the State of Indiana that the Corps of Engineers will meet the requirements of the Forest Cover Act through the State of Indiana as its lessee. Authority for the State of Indiana to assist the Corps in complying with the Forest Cover Act will be accomplished through amendments to the existing leases between the Corps of Engineers as Lessor and the State of Indiana Department of Natural Resources as Lessee; specific compliance with the Forest Cover Act will be determined on a project by project basis as described herein.

3. It is also the intent of both agencies that the following procedure will be used to comply with the National Environmental Policy Act (NEPA) in developing alternatives with regard to forest management on lands leased by the Corps of Engineers to the Indiana Department of Natural Resources. Project Master Plans and/or Operational Management Plans (OMP) will be reviewed and amended as necessary to fully address the State of Indiana's role in forest management. As part of the process for updating the plans at each project, an Environmental Assessment, including the required public review process will be conducted in compliance with NEPA. The State of Indiana agrees to provide information for development of the Master Plan/OMP changes based on the state's proposal for implementing forest management at each project

4. The Forest Cover Act states in part, that it is the policy of the United States to provide that Corps projects shall be "developed and maintained so as to encourage, promote, and assure

fully adequate and dependable future resources of readily available timber, through sustained yield programs, reforestation, and accepted conservation practices and to increase the values of such areas for conservation, recreation and other beneficial uses: Provided, that such development and management shall be accomplished to the extent practicable and compatible with other purposes of the project."

5. In complying with this requirement to insure that forest management is in harmony with other project purposes, the Corps' overall objective is to insure a more integrated management of project resources for multi-use recreation and related activities. The Corps' continuing management objectives are:

a. to offer recreation facilities and services which insure a quality outdoor recreation opportunity for the American public there by contributing substantially to their health, vitality, and well being

b. to integrate the management of individual natural and cultural resource components such as historic properties, wildlife, forest, meadow, wetlands, soil and water to insure ecologically sound resource allocation and utilization

c. to encourage natural diversity as well as ecosystem stability; to protect, maintain and/or improve soil productivity and water quality on project lands

6. The Indiana Department of Natural Resources objectives for leasing reservoir land including the timber resources are:

(a) to integrate forest management into its current wildlife management program, enabling IDNR to develop a total resource management program that will include wildlife management, forest management, watershed protection, recreational opportunities, preservation of rare or special plant and animal species and management of scenic and general landscapes.

(b) to manage the forests so that an appearance of a closed forest canopy exists as viewed from the water or intensive recreation areas. The primary objective will be to rehabilitate the present forest stand through silvicultural practices that apply to timber, wildlife, watershed protection, recreation, and aesthetic purposes. The intent is to develop a forest with species composition, stocking structure, and tree quality which will support a timber resource base for future generations.

7. Based on the objectives of both agencies, it is agreed that the following proposed criteria will be used as a basis for developing

forest management parameters to be reviewed in the NEPA process:

a. Each management unit will undergo an inventory of forest resources with this listing used to develop multi-year management plans. The plans prepared by the State will be included in the Project Operational Management Plan (the Corps document for management direction) at the appropriate time. Annual management plans (a current lease requirement) will be in sufficient detail (such as bubble diagrams) to identify general locations of anticipated natural resource management activities.

b. Zones of undisturbed forest will be maintained adjacent to intensively used locations and along special features which require special protection. These undisturbed areas will be managed as a visual transition zone with possible vegetative management limited to options specified at the end of this list. The width of these transition areas will vary according to topography, frequency of flooding, and quality of vista afforded to the public; however, priority will be given to preserving original project purposes. Transition zones include:

- (1) lands adjacent to the summer pool of the lake
- (2) lands adjacent to permanent streams (blue line on Quad sheets)
- (3) lands adjacent to recreation areas
- (4) lands on both sides of public roads and interpretative trails
- (5) lands adjacent to exterior boundaries of the project

NOTE: The transition zones designated above are assigned that description for the purposes of forest resource management. That designation does not preclude ongoing programs such as fire lanes, crop lease areas, correction of safety hazards, utility right of ways, water fowl and fish rearing marshes and ponds, and special wildlife programs such as eagle restoration, wood duck boxes, woodcock habitat improvement or other special species management practices and necessary erosion control or salvage measures.

c. Slope protection will be accomplished by a complete restriction of any harvest on slopes over 36%. Harvest on slopes of lesser gradient will be in accordance with the provisions of the Indiana Division of Forestry as listed in the Logging Roads and Skid Trails Manual.

d. Woodland openings created by using the group selection silvicultural method will not be greater than 5 acres in size.

e. These criteria do not prohibit removal of tree growth or other special control measures following catastrophic events, disease or insect infestations or other unusual events.

f. Special consideration will be given to future recreation areas as designated in the project master plan to insure that the maximum potential of the site can be utilized for its designated future purpose.

g. Rare and endangered species will be identified and protected with a goal of maintaining conditions for improving their success on project lands.

h. Any natural or cultural features, including unusual plant associations, archaeological sites or unique and valuable physical features, will be identified and protected in a natural setting.

i. Actions to re-stabilize soil will be incorporated into all resource management proposals.

8. This MOU will take effect upon execution by authorized representatives of the State of Indiana and the Corps of Engineers. Modification may occur at any time by mutual consent of both parties. It may be terminated by 30 days written notice by the Director, IDNR or by the District Commander, Louisville District with approval of the Ohio River Division Commander. .

Patrick R. Ralston

Mr. Patrick Ralston
Director, Indiana Department
of Natural Resources

DATE: 4 May 90

David E. Peixotto

Col. David E. Peixotto
Commander
Louisville District
U.S. Army Corps of Engineers

DATE: 9 April 90