

MEMORANDUM OF UNDERSTANDING
between the
USDA FOREST SERVICE
and
DUCKS UNLIMITED, INC.

99-SMU-028

I. INTRODUCTION AND PURPOSE

The United States Department of Agriculture, Forest Service and Ducks Unlimited, Inc., began a partnership in 1984 by joining with the Department of Interior, Fish and Wildlife Service and Bureau of Land Management in signing a multi-agency Memorandum of Understanding (84-SMU-004). This provided the foundation to establish a dynamic habitat improvement program on public lands within the National Forest System branch of the Forest Service. Today, the growing partnership encompasses many aspects of both organizations. This document revises the 1984 Memorandum of Understanding (84-SMU-004) and provides a broader foundation for the expanding partnership between Ducks Unlimited Inc., and the Forest Service.

II. STATEMENT OF MUTUAL INTEREST AND BENEFITS

Ducks Unlimited Inc., is a private non-profit conservation organization whose mission is to fulfill the annual life cycle needs of North American waterfowl. Since its founding, Ducks Unlimited has accepted the basic principle that conservation of waterfowl ultimately must focus on the protection and restoration of ecologically functional habitat complexes and systems. This includes basic research to better understand the functions and values of wetlands, riparian areas, associated uplands, and the flora and fauna they support. It also includes technology transfer, so that other land managers may have state-of-the-art information available to guide them in their management decisions. Ducks Unlimited also manages an international conservation program, with plans for expansion thus enabling them to better address the full life cycle needs of migratory birds.

The Forest Service has stewardship responsibility for approximately 191 million acres of public lands in 44 states. It administers this responsibility through the National Forest System branch of the agency in partnership with the related branches of State and Private Forestry, Research and Development, Programs and Legislation, and Operations, as well as the Offices of Law Enforcement and Investigations, Communications, Civil Rights, and International Programs. The Forest Service shares its expertise with other landowners and land stewards, in rural and urban settings, nationally and internationally through the Office of International Programs and State and Private Forestry. State and Private Forestry links forestry and conservation with people from the inner city to the rural countryside. They connect people to resources, ideas and to one another. Through voluntary collaborative approaches, State and Private Forestry provides leadership, technical and programmatic assistance to activities that promote sustainable forests, forest based economics, and communities. The mandate of the

Office of International Programs is to support and promote sustainable forest management in other parts of the world through cooperative research, technical assistance, and training.

In 1986, the Forest Service and Ducks Unlimited joined with State agencies and other partners interested in wetland conservation to begin developing the TAKING WING program.

Originally, this program was directed at habitat for wetland dependent wildlife on National Forest System lands. Today, TAKING WING involves all branches and offices of the Forest Service, addressing landscape level issues pertaining to the function of wetlands, riparian areas, associated uplands, as well as the wildlife and people that use them.

Both parties embrace and are active in the North America Waterfowl Management Plan (NAWMP), which calls for partnerships among public and private agencies, groups and individuals to restore habitat in key migratory bird ranges throughout North America and address waterfowl populations of international concern. Both parties are active in other migratory bird strategic planning and habitat improvement programs, such as Partners in Flight, the U.S. Shorebird Conservation Strategy, and the North American Colonial Waterbird Conservation Plan. Both parties recognize that the geographic ranges and habitat types of many migratory birds extend across national and international boundaries. And that an integrated approach to conservation research, education, and management will lead to greater benefits to the wetlands, riparian areas, associated uplands and the people who depend on them.

III. THE FOREST SERVICE AGREES TO:

- A. Cooperate in the expansion and enhancement of the TAKING WING program, encouraging all branches and staff areas of the Agency to improve and enhance their integrated ecosystem approach addressing wetland, riparian, and associated upland issues at a landscape level.
- B. Make National Forest System lands available for partnership projects with Ducks Unlimited for the furtherance of the TAKING WING program, when appropriate and subject to applicable Federal law, regulations, forest plans, and approval by the appropriate Forest Service official. As projects are defined and land is made available, specific activities and necessary permits will be documented in separate agreements.
- C. Maintain and enhance its role in implementing the NAWMP objectives by: participating in Joint Venture Management Boards and/or State steering committees; acquiring, protecting, restoring, enhancing and managing land containing wetlands, riparian areas, and associated uplands that provide habitat key to migratory bird species, and participating in Joint Venture efforts regarding analysis and monitoring of the NAWMP implementation.
- D. Work through State and Private Forestry and International Programs to encourage sound ecosystem management of wetlands, riparian areas, and associated uplands on private lands and with international partners. To support and encourage technology transfer

regarding protection, enhancement and management of privately owned lands, both in the United States and abroad.

- E. Work through the Research & Development branch to expand collaboration with Ducks Unlimited and other partners to increase the information base in support of adaptive management for ecosystem management as well as management and monitoring of migratory bird habitat.
- F. Communicate the creation and signing of this Memorandum of Understanding and methods for implementation to all Forest Service offices.

IV. DUCKS UNLIMITED, INC. AGREES TO:

- A. Cooperate in the expansion and enhancement of the TAKING WING program, thereby furthering its objectives to include not only National Forest System lands, but an integrated ecosystem approach addressing wetland, riparian, and associated upland issues at a landscape level.
- B. Review Forest Service proposals for research, inventory, and monitoring as well as, those for habitat enhancement, restoration, and protection and to make a determination on which proposed project, if any, will receive technical assistance and/or financial support from Ducks Unlimited.
- C. Upon request and as appropriate, provide information and technical assistance to the Forest Service in matters pertaining to waterfowl habitat management.
- D. Work through their Institute for Wetland and Waterfowl Research to expand collaboration with the Forest Service and other partners to increase the information base in support of adaptive management for ecosystems as well as management and monitoring of migratory bird habitat.
- E. Communicate the creation and signing of this Memorandum of Understanding and methods for implementation to all Ducks Unlimited offices.

V. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN BOTH PARTIES THAT:

- A. This instrument in no way restricts the Forest Service or Ducks Unlimited from participating in similar activities with other public or private agencies, organizations, and individuals.
- B. This instrument is neither a fiscal nor a funds obligation document. 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.

C. The principal contacts for this instrument are:

Cynthia Ragland
National TAKING WING Coordinator
USDA Forest Service
One Waterfowl Way
Memphis, TN 38120
Phone: 901-758-3722
FAX: 901-758-3850
email: cragland@ducks.org

Jack M. Payne, Ph.D.
National Director of Conservation Programs
Ducks Unlimited, Inc.
One Waterfowl Way
Memphis, TN 38120
Phone: 901-758-3825
FAX: 901-758-3850
email: jpayne@ducks.org

D. All press releases and other formal communication products pertaining to this Memorandum of Understanding shall have prior written approval by each party.

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

F. Either party, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration.

G. This instrument is executed as of the last date shown below and expires 5 years from the execution date, at which time it will be subject to review, renewal, or expiration.

VI. IN WITNESS WHEREOF, these parties hereto have executed this Memorandum of Understanding as of the last written date below.

/s/ Mike Dombeck
Mike Dombeck
Chief
USDA, Forest Service

/s/ W. Alan Wentz
W. Alan Wentz.
Group Manager, Conservation Programs
Ducks Unlimited, Inc.

December, 14 1998
Date

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Date