

SERVICE-WIDE MEMORANDUM OF UNDERSTANDING
between
NatureServe
and the
United States Department of Agriculture
Forest Service

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into by and between NATURESERVE (“NATURESERVE”) and the United States Department of Agriculture, FOREST SERVICE (“FOREST SERVICE”).

I. AUTHORITY

Under the provisions of the by-laws and other governing documents for NATURESERVE, and under the provisions of the following for the FOREST SERVICE: P. L. 86-517, Multiple-Use, Sustained-Yield Act (16 U.S.C. 1600 et seq.), P. L. 95-307, Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1641 et seq.), National Agricultural Research, Extension and Teaching Act of 1977, as amended by The Food Security Act of 1985 (7 U.S.C. 3318), Granger-Thye Act of April 24, 1950 (16 U.S.C. 572) Section 5., and Cooperative Forestry Assistance Act of 1978 as amended (16 U.S.C. 2101-2114, P. L. 95-9-313, The International Forestry Cooperation Act of 1990 (16 U.S.C 4501, P.L. 101-513) Endangered Species Act of 1973 (87 Stst. 884, as amended: 16 U.S.C. 1531), Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301-4309), P.L. 100-691, and Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a -558d) P.L. 92-300. This Agreement is without prejudice to other existing or potential agreements between the FOREST SERVICE and NATURESERVE.

II. PURPOSE

The purpose of the MOU is to provide a framework for cooperation and coordination between NATURESERVE and the FOREST SERVICE in achievement of the mutual goals. Cooperation and coordination may involve a wide range of activities, including, but not limited to, the following: conducting assessments, inventory, monitoring, data acquisition, data management, data exchange, development of data collection and delivery tools, disseminating data, conservation planning services, and other scientific and management activities necessary to conserve fish, wildlife, plants, vegetation, watersheds, and ecological systems critical to sustaining biological diversity. A framework for cooperation and coordination is especially needed in the area of threatened, endangered and imperiled plant and animal species, invasive species, vegetation types and ecological systems of exceptional conservation value.

III. STATEMENT OF MUTUAL INTEREST AND BENEFIT.

Both NATURESERVE and the FOREST SERVICE have responsibilities for and interests in the preservation, conservation, and management of biological diversity.

The FOREST SERVICE is a natural resource agency dedicated to the sustained management of the Nation’s natural resources and service to people, through Federal law and regulations of the Secretary of Agriculture. The FOREST SERVICE is responsible for managing habitat to maintain viable populations of plants and animals on the 191 million acres of National Forests and National Grasslands in 43 states, and in acquiring, developing and disseminating up-to-date information on threatened, endangered, sensitive and candidate species’ status, distributions, population trends, ecology, conservation needs and stewardship, which is essential to the Forest Service in order to accomplish needed management to conserve these natural resources. The FOREST SERVICE accomplishes these mandates in part by utilizing the vast and up-to-date national and international imperiled species and community data maintained by NatureServe and its network of natural heritage programs. These data are essential to effectively manage the National Forests and Grasslands. The Forest Service strives to restore, maintain and enhance population and habitats for over 422 species of plants and animals listed under the Endangered Species Act as threatened or endangered, and provides special management for over 2,900 plant and animal species designated by the Forest Service as sensitive species. Management of these vulnerable components and links in the biodiversity chain is crucial to implementing the Forest Service mission for land and resource management. The FOREST SERVICE accomplishes much of this work by initiating and developing cooperative relationships and

effective partnerships through its National Forest System, Research and Development, International Programs, and State and Private Forestry.

NATURESERVE is a non-profit organization dedicated to providing the scientific knowledge that forms the basis for effective conservation action. With its network of 76 state, regional, provincial and national member programs, NATURESERVE occupies a unique niche in the spectrum of conservation organizations. NATURESERVE has established itself as a respected leader in the development of scientific standards and methodologies upon which biological diversity data are systematically collected, analyzed and interpreted for conservation applications. NATURESERVE has amassed, and continues to maintain and expand, the most comprehensive set of data in the Western Hemisphere on ecological communities, and rare and endangered species. NATURESERVE has acquired and developed powerful information technology tools that facilitate management, analysis and distribution of information critical to influencing land management and conservation actions. The core capabilities NATURESERVE brings to the marketplace are both enabled by and leveraged through the more than 800 people comprising the NATURESERVE network, including hundreds of experts in the field of biodiversity conservation.

NATURESERVE is well known for the development and application of ecological inventory, classification and mapping standards to guide conservation assessment and planning. The U.S. National Vegetation Classification System developed by NATURESERVE, its natural heritage member programs, and The Nature Conservancy is an authoritative standardized classification of the terrestrial ecological communities of the United States, naming and describing more than 4,500 community types. This classification is a systematic way of describing and assessing the diversity and status of terrestrial ecological systems. It fills the need for national and international classification standards for ecological communities, while allowing for classification at a scale fine enough to be used to understand, manage, and protect natural resources on a site-by-site basis. Although the standards can be applied to define terrestrial ecological communities anywhere in the world, the great majority of the classification currently consists of vegetation types that occur in the United States. This classification system is broadly used for regional and national projects by state and federal agencies. The Federal Geographic Data Committee endorsed this approach as the accepted standard to be used by all U.S. federal agencies.

NATURESERVE and its natural heritage member programs are currently working to develop a standardized classification of upland and wetland ecological systems across the United States that is directly linked to the federal vegetation standard. Ecological classifications have proven fundamental to effective resource conservation because they provide working assumptions about the composition, structure, and function of ecosystems. They integrate multiple elements of biodiversity with the ecological processes that sustain them. Ecological systems represent a practical scale of ecological classification. Their classification enables development of comprehensive maps at scales of thematic and spatial resolution that are appropriate for many conservation applications. They serve as useful descriptors of habitat for most species of conservation concern, thus creating new opportunities for high-resolution habitat modeling, more efficient field inventory, environmental monitoring, and on-going conservation assessment. NATURESERVE and its natural heritage member programs are currently developing a standard for the inventory and classification of coastal/marine systems, and are continuing to apply and refine a standard inventory and classification approach for freshwater systems and communities. These standards are developed for application to regional diversity status assessments at the systems level, and the subsequent identification of priority sites for protection and restoration.

NATURESERVE is leading a major collaborative effort to develop a decision-support system designed to help communities and organizations across the nation integrate biodiversity into their land use planning decisions. This software application will provide access to current biodiversity data, ecological systems maps, physical geographic information, and other relevant data to guide local and regional assessments and land use decisions. This software will help planners understand the biological and ecological values of their jurisdictions, see the impacts of proposed land use decisions, and identify areas appropriate for conservation and development.

NATURESERVE and its natural heritage member programs are also developing critical information on the biology and ecology of the most invasive plant and animal species in the United States.

The FOREST SERVICE and NATURESERVE have a successful 25-year history of cooperation, and desire to continue to work on a broad range of cooperative projects in areas of mutual interest. During this period of

cooperation and collaboration the Forest Service and NatureServe have accomplished many projects including but not limited to:

- ? Development and implementation of NatureServe Explorer.
- ? Updates of Element Stewardship Abstracts and Element Global Rank forms for Forest Service sensitive species.
- ? Development of databases and distribution of data.
- ? Reporting on the status and trends of the nation's forest resources.
- ? Standardized inventory of the nation's forest resources.
- ? Monitoring forest status, health and productivity.
- ? Compliance with the Montreal Process regarding Sustainable Forestry Criteria and Indicators.
- ? Leadership for the FGDC Subcommittee on Vegetation Information and Classification Standards.

It is the desire of both parties to cooperate fully with each other, including exchange of personnel and other resources, in matters relating to the management of habitats and ecosystems and the conservation of biological diversity through cooperative efforts including, but not limited to:

1. Development and documentation of standard methods and protocols to support the assessment and implementation of conservation and resource management initiatives;
2. Completion of inventories, assessments, surveys, and field mapping tools to support the mapping, monitoring, management, recovery and restoration of biological resources of concern;
3. Development, management and analysis of data to strengthen the full network of potential data sources for biological diversity, wildlife, fish and plant resource information;
4. Development and implementation of vegetation and ecological system classification and mapping standards and approaches to document baseline conditions and allow comparisons across regional boundaries, thus providing essential information evaluating changing land cover over time and anticipating potential ecological impacts;
5. Development and analysis of information regarding the status, locations, trends and threats for species, vegetation and ecological systems that occur or have the potential to occur on Forest Service lands;
6. Development and analysis of information regarding invasive species that occur or have the potential to occur on Forest Service lands;
7. Development and analysis of information regarding the effects of natural disturbances such as fire, flood, drought, etc. on vegetation communities and/or species of interest;
8. Demonstration and development of innovative data management and analysis practices, including those that facilitate conservation and sustainable management of forests, parks, watersheds and protected areas; prevention and control of invasive species, use of prescribed fire, grazing, recreation use, eco-tourism, and conservation of ecosystems of exceptional conservation value;
9. Development of technologies and tools that enhance the ability of governments, scientists, and NGOs to better understand, document, and manage biodiversity;
10. Identification of special conservation and management areas (for example Research Natural Areas and Special Interest Areas);
11. Entering into grants and agreements;
12. Production of reports, abstracts and other materials;
13. Providing input to natural resource planning including development of National Forest Plans;
14. Assistance to and partnerships with foreign, state and tribal governments, private landowners, communities, and other non-governmental organizations.

IV. NATURESERVE SHALL

1. Enter into specific agreements or contracts to work with the FOREST SERVICE, including data license agreements when applicable, in carrying out projects and other collaborations and to accomplish agreed upon work projects.

2. Meet annually or as required with representatives of the FOREST SERVICE to identify strategic areas for collaboration and develop project proposals to meet the purposes of this MOU.
3. Coordinate the acquisition, management and distribution of biological diversity data and/or participate on biological assessments with the FOREST SERVICE.

V. THE FOREST SERVICE SHALL

1. Make National Forest System lands available for the furtherance of this partnership, subject to applicable Federal law, regulations, Forest Plans, and approval by the appropriate Forest Service official.
2. Cooperate with NATURESERVE and its network of natural heritage programs in carrying out programs and activities of the National Forest System, Research and Development, International Programs, and State and Private Forestry, including the development and implementation of forest plans, watershed and other ecological assessments, and conservation projects.
3. Enter into specific agreements with NATURESERVE, including data license agreements when applicable, to accomplish agreed upon work projects and collaborations.
4. Consistent with Forest Plans and other Forest Service direction, provide leadership and share information across landownership boundaries for assessments and to support planning, decisions, implementation and monitoring of projects or administrative studies undertaken pursuant to this MOU.
5. Meet annually or as needed with representatives of NATURESERVE to develop collaborative strategic plans and discuss and reach agreement on project proposals to meet the purposes of this MOU.

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

1. **FREEDOM OF INFORMATION ACT (FOIA).** Any information furnished to the FOREST SERVICE under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552) except for data provided under a data license agreement which would then be subject to any conditions stated in such agreement.
2. **MODIFICATION.** Modifications within the scope of the instrument shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by all parties.
3. **PARTICIPATION IN SIMILAR ACTIVITIES.** This instrument in no way restricts the FOREST SERVICE or NATURESERVE from participating in similar activities with other public or private agencies, organizations, and individuals. Both parties recognize that other agreements between the FOREST SERVICE and NATURESERVE and its natural heritage member programs may already exist or may be developed at the state or tribal level. This agreement in no way supersedes any such state or tribal-level agreement. The FOREST SERVICE and NATURESERVE support the development of strong partnerships between our organizations at the local, state, and tribal level.
4. **COMMENCEMENT/EXPIRATION DATE.** The instrument is executed as of the date of the last signature and is effective through December 1, 2008, at which time it will expire unless extended.
5. **TERMINATION.** Any of the parties, in writing, may terminate the instrument in whole, or in part, by providing 60 days written notice.

6. PRINCIPAL CONTACT. The principal contacts for this instrument are:

Forest Service Contact	NatureServe Contact
Marc Bosch	Leslie Honey or Dennis Grossman
USDA Forest Service, WFW Staff 3SE	NatureServe
Stop Code 1121	1101 Wilson Blvd. 15 th Floor
1400 Independence Avenue, SW	Arlington, VA 22209
Washington, DC 20250-1121	
Phone: 202-205-1220	Phone: 703-908-1858
FAX: 202-205-1559	FAX: 703-908-1917
E-Mail: mbosch@fs.fed.us	E-Mail: leslie_honey@natureserve.org

7. NON-FUND OBLIGATING DOCUMENT. This instrument is neither a fiscal nor a funds obligation document. Any endeavor or transfer of anything of value 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.

THE PARTIES HERERTO have executed this instrument.

NATURESERVE

USDA FOREST SERVICE

/s/ Mark Schaefer

/s/ Dale Bosworth

MARK SCHAEFER

DALE BOSWORTH

President & CEO
NatureServe

Chief
U.S. Department of Agriculture
Forest Service

Date: December 12, 2003

Date: December 12, 2003