

APPENDIX D

LOCAL CRM BYLAWS AND MEMORANDUM OF UNDERSTANDING

Individual CRM programs may develop their own Memorandum of Understanding (MOU) or Bylaws if they desire. Appendix D provides an example of a MOU and Bylaws that can be used for guidelines. Advantages of these types of agreements are increased knowledge of responsibilities and possibly an increased commitment by agencies and organizations to the success of the program.

Please review the provided examples if you wish to develop your own MOU or Bylaws for local CRM programs.

MEMORANDUM OF UNDERSTANDING SUN STEWARDSHIP PROGRAM

- I. *Purpose:* The purpose of this Memorandum of Understanding is to define the organizational structure and establish guidelines for the development of a stewardship program on the Sun Ranching Unit.

- II. *Authority:* The Sun Stewardship Program is authorized by the Governor of Wyoming as a participant in the Wyoming Stewardship Program. The goals of the Wyoming Stewardship Program were developed by the Wyoming Rangeland Management Coordinating Committee which serves in an advisory capacity to the Governor. The Wyoming Stewardship Program is coordinated by the Range Resource Analyst, Office of the State Planning Coordinator, Cheyenne, Wyoming.

- III. *Concept:* Stewardship is a planning and management approach designed to (1) achieve compatibility among the various resources of the ranching unit including, but not limited to, livestock production, watershed values, fish and wildlife habitat, recreations, and other multiple uses of the unit; (2) where needed, improve and maintain these resources in ways that are consistent with priorities of the participants. Stewardship will consider the priorities of all of the landownerships and managing agencies (participants) with the goal of achieving the most optimum mix of values from these lands as one of the end products of the process. All major existing and proposed uses of the lands involved in the ranch unit are taken into account, and a communication process is established between the various participants with regard to their respective planning and management plans. This communication process between the various stewardship participants within the ranch unit is designed to help prevent conflicts between participants by providing an opportunity to discuss the causes and effects of planning and management actions prior to their implementation.

- IV. *Organization:* A Technical Review Team (T.R.T.) shall be formed as the basic organizational structure for the Sun Stewardship Program. The T.R.T. shall be composed of one representative from the following operational entities:

Sun Ranch
Bureau of Land Management
Wyoming Game and Fish Department
Wyoming Wildlife Federation
State Planning Coordinator
or
Governor's Office

A program shall be selected annually by the T.R.T. to serve for a period of one year.

The T.R.T. shall:

- A. Review and adopt a planning document composed of the following plan segments:
1. The existing situation
 2. An identification of issues, problems and opportunities
 3. A plan of action
 4. A monitoring plan
 5. An appendix
- B. Recommend a course of action on any specific project's implementation to the responsible landowner or managing agency.
- C. Annually review the planning document and this Memorandum of Understanding.
- D. The program chairperson shall call for a meeting of the T.R.T. or of all the Stewardship Program Participants whenever appropriate. Technical Review Team meetings shall require at least sixty percent attendance to constitute a quorum for conducting business. However, all final recommendations must have total consensus and be within the guidelines of Section V., General Considerations.
- V. *General Considerations:*
- A. The participants in the Sun Stewardship Program shall retain responsibility for meeting all existing laws, policies and regulations of their respective agencies or organizations.
- B. When management practices are to be applied to a particular parcel of land, the owner of that land shall be the party responsible for making a final decision on that project, subject to the limits of the owner's property rights and applicable statutes.
- C. The existing priorities and management objectives for publicly administered lands in the ranch unit will continue to be determined by the responsible agency. However, the Agencies are encouraged, and authorized by the intent of Section 12 or Public Law 95-

514, the Public Rangelands Improvement Act, to be flexible in their interpretation of existing policies, and to, "explore innovative grazing management policies and systems which might provide incentives to improve range conditions". (p.L. 95-514, p. 92-1808).

- D. Private landowners are encouraged to include multiple use objectives in existing plans and actual management actions over which they exercise control.
- E. Technical assistance will be provided from the Office of the State Planning Coordinator, or from other appropriate sources, as requested by the participants of the Sun Stewardship program.
- VI. *Policy:* The signatories agree to cooperate in the development of a Stewardship program on the Sun Ranch using the approach of cooperative planning and management of the various existing values on the respective ownerships. Signatories also agree to accept all of the terms and conditions of this Memorandum of Understanding as the standard operating procedure for the Sun Stewardship Program. The organizational structure is hereby adopted and total consensus recommendations or decisions of the full T.R.T. shall be adopted and supported by all signing parties, within the guidelines provided in Section V., General Considerations, above.
- VII. *Modifications:* This Memorandum of Understanding shall be reviewed annually by the signatories, and will remain in effect until modified or cancelled by the signing parties. Recommendations for modifications or decisions to cancel should be submitted to the Stewardship Technical Review Team fifteen days in advance of a meeting called to discuss the proposed change in status of the agreement.

Sun Land and Cattle Company

Rawlins District Bureau of Land Management

Governor of Wyoming

Wyoming Game & Fish Department

Wyoming Wildlife Federation

Carbon County

BYLAWS OF THE
SMITH RIVER COORDINATED RESOURCES MANAGEMENT COMMISSION
MEAGHER COUNTY
MONTANA

Article I

NAME

The name of the organization formed by adoption of these bylaws is Smith River Coordinated Resources Management Commission, hereafter referred to as the SRCRMC, shall be to:

- A. Present a unified voice on Smith River area resource issues in order to conserve soil, water and related natural resources;
- B. Improve management of land and resources while promoting cooperation among agencies, landowners, groups and individuals responsible for or interested in these resources;
- C. Provide leadership in the wise use and management of the natural resources necessary to preserve and promote the health, safety and general welfare of the people in the area;
- D. Advise and educate, regarding resource issues, provide resource data to land users and units of local, state and federal government, and assist in coordinating resource planning;
- E. Develop and implement resource management programs and activities to achieve compatible resource uses based on sound ecological and economic relationships;
- F. Increase efficiency and reduce resource management costs of public agencies, private landowners, communities and general public.
- G. Protect water and property rights of landowners along the Smith River and its tributaries.

Article III

MEMBERSHIP

Section 1. The membership of SRCRMC shall be voluntary and shall be limited to _____ members with only one member representing each of the following:

Farm Bureau
Montana Fish, Wildlife & Parks
U.S.D.A. Forest Service
Mining
Friends of the Smith River
Meagher County Conservation District
Meagher County Livestock Growers

Ranchers on the Smith River
Cabin Owners on the Smith River
Recreation Landowners on the Smith River
Recreation Floater
Floating Outfitter
Montana Wildlife Federation
Trout Unlimited
Timber Industry
Meagher County Commissioner
City of White Sulphur Springs
White Sulphur Springs Chamber of Commerce
Montana State Lands
North Fork Water Users
Cascade County Conservation District

These members shall constitute the voting membership of SRCRMC. They shall be members in good standing of the organizations they represent or the agencies which employ them.

Section 2. The individual members shall be appointed to the SRCRMC by the respective agencies, organizations or communities represented above. It is assumed that individual members of agencies, organizations and communities have the authority to represent the agency, organization and community concerning management decisions.

Section 3. Any member desiring to resign from SRCRMC shall submit his/her resignation in writing to the Administrative Council for action. Except in cases of extreme personal urgency the resignation will not be effective until the sponsoring organization has appointed a replacement member. Membership shall be deemed vacant following the third consecutive absence of any member from meetings duly called and the sponsoring organization notified regarding reappointment.

Section 4. Any member can designate a proxy from the same organization by presenting a letter, personally, by mail, or with the designated proxy, to the chairperson at the start of or prior to the meeting. The letter must state who the proxy is, how long the proxy will be effective and be signed and dated by the member.

Article IV

ORGANIZATION

Section 1. The Administrative Council

- A. The Administrative Council shall have general supervision of the affairs of SRCRMC between its business meetings, fix the hour and place of meetings, make recommendations to the SRCRMC and shall perform such other duties as are specified in these by laws. The Administrative Council shall be subject to the

orders of the SRCRMC and none of its acts shall conflict with action taken by the SRCRMC.

- B. The Administrative Council shall have general supervision of the affairs of SRCRMC between its business meetings, fix the hour and place of meetings, make recommendations to the SRCRMC and shall perform such other duties as are specified in these bylaws. The Administrative Council shall be subject to the orders of the SRCRMC and none of its acts shall conflict with action taken by the SRCRMC.
- C. Unless otherwise ordered by the Administrative Council, regular meetings of the Administrative Council shall be held annually or as needed. Special meetings of the Administrative Council may be called by the chairperson.

Section 2. Officers

- A. The officers of the SRCRMC shall be a chairperson and a secretary/treasurer. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the SRCRMC.
- B. At the annual May meeting candidates shall be nominated from the floor for the officers and Administrative Council positions. The officers and Administrative Council positions shall be elected by ballot to serve for one (1) year or until their successors are elected. In the case that there is only one candidate nominated for an office or position, balloting may be dispensed with. Terms of office shall begin at the close of the meeting at which the officers are elected.
- C. No member shall hold more than one office at a time with the exception of the secretary/treasurer, whose duties may be combined until such time that the SRCRMC deems it advisable to be separated.
- D. Members holding an existing office may be re-elected to the same office or to a different office.

Section 3. Committees

- A. Technical Action Groups (*TAGs*), normally standing committees, shall be appointed as needed to perform specific tasks as prescribed by the SRCRMC.
- B. TAGs shall consist of any member with a clear interest in the assigned task. TAGs should consist of 3-5 members with that number being exceeded only under special circumstances, as determined by the SRCRMC.
- C. The duties of the TAGs shall be:

1. Field proof the assigned problems and objectives, reporting apparent inconsistencies to the SRCRMC:
 2. Evaluate the available inventory information for its adequacy to support the problems, objectives and alternatives, requesting additional information through the SRCRMC:
 3. Identify alternatives to meet the objectives
 4. Recommend a preferred alternative to the SRCRMC:
 5. As directed by the SRCRMC implement and monitor the approved alternative and recommend its revision, should the need arise.
- D. The SRCRMC shall appoint from time to time such committees, standing or special, as it deems necessary to carry on the work of the SRCRMC. Non-members of SRCRMC may be appointed to these committees by the SRCRMC.
- E. The officers of the SRCRMC shall be ex-officio members of all committees and TAGs.

Article V

MEETING

Section 1. The regular meetings of the SRCRMC shall be held the 1st Thursday of the month unless otherwise ordered by the SRCRMC or by the Administrative Council.

Section 2. Special meetings may be called by the chairperson, the Administrative Council, or by the written request of a majority of the SRCRMC. The purpose of a special meeting shall be stated in the call. Meetings involving the SRCRMC held in the field that are not regularly scheduled fall into this category. Except in cases of emergency at least five (5) days notice shall be given before a special meeting is scheduled.

Section 3. Fifty-one percent (51 %) of the members of the SRCRMC shall constitute a quorum.

Section 4. All SRCRMC meeting dates, times and places shall be posted at the U .S.D.A. Building, Highway 12 South, White Sulphur Springs, Montana. All SRCRMC meetings shall be open to the public.

Section 5. All actions, recommendations and decisions made by the SRCRMC must have the unanimous consent of the SRCRMC quorum.

Article VI

PARLIAMENTARY AUTHORITY

The rules contained in the current edition of **Robert's Rules of Order, Newly Revised** shall govern the SRCRMC in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the SRCRMC may adopt.

Article VII

AMENDMENT OF BYLAWS

These bylaws may be amended at any meeting, either regular or special, of the SRCRMC by a two-thirds vote of the quorum, provided the amendment has been submitted in writing at the previous meeting.