



**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**



GLENWOOD SPRINGS FIELD OFFICE

**COOPERATIVE
MANAGEMENT AGREEMENT**
with
COLORADO CAVE SURVEY

June 2006



AGREEMENT NUMBER: BLM-CO-140-CMA-2006-001

COOPERATIVE MANAGEMENT AGREEMENT
between
BUREAU OF LAND MANAGEMENT, GLENWOOD SPRINGS FIELD OFFICE
and
COLORADO CAVE SURVEY

I. INTRODUCTION

A. PURPOSE

1) This Cooperative Management Agreement (CMA) is made and entered into between the Colorado Cave Surveyed (CCS) and the Department of the Interior, Bureau of Land Management (BLM), Glenwood Springs Field Office (GSFO). Both signatories of this MOU are herein referred to as *Partners*. The agreement is to establish a general framework of cooperation upon which the partners carry out the LaSunder Cave Plan and other cave activities on BLM administered lands. Such programs, projects, and activities complement both missions of the BLM and the CCS and are in the best interest of the public.

2) This Agreement addresses general management actions related to cave resources. Site-specific projects will be addressed in separate Volunteer Service Agreements or other appropriate documents. The terms of this agreement will be applicable to all BLM/SWR site-specific projects.

3) The BLM authorized Officers are encouraged to authorize projects, agreements and activities under their jurisdiction as outlined in the Memorandum of Understanding between the U.S. Department of the Interior, Bureau of Land Management, the National Speleological Society and the Cave Research Foundation, agreement number WO204, dated June 11, 1984.

B. OBJECTIVE

Through a cooperative effort, the BLM and the CCS will work together to maintain and improve cave resources within public lands, seek and use the skills, knowledge and expertise in CCS to plan, develop and implement cave management and conservation efforts with BLM and use volunteers and volunteer labor under a Volunteer Services Agreement or appropriate documents.

- Plan for reasonable and appropriate access while preserving the caves fragile resources, scientific and research values.
- Promote and provide opportunities for environmental stewardship of LaSunder Cave.
- Encourage cave users to be stewards, advocates & volunteers.
- Educate cave users on the caves values & how to enjoy them with minimum impact.
- Preserve the caves pristine resources and setting beyond the tight crawl.

- Maintain unique biotic, paleontologic and mineralogic aspects of LaSunder Cave.
- Promote collaborative management and planning.
- Improve the understanding of environmental, social conditions and trends.
- Expand the partnership to implement on-the-ground management, research, enhance funding & implementation of recommendations.

C. AUTHORITY

- 1) This Agreement is made under the following authorities:

The Federal Land Policy and Management Act of 1976
43 U.S.C. 1701 (1976)
31 U.S.C. 6301-6308 (1982)
Federal Cave Resources Protection Act of 1988

- 2) Direction and guidance for Cooperative Management Agreements for cave resources management is set forth in the Memorandum of Understanding between the United States Department of the Interior, Bureau of Land Management, the National Speleological Society and the Cave Research Foundation (1984).

D. BACKGROUND

LaSunder Cave was recently discovered in 1989, and through digging was opened up to its present extent in 1991. Resource damage was occurring due to increased visitation, trampling of the floor, disturbance from unauthorized exploratory digging and breakage of cave formations. In cooperation with Colorado Cave Survey a gate was installed in 1994 to control visitation and protect cave resources.

LaSunder's natural resources are unique in that the cave's recent discovery has allowed it to be relatively pristine in condition unlike other caves in the area. LaSunder also contains a profuse display of rare and delicate anothodites. The cave has provided opportunities for regional and national research related to its rich natural resources.

Since the installation of the gate visitation has been limited to research and inventory work until a management plan was completed. A cave management plan was completed in Summer of 2005. The plan incorporated an inventory and classification report, issues and concerns identified in BLM's NEPA process and through coordination with Colorado Cave Survey and other interested individuals.

"The primary goals of the LaSunder Cave Management Plan are to preserve and protect the biotic, mineralogical and paleontological values in LaSunder Cave. It should provide reasonable and appropriate access and build a foundation of data as a basis for decision making."

The BLM is responsible for managing approximately 265 million acres of public lands located mostly in 11 Western States, including Alaska, and in small parcels scattered across the Eastern United States. It is the mission of the BLM to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations. The BLM is committed to providing multiple use recreational opportunities that meet the needs of our diverse customers while improving the health of the land. The work of the Colorado Cave Survey supports the BLM's mission and fosters community based partnerships that help conserve and protect public land resources.

E. BENEFITS

1) The CCS through formal or informal interactions will play an increased role in the management of LaSunder Cave located on BLM public lands. This role would allow BLM and CCS to combine expertise and knowledge to the benefit of the cave resource. It is mutually beneficial for both the CCS and the BLM to work cooperatively to further carry out the Launder Cave Management Plan (see attached).

II. TERMS OF AGREEMENT

A. This Agreement shall be in effect for five years from the date signed. This agreement may be renewed or extended for an additional five years by mutual written agreement of all parties to this agreement. No extension of this agreement may extend beyond a five years of the most recent signing.

B. All BLM/CCS activities covered under this Agreement will be consistent with BLM's management decisions in land-use and activity plans.

C. The BLM or the CCS may cancel this agreement at any time provided 30-day written notification is given to the other party. The grounds for cancellation shall be addressed in the notification.

D. The cooperating parties recognize that this Agreement cannot be used to grant the CCS or its members the right of exclusive use to any cave(s) located on public lands.

E. No actions are to be taken by any member of the CCS which deal with direct regulatory or law enforcement activities.

F. This Agreement shall not obligate the BLM to expend funds in excess of appropriations authorized by law, budgeted and/or approved. Activities under this agreement are dependent on the availability of adequate BLM personnel to monitor and supervise such activities. Should it be necessary to reimburse the CCS for any work that will be ordered, a contract or assistance agreement will be awarded before work is started.

G. Volunteer Services Agreements, formulated in accordance with BLM Manual Section 1114, are to be used when the authorized officer for the BLM determines that cooperating personnel need to be:

- 1) protected under the Tort Claims Act
- 2) subject to Workmen's Compensation
- 3) identified as responsible for completing specific tasks or projects.
- 4) reimbursed for expenses incidental to volunteer work
- 5) assigned to complete administrative functions for the BLM

CCS Personnel working on BLM cave program projects will be covered by the BLM Volunteer Service Agreement. Such Agreements will be renewed to correspond with the renewal/extension of the CMA.

III. AREAS OF RESPONSIBILITY

This section describes the general and specific areas of responsibility of both the SWR and BLM.

A. CCS RESPONSIBILITIES

- Provide materials, equipment, technical assistance, information, data, etc. as appropriate and available to help the partners meet the goals and objectives described in the LaSunder Cave Management Plan.
- Oversee permitting process and visitation prescriptions as identified in Appendix A of the LaSunder Cave Management Plan.
- Oversee monitoring as part of permit process and coordinate with BLM as described in the LaSunder Cave Management Plan
- Coordinate with BLM on volunteer projects, monitoring, inventory, and project work within caves on BLM lands.
- Maintain coordination and oversight with Colorado Grottos to achieve the LaSunder Cave Management Plans goals and objectives and implement the identified actions in a coordinated way.
- Meet semi-annually or more often with parties to this agreement for the purpose of coordinating activities and progress.
- Assure that actions taken by any person's working under this Agreement are consistent with safe caving and Leave-No-Trace practices.
- The trip leader shall give an orientation program on safety, responsibilities, hazards, required equipment, fragile or delicate areas, emergency procedures and gate combinations to all individuals prior to entering a cave, including projects covered by the volunteer service agreement.
- Report all accidents, injuries and property damage within 24 hours after an incident in a written incident report, submitted to the appropriate BLM office.

B. BLM RESPONSIBILITIES

The BLM will actively assist the CCS to the extent that work priorities, budget and manpower constraints allow, with achievement of mutually agreed upon tasks. BLM responsibilities include, but are not limited to, the following:

- Provide materials, equipment, technical assistance, information, data, personnel, etc. as appropriate and available to help the partners meet the objectives of the LaSunder Cave Management Plan consistent with applicable Federal laws, regulations, BLM plans, and other management direction.
- Provide oversight for all actions taken on BLM public lands.
- As feasible, provide environmental analysis and engineering analysis for actions on public lands.
- Meet semi-annually or more often with parties to this agreement for the purpose of coordinating permit management, monitoring, work projects, research and inventory opportunities and progress.
- Actively coordinate with parties to this agreement on issues that may affect the achievement of the goals and objectives of the LaSunder Cave Management Plan.
- Supply any necessary information such as lock combinations, previous research and inventory results, maps, slides, photographs for presentation or photo copying. BLM may also provide equipment and supplies as available for major projects.
- BLM will provide an opportunity for the CCS to participate in cave resource related project planning, Activity planning and resource management planning in the initial stages (scoping) as early as possible, consistent with Federal regulations.
- BLM may reimburse CCS personnel for incidental expenses when set forth by mutual agreement in project-specific Volunteer Service Agreements, Challenge Cost Share or Cooperative Agreements.

C. IT IS MUTUALLY AGREED AND UNDERSTOOD BY PARTNERS THAT:

- This CMA is neither a fiscal nor a funds obligations document. This agreement shall not obligate either of the Partners to this agreement to expend appropriations or to enter into any contract or other obligation with the other partner in this agreement.
- In carrying out this CMA, there shall be no discrimination against any person because of race, color, national origin, sex, age, religion, or disability.
- This CMA shall not be interpreted to imply that the United States, the Department of the Interior, or the BLM endorses any product, service, or policy of CCS. The CCS shall not take any action or make statements that suggests or implies such endorsement.
- Each signatory party shall obtain prior approval from the other of all statements regarding projects or work products intended for the public that refer to this CMA or to the BLM or name or title of any BLM employee involved in connection with this agreement.
- The Partners will consult, at least annually, to discuss actions to implement the purpose of this CMA.

IV. PROPRIETARY INFORMATION

A. Information specifically requested by BLM from members of the CCS through work as volunteers under a Volunteer Service Agreement with the BLM belongs to the Federal Government and shall be exempt from the Freedom of Information Act in accordance with the Federal Cave Resources Protection Act of 1988.

B. Information gathered by the CCS other than under a Volunteer Service Agreement belongs to the CCS. Any information held by the CCS but loaned to BLM to aid in resource management decision making will be treated as propriety information and shall be exempt from the Freedom of Information Act in accordance with the Federal Cave Resources protection Act of 1988.

V. PARTICIPANTS and AGENCY CONTACTS

The Principal contacts for this MOU are:

Colorado Cave Survey
Carl Bern

Denver, CO

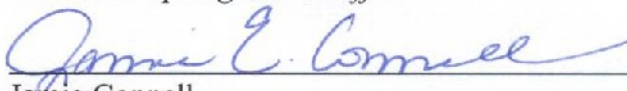
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The participants to this CMA are the Colorado Cave Survey and the Bureau of Land Management, Glenwood Springs Field Office

*Bureau of Land Management
Glenwood Springs Field Office*



Jamie Connell
Field Office Manager

10/18/06

Date

Colorado Cave Survey



Carl Bern
Chairman

8/22/06

Date