

MEMORANDUM OF UNDERSTANDING:
SCIENCE IN SUPPORT OF LAND USE PLANNING
between the
BUREAU OF LAND MANAGEMENT
and the
U.S. GEOLOGICAL SURVEY
of the
U.S. DEPARTMENT OF THE INTERIOR

I. Introduction and Objectives:

The Federal Land Policy and Management Act of 1976 (FLPMA) directs the Bureau of Land Management (BLM) to establish land use plans (LUPs) for the management of 262 million acres of surface lands and 700 million acres of onshore Federal mineral estate. The U.S. Geological Survey (USGS), the science bureau of the Department of the Interior, provides science information and technologies that are critical to achieving the missions of the Department's land and resource management bureaus. With this Memorandum of Understanding (MOU), the BLM and USGS agree to procedures and guidance for coordination and cooperation for science in support of the development and implementation of LUPs. The USGS and the BLM will collaborate to ensure that the development of LUPs for the management of the Nation's resources is based on objective science. The USGS will assist the BLM in identifying information needs, synthesizing data, and verifying relevance of information for specific LUPs. The development of LUPs will be based initially on existing data. When information is inadequate to meet planning objectives, the BLM and the USGS may agree to conduct new studies and produce required data as appropriate.

II. Scope:

This MOU provides a general framework for coordination and cooperation between the BLM and USGS on obtaining and sharing scientific data and knowledge to facilitate the BLM's land use planning. Coordination and cooperation pertaining to LUP development applications are encouraged at the National, regional, and local levels, as needed, to ensure that the highest priority scientific information needs of the BLM are addressed. Areas of scientific research, data analysis, and information sharing will include all areas of science relevant to land use planning and subsequent resource management activities.

III. Agreements/Responsibilities:

The BLM and USGS agree to cooperate at the local, regional, and National levels to exchange data and information on the land use planning goals, objectives, and data needs of the BLM and the science capabilities of the USGS in assisting the BLM in meeting these goals and objectives.

Mutual responsibilities as part of this coordination may include:

- exchanging information relating to lists of priority LUPs, schedules for completion of LUPs, and deadlines for inclusion of science information;

- identifying bureau points of contact to ensure coordination and successful incorporation of science in support of land use planning and resource management;
- identifying resource issues specific to individual LUPs and their implementation;
- working together to identify and deliver readily available information and data that are needed for preparation and subsequent implementation of LUPs;
- cooperating to interpret data and information to facilitate their availability and use in the development and subsequent implementation of specific LUPs; and
- collaborating to identify information gaps and needs for new data, and plan and conduct studies and investigations to obtain new information where possible considering the time and budget limitations of the two bureaus.

IV. Authority: The authorities to enter into this MOU include:

Federal Land Policy and Management Act of 1976 (43 U.S.C.1701 et seq.) Directs the BLM to periodically and systematically inventory the public lands and their resources and their present and future use projected through the land use planning process. The BLM is charged to manage the public lands for multiple use in a manner which recognizes the Nation's need for domestic sources of minerals, food, timber and fiber, recreation and sustainable development.

U.S. Geological Survey Organic Act - 1879 (43 U.S.C. 31 et seq.) Assigns the USGS the responsibility to examine the geologic structure, mineral resources, and products of the United States.

Economy Act of June 30, 1932, (31 U.S.C. 1535) Provides agencies the authority necessary to provide or secure services of another Executive agency for in-house performance or performance by contract where there is no other statutory authority.

National Environmental Policy Act of 1969 (42 U.S.C. 4321-47) Requires Federal agencies to use a systematic, interdisciplinary approach to ensure the integrated use of natural and social sciences in planning and decision making. It also requires an analysis of probable environmental effects of proposed Federal actions.

V. Procedures:

Both parties agree to:

- hold an initial meeting at the national level within eight weeks following the signing of this MOU to identify areas where cooperation is urgent to address the BLM's priority planning areas and needs;
- hold at least one annual meeting at the national level;

- meet annually, as needed, at the regional level, to discuss the scope of work, to review the progress of current LUP development and associated science requirements, and to discuss future plans and priorities;
- prepare project proposals jointly when necessary to satisfy information needs;
- determine financial capabilities for preparation of the proposed plans and to discuss funding agreements for sharing or transferring resources, as necessary;
- cooperate and lend mutual support wherever and whenever feasible to facilitate the regional and national assessment efforts of both bureaus, such as the BLM Colorado Plateau Prototype Regional Assessment and the USGS National Map projects, which contribute new data and knowledge for LUP planning efforts;
- resolve disagreements and seek mutually agreeable solutions to problems encountered while the two bureaus are working to implement the intent of this MOU; and
- coordinate, as appropriate, with Departmental and bureau officials and advisory groups, including the Department Science Board, the BLM Science Advisory Board, the BLM Science Coordination Committee, and the BLM and the USGS Executive leadership Teams.

Additionally, the BLM will establish and provide a list of priority LUPs for plan development. The BLM will communicate data needs prior to the USGS annual planning cycle. Timelines for completion and products will be specified during the development of individual plans. The USGS agrees to provide review and comment on draft plans on topics within USGS areas of expertise.

VI. Administration:

Authorized Representatives: The BLM will annually designate a representative in each State Office. The USGS Regional Director or other USGS authorized representatives will provide liaison with the BLM State Office representative.

Period of Agreement: This Agreement will remain in effect for 5 years from the date of acceptance by both parties unless terminated. It is understood that conducting programs and projects supported by this Agreement is dependent on Congress providing the necessary appropriations to fund future work. It is agreed that if Congress does not make such appropriations, both bureaus are released from any future commitment under this agreement.

Termination: Either party may terminate this Agreement by giving written notice of termination to the other party not less than ninety (90) days in advance of the effective ending date.

Publication of reports prepared pursuant to this MOU: Publications may be prepared by either party, or jointly, provided that both parties shall have an opportunity to review manuscripts prior to publication. Should differences of viewpoint occur, an effort will be made to reconcile

opposing opinions. Such disagreements shall not prohibit either party from publishing the data, provided it assumes sole responsibility and gives credit to the other party for cooperation furnished. Each party will furnish to the other such number of copies of publications as may be agreed upon.

Financial: This MOU is neither a fiscal nor funds obligation document. This MOU does not commit the BLM or the USGS to enter into any specific interagency agreements for the purposes of this MOU. Projects involving cost sharing or reimbursable funding between the two Bureaus, including billing procedures, may be included in future interagency agreements. Both parties shall ensure that interagency agreements drafted pursuant to this MOU shall comply with the provisions of the Economy Act.

Conditions: Nothing in this MOU will be construed as affecting the authorities of the participants or as binding beyond their respective authorities or to require any of the participants to obligate or expend funds in excess of available appropriations.

VII. Provisions:

All signatory parties intend that this MOU and any future agreements referencing it will comply with: the nondiscrimination provisions contained in Title VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (public Law 100-259); and other nondiscrimination statutes, such as Section 504 of the Rehabilitation Act of 1973, Title IX of the Education amendments of 1972, and the Age Discrimination Act of 1975. Regulations of the Secretary of the Interior (43CFR 17) provide that no person in the United States shall, on the grounds of race, color, national origin, age, or disability, be excluded from participating in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity receiving Federal financial assistance from the DOI, or any agency thereof; and this MOU and any agreements will be in accordance with such regulations. Furthermore, this MOU shall comply with Executive Order 13087, prohibiting discrimination on the basis of sexual orientation.

VIII. Approval:

U.S. GEOLOGICAL SURVEY
U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR

By: (Original Signature on File)
Director

By: (Original Signature on File)
Director

May 27, 2003
Date

May 29, 2003
Date