

US EPA ARCHIVE DOCUMENT

PARTNERSHIP FOR COOPERATIVE CONSERVATION - MEMORANDUM OF UNDERSTANDING



PARTNERSHIP FOR COOPERATIVE CONSERVATION

MEMORANDUM OF UNDERSTANDING

**I. Introduction**

Federal agencies engaged in natural resource and environmental management increasingly face issues that transcend jurisdictional boundaries and involve multiple stakeholders, both public and private. In an effort to reduce conflict, many federal managers have adopted the cooperative conservation approach to resolving resource issues through public engagement and collaborative decision making processes.

The Executive Order 13352: Facilitating Cooperative Conservation, dated August 30, 2004; the White House Conference on Cooperative Conservation held in August 2005; and the Government Accountability Office (GAO) report, GAO-08-262, *Natural Resource Management: Opportunities Exist to Enhance Federal Participation in Collaborative Efforts to Reduce Conflicts and Improve Natural Resource Conditions*, dated February 2008, all point to the effectiveness of collaboration among public, nonprofit, and private entities to manage and conserve natural resources and to enhance the environment.

While success in cooperative conservation has been well-documented, federal agencies still face challenges in collaborative resource management and can benefit from enhanced cross-agency communication and the sharing of best practices.

This Memorandum of Understanding (MOU) sustains the interagency momentum developed under the Cooperative Conservation Executive Order, and is responsive to the GAO recommendations by creating the Partnership for Cooperative Conservation (the "Partnership"), to address future cross-cutting issues and challenges in natural resource and environmental management.

## **II. Purpose**

The purpose of this MOU is to establish a framework for the Partnership to identify issues, develop solutions, and share best practices in collaborative natural resource and environmental management across organizational and jurisdictional boundaries.

## **III. Goal**

The Partnership's goal is to enhance federal interagency coordination and build capacity for partnerships and collaboration among the agencies and across public and private sectors to sustain and conserve natural resources and the environment.

## **IV. Scope of Partnership for Cooperative Conservation**

To achieve its goal, the Partnership resolves to provide leadership and commitment for fostering a culture of collaboration and partnerships internally and externally. It also will serve as a clearinghouse focused on cross-cutting policy issues, creative problem-solving, capacity building across jurisdictional boundaries, and leveraging agency capabilities and resources. To the extent authorized by law, consistent with applicable regulations, agency management objectives, available funding, and where appropriate, the signatory agencies agree to:

1. Carry out programs, projects, and activities implementing laws relating to the environment and natural resources in a manner that appropriately accommodates local participation in Federal decision-making, taking into consideration agency missions, policies, and regulations.
2. Provide interagency staff capacity for the Partnership Working Group (described in Section VI), as well as relevant task forces, conferences, workshops, and other situations that may require multi-agency support;
3. Share best practices, tools, training, and information that can advance knowledge and understanding needed by the agencies and their partners to effectively and collaboratively manage the Nation's natural resources and encourage environmental stewardship;
4. Develop and coordinate joint-agency public engagement and communications strategies;
5. Encourage innovative uses of information technology to provide opportunities for public engagement and to disseminate tools and information on cooperative conservation; and
6. Explore methods to monitor and evaluate progress toward cooperative conservation and environmental goals and celebrate success.

To meet the purposes and scope identified above, and in recognition of agency resource constraints, the Partnership agencies agree to focus their efforts through the adoption of an action plan.

## **V. Membership**

The Partnership includes: the U.S. Departments of Agriculture, Commerce, Defense, and the Interior; the Environmental Protection Agency; and the Council on Environmental Quality (together the "Parties").

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The following will be the principal contacts for the Partnership and form the Senior Policy Team:

U.S. Department of the Interior  
Office of Conservation, Partnerships & Management Policy

U.S. Department of Agriculture  
Office of the Undersecretary for Natural Resources and the Environment

U.S. Department of Commerce  
Office of the Assistant Secretary for Oceans and Atmosphere

U.S. Department of Defense  
Office of the Under Secretary of Defense (Environment, Safety and Occupational Health)

Environmental Protection Agency  
Office of Policy, Economics, and Innovation

Council on Environmental Quality  
Office of the Associate Director for Agriculture, Lands, & Wildlife

**VI. Partnership Working Group**

The coordination effort described in this MOU will be undertaken by the Partnership Working Group composed of career-level employees designated by the member agencies.

1. The Partnership Working Group will be co-chaired initially by DOI and USDA. After a two-year term, the co-chair positions will be filled from among working group members by consensus.
2. The members of the Partnership Working Group will:
  - a. Set priorities and coordinate annual action plans under this MOU;
  - b. Participate in scheduled Partnership Working Group meetings at least quarterly;
  - c. Establish any necessary ad hoc task groups or sub-teams; and
  - d. Encourage actions that facilitate partnerships and collaboration at multiple levels.

**VII. The Parties Mutually Agree:**

1. To manage and fund their own activities, personnel, and other resources, while pursuing the goals articulated in this MOU.
2. Nothing in this MOU authorizes any of the parties to obligate or transfer funds. Specific projects or activities that involve the transfer of funds, services, or property among the parties require execution of separate agreements and are contingent upon the availability of appropriated funds. These activities must be independently authorized by law. This MOU does not provide that authority. Negotiation, execution, and administration of these agreements must comply with all applicable law.

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3. That this MOU is not intended to alter, limit, or expand the agencies' statutory and regulatory authority.
4. That this MOU in no way restricts the Parties from participating in similar activities with other public or private agencies, organizations, and individuals.
5. That this MOU is not intended to and does not create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.
6. That any information furnished to the agencies under this MOU may be made available to the public in accordance with the Freedom of Information Act, 5 U.S.C. § 552.
7. That this MOU takes effect on the date it is fully executed and will expire ten years from its effective date; it may be extended or amended upon written agreement of all the agencies. Any agency may terminate its participation in the MOU after 30 days written notice to other agencies.
8. That members of the Partnership Working Group may add to their membership other federal agencies and departments as appropriate.
9. That the Parties will comply with the Federal Advisory Committee Act, 5 U.S.C. Appendix 2, to the extent it applies.

**VIII. Signatories**



DIRK KEMPTHORNE  
Secretary, U.S. Department of the Interior

JAN 07 2009

Date



EDWARD T. SCHAFER  
Secretary, U.S. Department of Agriculture

8 January 2009

Date



CARLOS GUTIERREZ  
Secretary, U.S. Department of Commerce

JAN. 12, 2009

Date

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STEPHEN L. JOHNSON  
Administrator, Environmental Protection Agency

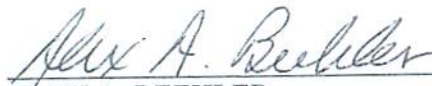
1/12/09  
Date



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JAMES L. CONNAUGHTON  
Chairman, Council on Environmental Quality

1/03/09  
Date



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ALEX A. BEEHLER  
Assistant Deputy Under Secretary, U.S. Department of Defense  
(Environment, Safety and Occupational Health)

1/08/09  
Date