

SERVICEWIDE MEMORANDUM OF UNDERSTANDING
among USDA, Forest Service,
USDI, Bureau of Land Management,
and
USDI, Geological Survey

concerning:

**Geologic, Mineral, Energy, and Environmental Information for Ecologically
Based Management of Federal Lands**

This Master Servicewide Memorandum of Understanding (SMU) is made and entered into by and between the United States Department of the Interior, Geological Survey (USGS), the United States Department of the Interior, Bureau of Land Management (BLM) and the United States Department of Agriculture, Forest Service (FS).

This SMU supersedes the Interagency Agreement between the FS, USGS, and the US Bureau of Mines (USBM) dated January 19, 1987 and the MOU between the BLM, USGS, and the USBM dated January 28, 1991. This SMU provides the framework and is consistent with other existing and related interagency agreements to facilitate the exchange of scientific and technologic information and research.

I. PURPOSE

The purpose of this SMU is to provide a general framework of cooperation between the parties to establish a coordinated and comprehensive program for the inventory, evaluation, interpretation, presentation and utilization of geoscience information in support of an ecologically based approach to the planning, management and stewardship of federal lands and resources.

II. STATEMENT OF MUTUAL BENEFITS AND INTERESTS

The BLM, USGS and FS have responsibilities and interests in increasing the level of geoscience information available for use in decisionmaking on federal lands and to foster a better understanding of the influences of the physical environment on ecological structures and process. This increased scientific knowledge will provide the land manager with an enhanced ability to:

- A. Maintain healthy ecosystems while sustaining goods and services necessary for the well-being of the American people;
- B. Forecast environmental and socioeconomic impacts and to mitigate the effects of naturally occurring environmental hazards and minimize adverse human-induced environmental effects; and
- C. Facilitate the integration of current and relevant information about the geologic setting, environmental hazards, and the economic development of mineral and energy resources into the interdisciplinary planning and decisionmaking processes of the federal land management agencies.

In consideration of the above premises, the parties agree as follows:

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

A. Regional studies. Agencies will conduct studies on a broader, regional scale to provide the necessary geologic, minerals, energy, and related economic and environmental information required for (a) the land and resource planning process and (b) ecologically-based assessment and analysis. Since ecosystems transcend political boundaries, the agencies may be asked to provide nonproprietary data on lands and resources that are not subject to federal administration. The knowledge provided through this SMU will be integrated with other environmental, biological, and socioeconomic information to provide the scientific foundation for an ecologically-based approach to federal land management.

B. Special studies. Special studies may be requested when an action has been proposed and geoscience information is critical to the decision, such as (a) a Congressionally defined interest area (e.g., wilderness study area), (b) environmental analysis of a plan of operations for a minerals development project which has been submitted to a land management agency, or (c) reclamation of an abandoned mining site.

C. Research studies. Geoscience-based research projects may be initiated where available science and technology do not adequately address an issue identified under the study program. This research should be directly applicable to environmental questions in a land management context; an example is the development of remediation techniques for acid mine drainage.

D. Agency representatives. The participating agencies will designate representatives to serve as the principal contacts for implementing the provisions of this SMU.

E. Implementation plans. Designated agency representatives will jointly develop and agree to implementation plans to determine the specifics concerning the type and scope of studies, release of reports and maps, transfer and formats for data, meetings, coordination, and schedules. These implementation plans will be signed by the agency representatives and appended as an Annex to this Agreement as appropriate.

F. Termination. Any party, in writing, may terminate its participation in this agreement in whole, or in part, at any time before the date of expiration.

G. Participation in similar activities. This instrument in no way restricts the signatory agencies from participating in similar activities with other public or private agencies, organizations, and individuals.

H. Restriction for delegates. Pursuant to Section 22, Title 41, United States Code, no member of, or Delegate to, Congress shall be admitted to any share or part of this instrument, or any benefits that may arise therefrom.

I. Completion date. This instrument is executed as of the last date shown below and expires on five years after that date, at which time it will be subject to review, renewal, or expiration.

J. Non-fund obligating document. This SMU is neither a fiscal nor a funds obligation document. It is the intent of this SMU that the work outlined herein falls within the basic authority of each agency and

is therefore covered in each agency's base appropriation. Nothing in this SMU shall require the transfer of funds between agencies; however, if Congress appropriates funds specifically to one agency for project purposes, these funds will be available for use by the other agencies to the extent possible. The land management agencies shall support the USGS in obtaining direct funding for the overall cooperative program. Any endeavor involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This instrument does not provide such authority. Specifically, this instrument does not establish authority for noncompetitive award to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

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

IV. AUTHORITIES FOR GEOSCIENCE STUDIES

There are numerous laws and ensuing regulations that directly or indirectly authorize the collection and use of geoscience, mineral engineering, and related environmental information. A list of the most relevant of these laws is incorporated into this SMU as Appendix A.

/s/ Mike Dombach
Chief, Forest Service

August 4, 1997
Date

/s/ Patrick Shea
Director, Bureau of Land Management

September 1, 1997
Date

/s/ Barbara J. Ryan
for Director, U.S. Geological Survey

JUL - 1 1997
Date

APPENDIX A to
MEMORANDUM OF UNDERSTANDING
concerning:
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AUTHORITIES

1. (USGS) Organic Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31). Assigns the USGS the responsibility to examine the geologic structure, mineral resources, and products of the United States.
2. Strategic and Critical Materials Stock Piling Act of June 7, 1939 (53 Stat. 811, as amended; 50 U.S.C. 98). Defines those materials considered strategic and critical and establishes quantities to be added or removed from the National Defense Stockpile.
3. Wilderness Act of September 3, 1964 (78 Stat. 890; 16 U.S.C. 1121, 1131-1136). Wilderness areas shall be surveyed by the USGS (and USBM) on a planned, recurring basis consistent with the concept of wilderness preservation to determine the mineral values that may be present.
4. National Environmental Policy Act of January 1, 1970 (83 Stat. 852; 42 U.S.C. 4321, 4331-4335, 4341-4347). Requires federal agencies to use a systematic, interdisciplinary approach to ensure the integrated use of natural and social sciences in planning and decisionmaking. It also requires an analysis of probable environmental effects of proposed federal actions.
5. Mining and Minerals Policy Act of December 31, 1970 (84 Stat. 1876; 30 U.S.C. 21a). States that the continuing policy of the Federal Government is to foster and encourage private enterprise in the development of economically sound and stable domestic mining and minerals industries and the orderly and economic development of domestic mineral resources.
6. Forest and Rangeland Renewable Resources Planning Act of August 17, 1974 (88 Stat. 476) as amended by the National Forest Management Act of October 22, 1976 (90 Stat. 2949; 16 U.S.C. 1600-1614) and the resource integration requirements of the forest planning regulations. Directs the USFS to maintain a comprehensive inventory of the resources on National Forest System lands and to use a systematic, interdisciplinary approach to achieve integrated consideration of physical, biological, and economic sciences in the forest planning and decisionmaking process.
7. Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2713; 43 U.S.C. 1711-1712). 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.
8. National Materials and Minerals Policy, Research and Development Act of October 2, 1980 (94 Stat. 2305; 30 U.S.C. 1601-1605). Declares that it is the continuing policy of the United States to promote an adequate and stable supply of materials necessary to maintain national security, economic well-being and industrial production with appropriate attention to a long-term balance between resource production, energy use, a healthy environment, natural resources conservation, and social needs. It further directs the Secretary of the Interior to initiate actions to improve the availability and analysis of mineral data in federal land use decisionmaking.
9. National Geologic Mapping Act of 1992 (43 U.S.C. 31). Designates the USGS as the lead federal agency responsible for planning, developing priorities, coordinating, and managing the geologic mapping program.