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DoD Agreement

COOPERATIVE AGREEMENT

BETWEEN

THE DEPARTMENT OF DEFENSE (DoD)

AND

THE NATURE CONSERVANCY (TNC)

PREFACE

1. This Agreement establishes a policy of cooperation and coordination between the DoD and TNC to identify, document and maintain biological diversity on Defense installations.

2. The DoD has a long history of commitment to protection of the environment and the natural resources which have been entrusted to its care, while at the same time accomplishing its primary mission of national defense.

DoD wishes not only to have technical assistance in techniques for improving management of its natural resources, but to gain access to a nationwide network of compatible data which can be used to assess the relative significance of each element of natural diversity found on DoD lands.

3. TNC's primary interest is biological diversity. Its goal is to identify, protect and maintain endangered species and the best possible examples of communities and ecosystems.

TNC is the only organization in the nation continually collecting and managing data on these elements of diversity, and it is responsible for establishing a nationwide network of natural heritage programs in state government.

4. Therefore, DoD and TNC agree to cooperate to locate and evaluate DoD lands that have great natural value.

PURPOSE

The purpose of this Cooperative Agreement is to establish procedures for planning and conducting cooperative efforts by TNC and DoD on DoD lands. It also establishes policies and agreements for TNC to provide technical assistance to DoD.

RESPONSIBILITIES

IT IS AGREED THAT:

A. The Nature Conservancy will:

Under the terms of separately funded Subagreements to this

Cooperative Agreement, undertake such tasks as are enumerated here:

1. Provide as requested to the DoD or its individual installations, information and technical assistance for areas on DoD lands that have high natural values, such as pristine natural areas; areas of exceptional ecological importance; locations of rare or unusual plant or animal communities; and habitats of federally listed endangered, threatened, proposed, and candidate species and state listed species.

2. Locate, inventory, evaluate, provide management and monitoring recommendations for, prepare National Natural Landmark nominations for, review natural resource management plans for, and monitor the conditions of these DoD lands with high natural values, when practical.

3. Provide assistance in identifying special management designation areas on DoD installations relative to the protection of biological diversity.

4. Provide information and advice on the potential methods of managing specially designated areas based on experience from TNC owned and managed reserves.

5. Provide information as available to support interpretation, evaluation and monitoring of biological diversity on DoD lands.

6. Identify at an early stage in the planning process DoD lands for which research by TNC is proposed, the nature and extent of such research, and a TNC representative who will serve as liaison for the proposed study.

7. Involve DoD representatives as early as practicable in the planning stages for any proposed research at DoD installations.

8. Provide to DoD, to the extent practical, a copy of all data collected.

B. The Department of Defense will:

Under the terms of separately funded Subagreements to this Cooperative Agreement undertake such tasks as are enumerated here:

1. Make available to TNC and the Heritage Programs, to the extent practical, information on rare species and biotic community occurrences on DoD lands.

2. Coordinate with TNC the development of automated data bases related to biological diversity, including geographical information systems, where practical.

3. Consider TNC biotic inventory and information management

methodologies for possible incorporation in developing DoD natural resource inventory and monitoring approaches and guidelines.

4. Provide access to DoD lands for studies and analysis of existing ecosystems in mutually agreed upon areas, when compatible with the military mission.

5. Identify a DoD representative to serve as liaison for each proposed field study.

6. Cooperate and coordinate with TNC to expedite decisions associated with proposed studies on DoD lands.

7. Fully consider all TNC proposals and, when necessary, develop mutually agreed upon alternatives to the proposal.

8. Compensate TNC for their assistance, as mutually agreed upon.

BOTH THE DEPARTMENT OF DEFENSE AND THE NATURE CONSERVANCY AGREE THAT:

1. The implementation of this Cooperative Agreement is subject to required funds being available to both parties of the Agreement.

2. Nothing herein contained shall be construed as limiting or affecting in any way the delegated authority of the DoD.

STUDY AUTHORIZATION

TNC activities on DoD lands will require a study authorization which should address, but not be limited to, the following:

1. Identification of DoD land required for the study.

2. Duties and responsibilities of each party in the planning process.

3. Procedures for resolving issues, misunderstandings, or disputes.

4. Identification of access and other authorizations which may be needed within the scope of the study.

5. Provisions for a research proposal explaining the purpose, scope and means of the study, including field methods, timing of field work, statistical analysis procedure, and potential benefits to DoD and the installations where the research is to be carried out.

6. Procedures for cessation of TNC activities in the event of a

national defense emergency.

7. Milestone schedule for completion of the study and associated funding requirements for implementation.

8. Identification of special land restrictions required to support the TNC proposal.

9. Final approval of each new research proposal by the installation commander.

DELEGATION

Authorized representatives of The Nature Conservancy and the Department of Defense may execute special use authorizations and enter into supplemental agreements within the scope of this document.

MODIFICATION AND TERMINATION

This Agreement may be modified or amended upon request of either party and the concurrence of the other. The Agreement may be terminated with 60-day notice of either party.

IMPLEMENTATION

This Agreement becomes effective when signed by both parties and shall remain in effect until modified or terminated.

Deputy Assistant Secretary of Defense
(Environment)

Date 13 Dec 88

President
The Nature Conservancy

Date