

Modification #1
To
Memorandum of Understanding #04-MU-11020300-052
Between
South Dakota Game, Fish and Parks
And
United States Department of Agriculture
Forest Service
Black Hills National Forest

This modification is entered into by and between the South Dakota Department of Game, Fish and Parks, hereinafter referred to as SDGFP and the United States Department of Agriculture Forest Service, Black Hills National Forest hereinafter referred to as Forest Service.

PURPOSE: The purpose of this modification is to define certain terminology from the Norbeck Organic Act (NOA), specifically "protection" and "game animals and birds"; and to define and identify focus species in order for the Forest Service to properly manage the Norbeck Wildlife Preserve (NWP) in accordance with its original spirit and intent. Criteria for focus species selection and their representative habitats are described in more detail in, "Focus Species for Norbeck Wildlife Preserve, BHNF" (Griebel, Burns and Deisch 2007).

E. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

15. DEFINITIONS: The following definitions will be used in order for the Forest Service to properly manage the NWP in accordance with its original spirit and intent.

- a. **Protection:** The controlled use, skill and systematic conservation and management of game animals and birds and their habitats; to protect game animals and birds and their habitats from depletion or the need to preserve individuals.
- b. **Game animals:** Wild *mammals* or birds which breed in and/or occupy habitat within the Norbeck Wildlife Preserve that are legally hunted for food or sport.
- c. **Birds:** Wild members of the class *Aves* which breed in and/or occupy habitats within the Norbeck Wildlife Preserve.
- d. **Focus species:** those game animals and birds that will guide management in Norbeck Wildlife Preserve.

16. FOCUS SPECIES

- a. **NORBECK-MAIN SECTION:** The following game animals and birds will be Focus Species for the main portions of NWP (includes the Stockade Lake Parcels):
 - i. Mountain Goat (*Oreamnos americanus*)
 - ii. Bighorn Sheep (*Ovis canadensis*)

- iii. Rocky Mountain Elk (*Cervus elaphus*)
- iv. White-tailed Deer (*Odocoileus virginianus*)
- v. Merriam's Turkey (*Meleagris gallopavo merriami*)
- vi. Mountain Bluebird (*Sialia currucoides*)
- vii. Golden-crowned Kinglet (*Regulus satrapa*)
- viii. Brown Creeper (*Certhia americana*)
- ix. Ruffed Grouse (*Bonasa umbellus*)
- x. Song Sparrow (*Melospiza melodia*)
- xi. Northern Goshawk (*Accipiter gentilis*)
- xii. Black-backed Woodpecker (*Picoides arcticus*)

b. NORBECK – SECTION 2: The following game animals and birds will be Focus Species for Section 2 of NWP (located adjacent to Custer State Park and Wind Cave National Park).

- i. Mule Deer (*Odocoileus hemionus*)
- ii. Rocky Mountain Elk (*Cervus elaphus*)
- iii. Black-tailed prairie dog (*Cynomys ludovicianus*)
- iv. Merriam's Turkey (*Meleagris gallopavo merriami*)
- v. Mountain Bluebird (*Sialia currucoides*)
- vi. Grasshopper Sparrow (*Ammodramus savannarum*)
- vii. Song Sparrow (*Melospiza melodia*)
- viii. Black-backed Woodpecker (*Picoides arcticus*)

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

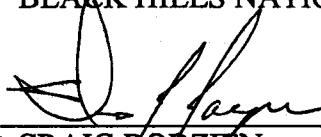
SOUTH DAKOTA DEPARTMENT OF
GAME, FISH AND PARKS

U.S. FOREST SERVICE
BLACK HILLS NATIONAL FOREST



JEFFREY R. VONK
Secretary

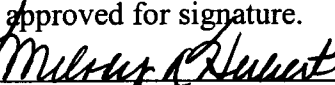
6/27/07
DATE



CRAIG BOBZIEN
Forest Supervisor

7/6/07
DATE

The authority and format of this instrument has been reviewed and approved for signature.



MELODY A. HERBERT
Agreements Coordinator

6/18/07
DATE