CONSERVATION AGREEMENT

AND

MANAGEMENT PLAN

FOR

WESTSLOPE CUTTHROAT TROUT

(Oncorhynchus clarki lewisi)

IN

MONTANA

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
1420 East Sixth Avenue
Helena, Montana 59620

JANUARY 1999

TABLE OF CONTENTS

LIST OF TABLES

CONSERVATION AGREEMENT
for
WESTSLOPE CUTTHROAT TROUT
in
MONTANA

This Conservation Agreement (Agreement) has been developed to expedite implementation of conservation measures for westslope cutthroat trout *(Oncorhynchus clarki lewisi)* in Montana as a collaborative and cooperative effort among resource agencies, conservation and industry organizations, resource users, and private land owners. Threats that warrant listing of westslope cutthroat trout as a Species of Concern by the State of Montana, a Sensitive Species by the U.S. Forest Service, and as species of special management concern by the U.S. Fish and Wildlife Service should be significantly reduced or eliminated through implementation of this Agreement and accompanying Management Plan.

CONSERVATION AND RESTORATION GOAL

Background

A management goal and objectives for westslope cutthroat trout (WCT) in Montana were developed by the Westslope Cutthroat Trout Steering Committee (WCTSC) which includes representatives from American Wildlands, Montana Department of Natural Resources, Montana Farm Bureau, Montana Fish, Wildlife and Parks, Montana Stockgrowers Association, Montana Trout Unlimited, Montana Wildlife Federation, Natural Resource Conservation Service, private landowners, U.S. Bureau of Land Management, U.S. Fish and Wildlife Service, and U.S. Forest Service. Two earlier drafts of the management goal were presented to the public for their review and comment. Comments were reviewed by the WCTSC and incorporated into the management goal and objectives.

The basic premise of the management goal for WCT presented below is to protect existing populations, and ensure the long-term persistence of WCT throughout their historic range in Montana. In order to protect existing populations and help them persist over time, it will be necessary to increase numbers in some, and expand others. Simply maintaining the status quo will not be sufficient for long-term persistence of all populations.

Technically feasible and measurable objectives to attain the management goal have been developed as part of the goal. Objectives are not regulations, but rather are guidance that, if followed and achieved, should ensure the management goal is met. Ideally, 100% attainment of the objectives should occur. Realistically, objectives may not be attained at 100%. For example, because of natural and human-caused variability, it is probable that some populations will go

extinct over time. However, additional populations will be reestablished, and other populations not currently known likely will be discovered, resulting in a high level of compliance overall.

Although the goal and objectives are based on the best current scientific thought, as outlined in Appendix A of the management plan, the WCTSC acknowledges that there remain sources of uncertainty about the habitat needs and population dynamics of WCT. This uncertainty may necessitate the goal or objectives being modified over time to reflect changes in current knowledge about WCT.

GOAL:

The management goal for westslope cutthroat trout in Montana is to ensure the long-term, self-sustaining persistence of the subspecies within each of the five major river drainages they historically inhabited in Montana (Clark Fork, Kootenai, Flathead, upper Missouri, and Saskatchewan), and to maintain the genetic diversity and life history strategies represented by the remaining local populations.

OBJECTIVES:

The following objectives will be required to attain the goal of this strategy:

Objective 1. Protect all existing pure WCT populations (known as of 1/1/99)
Objective 2. Protect introgressed (greater than or equal to 90%) populations
Objective 3. Ensure the long-term persistence of the westslope cutthroat trout within their native range
Objective 4. Provide technical information, administrative assistance, and financial resources to assure compliance with the listed objectives and encourage conservation of WCT
Objective 5. **Design and implement an effective monitoring program by the year 2002 to document persistence and demonstrate progress towards goal**

Objective 1. Protect all existing pure WCT populations (known as of 1/1/99)

For purposes of this objective and overall management plan, WCT populations are assumed to be pure westslope, until determined by genetic testing, if they have the physical characteristics of WCT described by Behnke (1992). All pure populations are to be provided the protection necessary to ensure their long-term persistence. Protection includes expansion of small, isolated populations where possible to prevent extirpation due to small population size or stochastic events. In some instances protection could also include genetically replicating and establishing a population that cannot otherwise be maintained in its present condition (i.e., establishing that genetic stock at another location).

Also for the purposes of this Conservation Agreement, a population is defined as each stream identified in the MRIS database and on 7.5 minute USGS maps, whether named or unnamed, that supports WCT. Thus, each tributary that supports WCT, regardless of its length, constitutes a population. While this is recognized as a somewhat arbitrary definition, it will help ensure consistency when identifying populations for management and monitoring purposes.

Objective 2. Protect introgressed (greater than or equal to 90%) populations

Hybridized populations with greater than a 90% WCT genetic contribution have genetic value and indicate suitable habitat for WCT. The protections afforded to pure westslope populations, therefore, will be provided to such populations until land management and fish management agencies make a determination about the role of such habitats for WCT restoration. Determinations will be conducted on a water by water basis as part of basin planning that will be completed for fourth code HUCs (see Agreement Assessment section on page 5).

Objective 3. Ensure the long-term persistence of the westslope cutthroat trout within their native range

The long-term persistence of westslope cutthroat trout within their native range will be ensured by maintaining at least ten population aggregates distributed throughout the five major river drainages in which they occur, each occupying at least 50 miles of connected habitat, distributed as follows:

Saskatchewan River	At least one interconnected population
Kootenai River drainage:	At least one interconnected population
Flathead River drainage:	At least two geographically separate interconnected populations
Clark Fork River drainage:	At least two geographically separate interconnected populations
Missouri River drainage:	At least four geographically separate interconnected populations, with at least one each in the East Front tributaries (Sun, Teton, Marias), southern tributaries (Smith, Belt, Judith), Upper Missouri and Middle Missouri drainages

To ensure that these population aggregates persist, they must be isolated from potentially introgressing species, and at least one local population (tributary population within the connected habitat), must persist for more than 10 years (representing 2-3 generations). Monitoring at a frequency of at least once every 10 years must be done to document this persistence. If at least one local population persists within each population aggregate, individuals from that persisting local population would have the potential to disperse and re-found any other local population that might go extinct.

The interconnected populations within each major river drainage should be geographically separate to help ensure long-term persistence. The subbasins targeted to provide these interconnected population aggregates will be identified according to the attached schedule.

(Table 1). Every effort should be made to develop interconnected populations that have open connectivity up and down stream throughout at least 50 continuous miles of stream habitats. However, it might be impossible to have upstream connectivity of all headwater habitats of some tributaries due to natural upstream migration barriers. Where these conditions exist, monitoring of persistence must be done above any natural barriers, as well as somewhere else within the connected habitats, to ensure that these segments of the population persist. If isolated headwater segments become extinct, those population segments must be re-founded by moving WCT from below the natural barrier.

While at least 50 miles of interconnected habitats has been recommended as the minimum for conserving population aggregates, it might not be possible to reach this goal in a particular geographic region. If detailed analyses have failed to identify any area in a geographic region where at least 50 miles of stream habitats could be connected to support interconnected populations; the largest area of interconnected habitats that can be found should be used to develop interconnected populations so that the intent of the objective is met. In this case, the rationale and analyses showing the unavailability of larger habitat areas must be documented.

Before the 50-mile interconnected population is publicly identified, landowners within the 50-mile corridor will be contacted and provided information about project proposals, and will be provided the opportunity to contribute to the project design. Landowner "buy-in" will be an essential component of identifying the locations.

Objective 4. Provide technical information, administrative assistance, and financial resources to assure compliance with the listed objectives and encourage conservation of WCT

Numerous heretofore unsurveyed populations of WCT may occur on private lands. Private landowners on whose lands these unknown populations exist, as well as those on whose lands WCT are known to exist, are hesitant to allow survey, inventory, or follow-up monitoring due to fears about potential ESA listing and subsequent regulation. Similarly, because of unknown regulatory restrictions associated with potential ESA listing, landowners whose lands will be included as part of the expansion of existing populations, particularly those within the 50-mile connected populations, are hesitant to support such efforts. To help offset/alleviate these concerns, it is important that administrative assistance be provided to private landowners wherever possible to provide regulatory relief. Such relief includes approval of negotiated, mutually acceptable Candidate Conservation Agreements with assurances (if the species remains unlisted), or Habitat Conservation Plans if the species becomes listed. Most landowners lack the financial resources or technical expertise to write such agreements. Therefore, these types of agreements will be completed with landowners, if requested, as part of the planning and environmental review (MEPA/NEPA) process associated with expansion of existing populations. The U.S. Fish and Wildlife Service and Montana FWP will jointly share responsibility to actually prepare such agreements for private landowners. Provisions included in the CCA/HCP will be negotiated with landowners, will meet the biological needs of WCT, and will provide landowners with assurances that they will not face further requirements beyond what is required

by the Agreements. If possible, incentives (e.g., waiver of inheritance tax) should be provided to those landowners who voluntarily harbor and nurture populations of WCT.

Objective 5. **Design and implement an effective monitoring program by the year 2002 to document persistence and demonstrate progress towards goal.**

It is important that these objectives are read together and are not considered independent of one another. For example, some of the major river basins may already meet or exceed the requirements of Objective 3. This does not mean that the other existing interconnected populations in those basins in excess of those that meet Objective 3 may be degraded, because all existing pure populations and some introgressed populations are to be protected under Objectives 1 and 2.

The importance of Objective 4 cannot be overemphasized. The success of the westslope cutthroat management plan depends upon the cooperation of all land managers and users. This management plan emphasizes cooperative efforts between land owners and mangers as well as other resource users and agencies as the key to westslope cutthroat trout management. Cooperation will be maximized if the responsible agencies provide the necessary information and assistance to other cooperating entities.

Once the management goal is met in a drainage, carefully monitored recreational fishing may be allowed in those populations that contain a sufficient number of individuals to provide for regulated angler use.

AGREEMENT

By signing this Agreement, the signators accept the goals and objectives contained herein, will incorporate them into their respective planning and budgeting process, and will strive to accomplish the goals and objectives within identified time frames. Further, the signators commit to requesting sufficient funding to implement this plan through their respective budgeting processes. Implementation of this plan, and achievement of its goals and objectives should ensure the long-term viability of WCT.

The success of this agreement towards achieving the management goal and objectives for WCT in Montana will be determined by: 1) the number of extant pure populations in the future vs. the present number known as of 1/1/99 (Table 2), 2) the number of stream miles occupied by pure WCT populations (should increase), and 3) the overall trends of monitored populations (should be stable or increasing). The status of the Westslope Cutthroat Trout Conservation Agreement will be evaluated annually to assess program progress and ensure its continued satisfactory implementation.

It must be realized that neither this Agreement and Management Plan, nor any other regulatory (e.g., ESA) or voluntary planning effort, will result in complete restoration of WCT throughout their historic range. Many of the factors and threats that have led to the current restricted distribution of WCT in Montana are irreversible (e.g., establishment of introduced species in mainstem rivers, permanent destruction of habitat), at least with current technology. For example, the introduction of nonnative species has eliminated WCT or swamped WCT genes in portions of their range. Because of the size and complexity of the waters where these introduced species have become established, it is not logistically or technically possible to eradicate those species in many of them. Therefore, this plan attempts to reduce or halt threats to the viability of WCT, and then restore and expand a sufficient number of populations to ensure the long-term persistence of WCT in Montana.

AGREEMENT ASSESSMENT

To assess program progress, a baseline of known pure populations in each fourth code HUC (e.g., Bitterroot River, Big Hole River, Smith River) as of 1/1/99 will be established (Table 2). Per Objective 1, all of these known populations must be protected. The majority of known westslope cutthroat trout populations have not been genetically tested, and are classified as potentially pure. Potentially pure populations that are later proven to be pure through genetic analysis will be added to the baseline of pure populations. For example, if there are 8 known pure populations within a fourth code HUC, then the baseline that must be maintained in that HUC is eight. If over the next five years four potentially pure populations are determined by genetic testing to be pure, the baseline will become 12 (8+4). That baseline of 12 pure populations in that fourth code HUC must then be maintained. If found to be introgressed, potentially pure populations will be protected as pure until a site specific management direction is developed for the population.

If a pure population becomes extirpated or introgressed, due to "natural" or human-caused reasons, it must be "replaced" by either locating pure populations in previously unsampled streams, or by (re)establishing pure WCT populations in areas lacking pure WCT (either fishless streams or streams where competing or introgressing species are first eradicated). In some instances, introgressed populations have been mapped above and below reaches in which pure WCT have been mapped. In these instances, genetic testing is probably necessary to verify the purity. These mapped pure populations surrounded by introgressed populations will not count against the baseline if, within five years after this plan is signed, they are proven through genetic analysis to be introgressed. Those populations that are not tested within five years will be considered pure and will be included in the baseline. If later they are found to be introgressed, they must be "replaced."

Management plans will be developed for each fourth code HUC identifying all pure populations, priority introgressed populations, how those areas will be protected; areas where survey work should be conducted; and a plan for monitoring. These management plans could also identify the status of introgressed populations, and justification for how each of those populations will be

managed (e.g., justification for keeping or protecting as pure or "releasing" introgressed populations should be included in the plan). At least two 4th code basin management plans will be completed each year - one each from the Missouri and Columbia River drainages..

I. OTHER SPECIES INVOLVED

The primary focus of this agreement is the conservation and enhancement of westslope cutthroat trout and the ecosystems upon which they depend; however, most other aquatic and riparian-dependent species occurring within or adjacent to westslope cutthroat trout habitat will also benefit. Most notable of these are bull trout (*Salvelinus confluentus*), inland redband trout (*Oncorhynchus mykiss* ssp.), and fluvial Arctic grayling (*Thymallus arcticus*). By using an ecosystem approach, the accomplishment of actions identified in the management plan should significantly reduce or eliminate threats for several species.

II. AUTHORITY

* The signatory parties hereto enter into this Conservation Agreement and the attached Management Plan under federal and state law, as applicable, including, but not limited to Section 2(c)(2) of the ESA, which states that "the policy of Congress is that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species."

* All parties to this Agreement recognize that they each have specific statutory responsibilities that cannot be abdicated, particularly with respect to the management and conservation of wildlife, their habitat, and the management, development and allocation of water resources. Nothing in this Agreement or the Management Plan is intended to abrogate any of the parties' respective responsibilities.

* This Agreement is subject to, and is intended to be consistent with, all applicable Federal and State laws and interstate compacts.

* This instrument in no way restricts the parties involved from participating in similar activities with other public or private agencies, organizations, or individuals.

* Modifications within the scope of this instrument shall be made by the issuance of a bilaterally executed modification prior to any changes being performed.

III. STATUS OF WESTSLOPE CUTTHROAT TROUT IN MONTANA

WCT distribution was thought to be restricted to headwater streams in Montana by as early as 1959 (Hanzel 1959). WCT were placed on the U.S. Fish and Wildlife Service's Red Book of threatened and endangered species from 1966-1972, but were dropped from that list with passage of the Endangered Species Act in 1973 due to uncertainty about their classification. They were

considered a Category 2 Candidate species by the U.S. Fish and Wildlife Service until the deletion of that category in February 1996. WCT are listed as a Sensitive Species by the U.S. Forest Service, and have been listed as a Class A State Species of Special Concern by the Montana Department of Fish, Wildlife and Parks and the Montana Chapter of the American Fisheries Society since 1972. Class A designation indicates limited numbers and/or limited habitats both in Montana and elsewhere in North America; elimination from Montana would be a significant loss to the gene pool of the species or subspecies. The U.S. Fish and Wildlife Service was petitioned to list WCT as threatened under the Endangered Species Act on May 21, 1997. Factors cited in the petition to support listing include detrimental land management activities and presence of introduced nonnative species that compete with, prey on, or hybridize with WCT. The petitioners cited a lack of adequate protective and restorative programs, and a continued jeopardy to populations due to ongoing and proposed activities and programs as justification to list the subspecies.

Recent extensive surveys and genetic testing of populations have been ongoing, with data being entered into the Montana Rivers Information System (MRIS) database. A summary of the MRIS GIS database shows that WCT in Montana occupy reaches that total over 11,900 stream miles within their historical range in the Columbia and upper Missouri River basins in Montana (based on 1:100,000 scale hydrography). Pure populations occupy reaches totaling 2,630 stream miles (Table 2). Federal lands are estimated to support over 75% of the remaining WCT in Montana.

Extensive management, conservation, and restoration efforts have been undertaken on behalf of WCT in Montana in recent years to stop declines in numbers and distribution, to protect and expand existing populations, and to gain a better understanding of the biology, habitat requirements, and behavior of the subspecies. Actions that have been undertaken include: imposition of restrictive fishing regulations, extensive survey and inventory efforts, genetic testing of populations to determine uniqueness and purity; development of brood stock and genetic conservation guidelines, protection of important populations, restoration and enhancement of habitat and populations, enforcement of laws, education efforts, and cooperative development of this management plan.

IV. PROBLEMS FACING THE SPECIES

The success of any conservation or recovery program depends on eliminating or reducing the impact of activities that threaten WCT. Threats to WCT are numerous, and vary by location. Many are site specific. Threats to WCT can generally be categorized as follows:

A. The present or threatened destruction, modification, or curtailment of its habitat or range
B. Disease, predation, competition and hybridization
C. Over utilization for commercial, recreational, scientific, or educational purposes
D. The inadequacy of existing regulatory mechanisms
E. Other natural or human induced factors affecting its continued existence

It is these problems and threats to WCT that signatories to this agreement will address with management actions.

V. CONSERVATION ACTIONS

Threats to WCT, and thus restoration and recovery of WCT, can be grouped into three general categories: fisheries management, habitat management, and genetics/population management. Some or all may apply in each watershed. Management actions within individual watersheds must therefore address specific causes of decline in each of the three general categories (fisheries, habitat, and population management) that apply to a watershed. To meet the goal and objectives of this Agreement, the conservation actions outlined below must be implemented:

Fisheries Management

* Where logistically and technically feasible, and in accordance with the objectives of this plan, suppress or eradicate introduced species that compete with, hybridize with, or prey on WCT
* Implement angling regulations to prevent overharvest, and in specific locations where necessary, minimize incidental catch of WCT
* Educate anglers about fishing regulations and proper identification of WCT
* Develop/implement fish stocking policies that are not detrimental to WCT
* Develop/implement fish management goals that emphasize WCT in watersheds containing pure and priority introgressed WCT populations.
* Prevent unnecessary scientific collection of WCT and regulate collection methods
* Regulate private ponds/preclude stocking of fish that compete with, prey on, or hybridize with WCT in WCT watersheds
* Monitor and prevent spread of disease that may negatively impact WCT
* Prevent illegal introductions of nonnative aquatic flora and fauna
* Introduce or reintroduce pure WCT where necessary for management of WCT

Habitat Management

* Adopt land management guidelines and practices that maintain important WCT habitat
* Maintain/restore physical integrity of degraded habitat and protect important habitat from degradation
* Develop water quality standards that would protect WCT, and develop TMDLs as soon as possible for water quality impaired streams (streams listed on the DEQ 303(d) impaired water bodies list) that are priority WCT habitat
* Reduce point and nonpoint pollution in WCT waters
* Restore and maintain natural hydrologic conditions (flow, timing, duration)
* Operate dams to minimize impacts
* Identify, monitor, and maintain existing barriers to keep introduced species at bay

* Identify and document fishless streams/reaches above natural barriers as potential introduction/expansion locations.
* Determine effectiveness of existing habitat protection regulations and BMPs

Population/Genetics Management

* Maintain sufficient population size in watersheds and manage populations (numbers and life forms) for long-term viability
* Determine purity of WCT populations, and continue to monitor genetic status; Utilize non-lethal technology for genetic testing of small populations
* Prevent hybridization with rainbow trout and Yellowstone cutthroat trout
* Maintain/restore connectivity between populations - prevent fragmentation
* Survey for WCT in unsurveyed areas, and assess status of new populations
* Determine genetic baselines in each watershed
* Maintain locally adapted, genetically pure populations
* Develop genetically diverse brood stock for use in stocking and recovery programs
* Develop and follow fish stocking and reintroduction policies and protocols for WCT in Montana

Administration, Evaluation, and Information Management

* Secure funding and cooperation to implement restoration strategies (e.g., appropriations, MOUs, cooperative agreements, challenge cost share, etc.)
* Develop and implement education actions to garner support for WCT restoration
* Annually update MRIS database with WCT distribution, monitoring, and genetics data
* Ensure restoration strategies are included as part of, and coordinated with, other conservation efforts, management plans, and cooperative agreements
* Evaluate overall effectiveness of the conservation strategy
* Encourage establishment of local watershed groups to implement restoration objectives

VI. COORDINATION AND ADMINISTRATION

The following coordination and administration activities will occur to ensure the Agreement and Management Plan are implemented:

Coordinating Conservation Activities

* Administration of the Agreement will be conducted by the Westslope Cutthroat Trout Steering Committee (WCTSC) in coordination with other involved states. The WCTSC will consist of representatives from each signatory to this Agreement, and may include technical and legal advisors and other members as deemed necessary by the signatories.

* Because the areas of concern covered by this Agreement are located in Montana, and because the State of Montana presently has primary jurisdiction over westslope cutthroat trout within the State, the designated WCTSC leader will be the Montana Department of Fish, Wildlife and Parks representative.

* Authority of WCTSC shall be limited to making recommendations for the conservation of westslope cutthroat trout to the Director of FWP. Recommendations from the WCTSC will be forwarded to the FWP Director as preferred, to be altered only with explanations from appropriate management agency or organization staff. The Director will provide copies of comments, recommendations, and actions to the signatories and to other interested parties upon request.

* The WCTSC will meet annually, along with field personnel actually implementing this plan, to develop yearly conservation schedules, review budgets, and review and revise the Strategy as required.

* The WCTSC will meet at least on a semiannual basis to report on progress and effectiveness of the Conservation Strategy implementation.

* WCTSC meetings will be open to interested parties. Minutes of the meetings and progress reports will be distributed to the WCTSC, the species work groups and to other interested parties, upon request, by the WCTSC leader.

* Unforeseen Circumstances - Circumstances may arise that are unforeseen or are beyond the control of the cooperators and limit the ability of cooperators to meet the objectives of this Agreement (e.g., prohibition of the use of chemical fish toxicants; inability to establish 50-mile interconnected population). These circumstances may require modification of conservation objectives. If such circumstances arise, they will be addressed by mutual consent of the WCTSC, and necessary amendments to this Agreement will be formulated to accommodate those circumstances.

* Agreement Amendment Procedures - Amendments to this Agreement may be required over time. Minor amendments may be made at the discretion of, and by unanimous vote of the WCTSC. Major amendments to this Agreement can be proposed by any cooperating party. Proposed amendments must contain sufficient, justifiable reasoning for amending the plan. Proposed major amendments will be reviewed by members of the WCTSC, and comments regarding the proposed amendment will be will be provided to all members. Consensus of the WCTSC is required to approve, modify, or reject the proposed amendment. No amendments will be allowed that have the potential to further adversely affect any threatened or endangered species.

* Dispute Resolution - If disputes arise between members of the WCTSC regarding interpretation of, or implementation of the Agreement, the WCTSC will strive to resolve

them by consensus in a timely and equitable manner according to the following procedures: problems, concerns, and interpretations of this Agreement will be discussed at semi-annual work meetings of the WCTSC. It is hoped that most problems can be resolved at this level. Additional meetings may be convened at any time by any member of the WCTSC if disputes arise. If a consensus resolution to a dispute cannot be reached, an "unresolved dispute" will be deemed to exist upon written documentation by any member of the WCTSC. Within a 60-day period following documentation of an "unresolved dispute," the parties agree to seek facilitated resolution. The facilitator shall be mutually agreed upon by the signatory parties. If facilitated attempts to resolve a dispute fail, the majority vote will prevail. Majority and dissenting reports will be made to incorporate the position of individual members. These reports will be formally incorporated into meeting minutes.

Implementing Conservation Schedule

* It is expected that it will take approximately 10 years (see Table 1) to initiate all actions described in this plan. Completion of Objective 3 will likely take approximately 20 years, and all Objectives will need to continue in perpetuity thereafter. The parties agree to work collaboratively to implement this Agreement according to the schedule presented in Table 1.

* As leader of the WCTSC, Montana FWP will coordinate conservation activities and review conservation actions conducted by participants of this Agreement to determine if all actions are in accordance with the Management Plan.

* To effectively implement and administer this Agreement, a Montana WCT Coordinator is required. The coordinator position should be housed within Montana FWP, but should be jointly funded by the signators to this agreement. The Coordinator will be responsible for administering this Agreement, coordinating interagency projects, ensuring established time frames are being met, and completing the "accounting" to ensure at least baseline numbers are maintained.

* Conservation actions will be scheduled and reviewed on an annual basis by the signatories on recommendations from the WCTSC. The Management Plan is a flexible document and will be reviewed annually and revised as necessary.

Funding Conservation Actions

* As illustrated in Tables 4 and 5, numerous conservation and management actions are already being funded and implemented. However, additional funding will be necessary to achieve the objectives of this Agreement within the identified time frames. Because conservation of WCT is a cooperative effort, funding for the Agreement will be provided by a variety of sources. Federal, state and local sources will need to provide or secure funding to implement the Agreement, and will need to work in a cooperative manner on all aspects of it.

- Federal sources include, but are not limited to, traditional agency funding and challenge cost share funding provided by the United States Forest Service, U.S. Fish and Wildlife Service, Bureau of Land Management, Bonneville Power Administration, and Bureau of Reclamation. Other federal funding sources available for WCT conservation include National Fish and Wildlife Foundation *Bring Back the Natives* Grants, Land and Water Conservation (LWC) funds, the U.S. Fish and Wildlife Service's *Partners for Wildlife* Program, and the Natural Resource Conservation Service's *WHIP* and *EQUIP* grants.

- State funding sources include, but are not limited to, direct appropriation of funds by the legislature, and traditional agency funding and challenge cost share funding provided by the Montana Department of Fish, Wildlife and Parks, Montana Department of Natural Resources and Conservation, and Montana Department of Environmental Quality.

  Additional state funding sources available for WCT conservation include FWP's *Future Fisheries* Grants, DEQ *TMDL* grants, and various DNRC watershed and water quality grants.

- Local sources of funding will be provided by Conservation Districts, watershed groups, Native American affiliations, cities and towns, counties, local irrigation companies, and other supporting appropriations, and may be limited due to factors beyond local control. Additional local sources of funding include hydro power mitigation funding from Montana Power Company and Washington Water and Power, contributions from conservation organizations, industry groups, and individual private and industrial landowners.

* In-kind contributions in the form of personnel, field equipment, supplies etc., will be provided by participating agencies. A description of the responsibilities of management agencies towards conservation of westslope cutthroat trout is provided in Table 3. In addition, each agency will have specific tasks, responsibilities and proposed actions/commitments related to their in-kind contributions.

* It is projected that actions involved with the expansion of habitat and populations will require the greatest expense during the first ten years of the agreement.

* It is understood that all funding commitments made under this Agreement are subject to appropriations by local, state or federal entities.

Conservation Progress Assessment

* Baseline population numbers and annual assessments will be assessed by fourth code HUC. Management plans will be developed for each fourth code HUC identifying pure and priority introgressed populations, and how those populations will be managed and conserved.

* A semiannual assessment of progress towards implementing actions identified in this agreement will be provided to the Director of FWP by the WCTSC. This assessment will be

based on updates and evaluations by WCTSC members. The Director will provide copies of this assessment to the signatories of this document.

* An annual assessment of conservation accomplishments and subsequent yearly schedules will be made by the WCTSC. This assessment will determine the effectiveness of this agreement and whether revisions are warranted. It will be provided to the Director of FWP by WCTSC. The Director will provide copies of this assessment to the signatories of this document.

* If threats to the survival of westslope cutthroat trout become known that are not or cannot be resolved through this or any Conservation Agreement, FWP immediately will notify all signatories.

VII. DURATION OF AGREEMENT

The initial term of this Agreement shall be 10 years. Prior to the end of each 5 year period, a thorough analysis of actions implemented for the species will be conducted by the WCTSC. If all signatories agree that sufficient progress has been made towards the conservation and recovery of the westslope cutthroat trout, this Agreement shall be extended for an additional ten (10) years. Any party may withdraw from this Agreement on sixty (60) days written notice to the other parties.

VIII. NATIONAL and MONTANA ENVIRONMENTAL POLICY ACT (MEPA/NEPA) COMPLIANCE

Signing of this agreement is covered under authorities outlined in section III listed above. We anticipate that any survey, collection or non-land disturbing research activities conducted through the Conservation Agreement will not entail significant state or federal actions under MEPA or NEPA, and will be given a categorical exclusion designation. However, each signatory agency holds the responsibility to review planned actions for their area of concern to ensure conformance with existing land use plans and to conduct any necessary environmental analysis under MEPA and NEPA for those actions within their area.

IX. FEDERAL AGENCY COMPLIANCE

* During the performance of this agreement, the participants agree to abide by the terms of Executive Order 11246 on non-discrimination and will not discriminate against any person because of race, color, religion, sex or national origin.

* No member or delegate to Congress or resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

X. SIGNATORIES

Montana Department of Fish, Wildlife and Parks

_____

Patrick J. Graham, Director Date

USDI Fish and Wildlife Service

_____

Ralph O. Morgenweck, Director Date

USDI Bureau of Land Management

_____

Larry E. Hamilton, State Director Date

USDA Forest Service

_____

Dale Bosworth, Regional Forester Date

USDA Natural Resources Conservation Service

_____

Shirley Gammon, State Conservationist Date

Montana Department of Environmental Quality

_____

Mark Simonich, Director Date

Montana Department of Natural Resources and Conservation

_____

Bud Clinch, Director Date

Confederated Salish and Kootenai Tribes

_____

Mickey Pablo, Chairman Date

Blackfeet Tribe

_____

, Chairman Date

Table 1. Projected implementation schedule for WCT populations. Each site is expected to take 5-10 years to complete once it is started, and will probably rely on chemical treatment to eradicate nonnative species. Emphasis will be on connecting existing pure populations. Implementation may begin sooner if the necessary funding and support is available.

Year	2000	2001	2002	2003	2004	2005	2006
Missouri							
East Front	ID Site						
Southern Tribs.	ID/Admin	Start	Continue	Continue	Continue	Continue	Cont.
Upper Missouri	Continue	Continue	Continue	Continue	Continue	Monitor	Monitor
Middle Missouri	ID Site		Admin	Start	Continue	Continue	Continue
Upper Clark Fork	ID Site		Admin		Start	Continue	Continue
Kootenai		ID Site			Admin	Start	Continue
Lower Clark Fork	ID Site					Admin	Start
Flathead	ID Site	Monitor		Monitor		Monitor	
Saskatchewan		ID Site					Admin

ID = identification of potential site(s)
Admin = Completing all required MEPA and NEPA documents, and finding of No Significant Impact (FONSI) in the Record of Decision (ROD); development of acceptable Candidate Conservation Agreements or Habitat Conservation Plans
Start = Physically implementing the project Continue = continuing the treatment project and population expansion
Because of uncertain status of WCT in the Musselshell drainage, WCT there will be protected, but recovery efforts will not be focused there until recovery efforts in known range are completed.

Table 2. Baseline number of pure populations by 4th code HUC, and historical[1] and current distribution of WCT in Montana, by genetic purity.

Drainage	Baseline No. of Pure Populations	Number Miles (Historical)	Number Miles Surveyed	No. 100%	Miles 90-99.9%	Occupied < 90%	Un-tested
Upper Kootenai		2369.5	956.0	42.7	25.5	249.8	355.4
Fisher		1034.4	342.7	8.9	1.7	19.8	141.5
Yaak		650.9	292.9	85.8	3.6	39.2	75.3
Lower Kootenai		55.8	22.5	0.0			6.0
Moyie				0.0			0.0
Total Kootenai		4110.6	1614.1	137.4	30.8	308.8	578.2
Upper Clark Fork		2601.7	910.9	223.5	26.2	39.6	290.0
Flint-Rock Creek		2345.3	527.8	144.0	30.4	5.9	449.4
Blackfoot		3605.5	1207.5	254.9	59.2	39.8	665.7
Middle Clark Fork		2321.2	1018.0	105.0	28.2	32.2	701.8
Bitterroot		3667.2	1305.1	352.8	53.1	73.1	886.0
Lower Clark Fork		2126.1	877.0	248.9	31.2	19.0	399.6
Total Clark Fork		16,667.0	5846.3	1329.1	228.3	209.6	3400.7
N. Fork Flathead		1147.9	475.0	66.6	26.6	5.7	344.4
M. Fork Flathead		1301.0	528.5	18.8			452.0
Flathead Lake		947.4	214.4	65.6		1.7	69.0
S. Fork Flathead		1806.8	756.1	289.3	44.1	31.7	244.4
Stillwater		1030.7	519.8	11.6	9.2		425.0
Swan		887.8	453.9	22.9	6.9	3.7	270.6

[1]Historical range includes total mileage of stream reaches within the distribution of WCT in Montana. Not all reaches/miles were occupied, and due to natural and human-caused changes, much of the "historical" range will never be suitable.

Drainage		Number Miles (Historical)	Number Miles Surveyed	No. 100%	Miles 90-99.9%	Occupied < 90%	Un-tested
Lower Flathead		3165.6	542.1	87.7		9.9	99.0
Total Flathead		10,287.2	3489.8	562.5	86.8	52.7	1904.4
St. Mary					7.4		
Red Rock		3488.4	1123.7	78.5	138.5	68.6	198.8
Beaverhead		1826.2	643.7	90.9	27.5	16.4	87.7
Ruby		1284.7	575.8	52.5	62.3	48.4	86.7
Big Hole		3953.7	1594.4	106.8	71.2	75.5	443.2
Jefferson		2176.2	456.7	21.5	12.0	5.8	18.6
Boulder		988.3	322.6	21.7	0	0	28.5
Madison		2517.1	793.9	11.8	18.4	43.9	234.9
Gallatin		2401.3	777.8	0	20.9	39.1	148.4
Upper Missouri		4763.9	1106.3	63.3	5.0	45.8	157.1
Upper Missouri - Dearborn		3538.7	1077.8	0.0	0	19.7	93.2
Smith		2858.3	986.4	26.7	11.9	23.0	407.5
Sun		2404.4	708.1	2.4	14.2	0.0	144.5
Belt		800.5	370.7	39.6	16.7	0.0	126.9
Two Medicine		1422.2	679.6	28.3	36.3	42.8	110.1
Cut Bank		1089.2	508.9	0.0	0.0	0.0	0.0
Marias		2493.7	1033.7	0.0	0.0	0.0	0.0
Willow		708.1	333.7	0.0	0.0	0.0	0.0
Teton		1751.4	774.6	30.7	9.0	0.0	70.0
Judith		3222.7	1152.3	11.9	21.9	4.2	153.9
Bullwhacker - Dog**		1803.4	682.5	0.0	0.0	0.0	0.0
Arrow**		1326.3	520.4	0.0	0.0	0.0	13.3

Drainage		Number Miles (Historical)	Number Miles Surveyed	No. 100%	Miles 90-99.9%	Occupied < 90%	Un-tested
Flat Willow**		891.0	336.0	8.0	0.0	0.0	0.0
Box Elder**		1371.8	507.4	6.1	0.0	0.0	0.0
Upper Musselshell**		4676.3	1568.1	17.5	0.0	0.0	38.8
Middle Musselshell**		2477.2	782.6	0.0	0.0	0.0	0.0
Lower Musselshell**		1810.0	608.7	0.0	0.0	0.0	0.0
TOTAL Columbia		31,064.8	10,950.2	2029.0	345.9	571.1	5883.3
TOTAL Missouri		57,365.0	20,026.4	600.7	473.2	433.2	2569.3
Total - ALL		88,429.8	30,976.6	2629.7	819.1	1004.3	8452.6

**It is uncertain whether WCT naturally occurred in these drainages; it is suspected that they were introduced into them.

Table 3. Description of responsibilities of government agencies in WCT restoration.

Agency	Brief Description of Responsibilities
Bonneville Power Administration (BPA)	BPA manages dams and reservoirs within the range of WCT in Montana. BPA actions to manage and restore WCT include operating dams in such a manner that they protect and maintain conditions for WCT within specified operational requirements; and providing funding for population monitoring and rehabilitation of degraded habitats.
Montana Department of Environmental Quality (DEQ)	DEQ has authority under the Clean Water Act to protect WCT habitat on federal, state, and private lands from excessive point and nonpoint pollution, and to restore degraded waters so they meet clean water standards. DEQ maintains a list of impaired waters that includes those that do not fully support cold water fisheries. They also set a TMDL on pollution inputs to achieve clean water standards, and provide technical and financial assistance to improve and restore water quality standards.
Montana Department of Fish, Wildlife and Parks (FWP)	FWP's mission is to manage wildlife species for their perpetuation as members of ecosystems and to protect, maintain, and to the extent possible enhance populations of species. FWP's role is to develop and help implement cooperative species and water management plans, develop and enforce fishing regulations, provide technical and financial assistance for conservation and habitat restoration projects, and plan and implement control/eradication programs for introduced nonnative species.
Montana Department of Natural Resources and Conservation (DNRC)	Responsible for management of State Trust Lands in Montana. DNRC's role in WCT conservation is to appropriately manage WCT habitat, and thereby cooperate in WCT restoration. DNRC also administers coordination of Conservation Districts, and provides financial and technical assistance to Conservation Districts and watershed groups. Conservation Districts and watershed groups are an essential component for implementing conservation and restoration efforts.
Natural Resources Conservation Service (NRCS)	NRCS administers private lands assistance programs for the Dept. of Agriculture. Their role in WCT conservation is to provide technical and financial assistance to landowners to protect, maintain, or improve WCT habitat and cooperate and assist with habitat restoration projects and follow-up monitoring.
Tribal Governments	Tribal governments are responsible for management of fish and wildlife resources and the habitat they occupy within reservation boundaries. Their role in WCT conservation is to appropriately manage WCT habitat on tribal lands, participate in development of cooperative species and habitat management plans, cooperate and assist with habitat restoration projects, assist with WCT habitat and population monitoring, cooperate and assist with eradication/control projects for introduced species, and provide technical and financial assistance to implement management plans.
U.S. Bureau of Reclamation (BOR)	The BOR manages dams and reservoirs in the Missouri and Columbia River basins. Their role is to manage those that are within WCT range in such a manner that they protect and maintain conditions for WCT, within specified operational requirements; and to provide funding for population monitoring and rehabilitation of degraded habitats.

Agency	Brief Description of Responsibilities
U.S. Army Corps of Engineers (ACE)	The ACE manages dams and reservoirs in the Missouri River Basin. Their role is to manage those that are within WCT range in such a manner that they protect and maintain conditions for WCT, within specified operational requirements; and to provide funding for population monitoring and rehabilitation of degraded habitats.
U.S. Bureau of Land Management (BLM)	BLM administers public lands that include habitat occupied by WCT. BLM is mandated to protect habitat that supports viable populations of native fish species that occur on BLM lands. BLM's role in WCT conservation is to appropriately manage WCT habitat on BLM-administered lands, participate in development of cooperative species and habitat management plans, cooperate and assist with habitat restoration projects, assist with WCT population and habitat monitoring, assist with eradication/control projects for introduced species, and provide technical and financial assistance to implement management and conservation plans.
U.S. Fish and Wildlife Service (USFWS)	The USFWS oversees the Endangered Species Act, and is responsible for assessing the status of candidate species and recovering threatened and endangered species. Their role in WCT conservation is to advise and assist in implementation of this conservation agreement in regard to existing laws (e.g., NEPA, ESA), cooperate and assist with eradication/control projects for introduced species, cooperate and assist with range-wide habitat enhancement and monitoring projects, and provide funding to implement enhancement and management projects.
U.S. Forest Service (USFS)	The USFS administers national forest lands that include habitat occupied by WCT. USFS is mandated to ~~protect historic WCT habitat as well as habitat that~~ support viable populations of all native fish and wildlife species that occur on national forest lands. The USFS's role in WCT conservation is to appropriately manage WCT habitat on national forest lands, participate in development of cooperative species and habitat management plans, cooperate and assist with habitat restoration projects, conduct WCT habitat monitoring and assist with population monitoring, cooperate and assist with eradication/control projects for introduced species, and provide technical and financial assistance to implement management plans.

Table 4 and Table 5 will be added to illustrate all the work that has been and is being done that either directly or indirectly benefits WCT.