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MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. ARMY CORPS OF ENGINEERS
THE
KENTUCKY DEPARTMENT OF FISH AND WILDLIFE RESOURCES
AND
THE KENTUCKY DEPARTMENT OF PARKS

1. The purpose of this Memorandum of Understanding between the U. S. Army Corps of Engineers, Louisville, Nashville, and Huntington Districts, the Kentucky Department of Fish and Wildlife Resources, and the Kentucky Department of Parks is to achieve an integration of forest management principles into the management of other natural resources so that a total resource management approach, which considers all values, may be undertaken by the Commonwealth of Kentucky on outgranted lands.

2. The Corps of Engineers is directed to manage its forest resources by the Forest Cover Act (Public Law 86-717). The Commonwealth of Kentucky is the Corps of Engineers outgrantee and is responsible for management of Corps project resources on properties outgranted to the Commonwealth, in compliance with existing laws and in accordance with the terms and conditions of the outgrant agreements. The outgranted lands are located at the following projects: Barren River Lake, Buckhorn Lake, Carr Fork Lake, Dale Hollow Lake, Dewey Lake, Fishtrap Lake, Grayson Lake, Green River Lake, Lake Barkley, Lake Cumberland, Martins Fork Lake, Nolin River Lake, Paintsville Lake, Rough River Lake, Taylorsville Lake, Yatesville Lake, Ohio River Islands, and Uniontown Locks and Dam. It is the intent of the Corps of Engineers and the Commonwealth of Kentucky that the Corps of Engineers will meet the requirements of the Forest Cover Act through the Commonwealth of Kentucky as its outgrantee. The Corps and the Commonwealth of Kentucky will amend existing outgrant agreements to insure compliance with the Forest Cover Act on a project by project basis as described herein. The Commonwealth will determine which areas of the outgranted lands will be managed for forestry purposes in compliance with the forest management parameters set out in Section 6 below.

3. It is also the intent of both agencies that the following procedure will be used to comply with the National Environmental Policy Act, as amended (42 USC 4321, et seq) (NEPA) in developing alternatives with regard to forest management on lands outgranted by the

Corps of Engineers to the Kentucky Department of Fish and Wildlife Resources and the Kentucky Department of Parks. Project Master Plans and/or Operational Management Plans (OMP) will be reviewed and amended as necessary to fully address the Commonwealth'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 by the Corps in compliance with NEPA. The Commonwealth agrees to provide information for development of the Master Plan/OMP changes based on the Commonwealth'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. To comply with the Forest Cover Act by integrating forest management activities with other project purposes and yet insure that forestry activities are in harmony with other project purposes, the Corps and the Commonwealth of Kentucky have jointly agreed on the following overall objectives which provide for a "Total Resource Management Concept":

a. to offer recreation facilities and services which insure a quality outdoor recreation opportunity for the American public, thereby 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, utilization, and/or protection.

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

d. to integrate forest management into current management programs, enabling the Commonwealth to develop a total resource management program that will include wildlife management, forest management, fire and watershed

protection, recreation opportunities, biological diversity (including old growth and associated communities), preservation of rare or special plant and animal species and management of scenic and general landscapes (visual resource management).

e. to manage the forests so that an appearance of a closed forest canopy exists as viewed from the water or intensive recreation areas and to maintain the visual quality of all outstanding visual quality areas. The primary objective will be to rehabilitate the present forest stand through silvicultural practices that apply to timber, wildlife, watershed protection, recreation, biological diversity 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.

6. 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 inventory being used to develop multi-year management plans. The plans prepared by the Commonwealth will be included in the Project Operational Management Plan (the Corps document for management direction) at the appropriate time. Management plans (a current outgrant requirement) will be in sufficient detail 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 and historic sites.

(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 rights-of-way, waterfowl 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 generally acceptable forest management practices.

d. Woodland openings created by using the group selection silvicultural method will not be greater than five 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 restore disturbed areas will be incorporated into all resource management proposals.

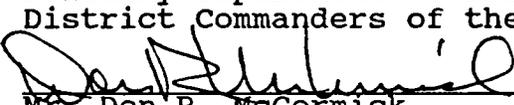
j. Plans will include steps to protect riparian zones.

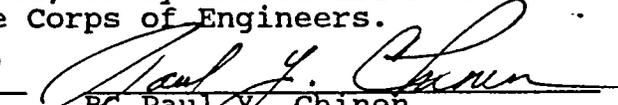
k. Plans will include measures to protect visual

quality throughout the project area.

1. Forest management activities on lands allocated for specific uses, wildlife mitigation lands or future recreation areas will only be undertaken to enhance the primary objective of those lands.

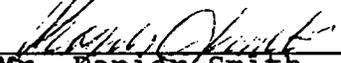
7. This MOU will take effect upon execution by authorized representatives of the Commonwealth of Kentucky's Department of Fish and Wildlife Resources, the Commonwealth of Kentucky's Department of Parks, the Ohio River Division of the Corps of Engineers, and the Louisville, Nashville, and Huntington Districts of the Corps of Engineers. Modifications may occur at any time by mutual consent of all parties. It may be terminated by 30 days written notice by the Commissioners of the Kentucky Department of Fish and Wildlife Resources and the Kentucky Department of Parks, or by the Division and District Commanders of the Corps of Engineers.

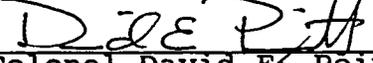

Mr. Don R. McCormick
Commissioner, Kentucky
Department of Fish and
Wildlife Resources


BG Paul Y. Chinen
Commander, Ohio River
Division
U.S. Army Corps of Engineers

Date: 3-28-91

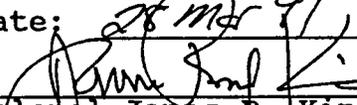
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Mr. Rapiel Smith
Commissioner, Kentucky
Department of Parks

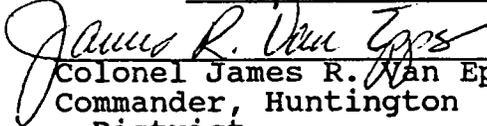

Colonel David E. Peixotto
Commander, Louisville
District
U.S. Army Corps of Engineers

Date: 3-28-91

Date: 28 Mar 91


Colonel James P. King
Commander, Nashville
District
U.S. Army Corps of Engineers

Date: 3/28/91


Colonel James R. Van Epps
Commander, Huntington
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U.S. Army Corps of Engineers

Date: 28 March 1991