

Memorandum of Understanding, Mutual Agreements, and Cooperative Agreements

Arizona Association of Conservation Districts

District Training Program

2018

Agreements at a Glance



Basic framework
for cooperation
with USDA

Mutual
Agreement

Signed by:

- Secretary
- Governor and/or Tribal Council
- District and/or Tribe

Basic framework
for local
cooperation with
an agency

Cooperative
Working
Agreement

Signed by:

- NRCS or other agency
- District and/or Tribe

Locally developed
detailed funding
arrangements

Operational
Agreement

Signed by:

- NRCS
- District
- Others as deemed necessary by district

Memorandum of Understanding with USDA



- ❧ Mutual Agreements establish a partnership and a foundation for all USDA agencies to cooperate with states, tribes, and districts.
- ❧ The Mutual Agreements are signed by the Secretary of Agriculture, the State, and the District.

MUTUAL AGREEMENT
Between the
UNITED STATES DEPARTMENT OF AGRICULTURE
and the
STATE OF ARIZONA
and the
GILA BEND NATURAL RESOURCE CONSERVATION DISTRICT

For their Cooperation in the
Conservation of Natural Resources

THIS AGREEMENT is between the United States Department of Agriculture (USDA), The State of Arizona, and the Gila Bend Natural Resource Conservation District.

The authority of USDA to enter into this agreement is the Soil Conservation and Domestic Allotment Act, 16, 590; the Department of Agriculture Reorganization Act of 1994, Public Law No 103-354; and Secretary's Memorandum No. 1010-1, dated October 20, 1994. The Arizona authority is defined in Arizona Revised Statutes (A.R.S.). The District authority is defined in A.R.S. Title 37, Chapter 6.

STATEMENT OF PURPOSE

The parties have the common objective of assisting people in their efforts to utilize and manage natural resources in accordance with their capabilities and needs for protection and improvement. Each party is independent, has its respective responsibilities, yet recognizes the need to coordinate as a federal, state and local partnership for the successful delivery of conservation programs related to our soil, water, air, plant, animal, and human resources. Therefore, the parties will cooperate to implement their respective long-range natural resources conservation programs considering available resources, statutory authorities, and regulations. The parties will develop appropriate agreements to further define this relationship.

Mutual Agreement



BUCKEYE SOIL CONSERVATION DISTRICT

By: *A. Beyer*
Chairman, District Governing Body
Date April 11, 1945.

The signing of this Supplemental Memorandum of Understanding on behalf of the District was authorized by a resolution of the District Governing Body adopted at a meeting held on the 11th day of April, 1945.

Cecil S. Perkins
Secretary, District Governing Body
Date April 11 1945.

H. H. Bennett, Chief
SOIL CONSERVATION SERVICE
United States Department of Agriculture

By: *Floyd S. Matthews*
Acting Regional Conservator, Soil Conservation Service
Date MAY 28 1945 1945.

- ❧ Mutual agreements replaced the Memorandum of Understanding that were originally executed between USDA, the State of Arizona, and each Conservation District when the District was organized.
- ❧ The Arizona MOUs with USDA were most recently updated in 1996.

Cooperative Working Agreements



COOPERATIVE AGREEMENT

between
WICKENBURG NATURAL RESOURCE CONSERVATION DISTRICT
and the
UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE

For their Cooperation in the
Conservation of Natural Resources

THIS AGREEMENT is made and entered into this 14th day of January 1998 by and between the Wickenburg NRCD, hereinafter referred to as the District and the Natural Resources Conservation Service (NRCS), hereinafter referred to as the NRCS, to define clearly the roles and responsibilities of the parties.

AUTHORITIES, STATUTES, LAWS

NRCS is authorized to cooperate and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; the Department of Agriculture Reorganization Act of 1994, Public Law 103-345; and Secretary's Memorandum No. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

The Natural Resource Conservation Districts of Arizona are authorized for participation as defined in Arizona Revised Statutes, § 37-102 and § 37-1001, ET. SEQ.

The Soil and Water Conservation Districts of Arizona are authorized for participation under various Tribal Codes.

The purpose of this agreement is to supplement the Mutual Agreement between the United States Department of Agriculture, Tribal Governments and the various Natural Resource Conservation Districts and Soil and Water Conservation Districts signed in 1996. This cooperative working agreement documents those areas of common interest of the state, tribal, federal and local partnership in natural resources conservation.

- Cooperative Working Agreements establish the working relationship between the Conservation District and an agency.
- Every Conservation District in Arizona has a Cooperative Agreement with the USDA Natural Resource Conservation Service.
- They were most recently revised in 1998.

Cooperative Working Agreements



Cooperative Agreements with
NRCS address:

- ❧ Roles and Responsibilities
- ❧ Personnel and Training
- ❧ Technical and Administrative Assistance
- ❧ Program Delivery
- ❧ Information Sharing
- ❧ Technical Standards

- ❧ Office facilities
 - ❧ Vehicles
 - ❧ Equipment
 - ❧ Records Management
- ❧ Funding
- ❧ Liability
- ❧ Civil Rights Requirements
- ❧ Termination

Cooperative Agreements with Land Owners



WICKENBURG
Natural Resource Conservation District



COOPERATIVE AGREEMENT

Cooperator: _____

Mailing Address: _____

Phone: _____

Location: _____ Section(s) _____

T _____ R _____ Acres _____

I, the undersigned, have natural resources under my control in regard to which I desire to develop a complete conservation program. I agree to apply all conservation measures as jointly agreed upon by the District and me as rapidly as is economically feasible.

It is mutually agreed that:

1. This agreement will become effective when the District has accepted it and may be terminated or modified by mutual agreement of parties hereto.
2. The provisions of this agreement are understood by the Cooperator and the District; and, neither shall be liable for damage to the other's property resulting from carrying out this agreement, unless such damage is caused by negligence or misconduct.

Signature: _____ Date: _____
(Cooperator)

The Supervisors of the Wickenburg Natural Resource Conservation District agree to assist the above named Cooperator in attaining his goals in every lawful way for the conservation of the natural resources under his control. We will provide technical assistance to him in preparing and applying a conservation program in accordance with the needs and capabilities of this land. We will schedule this assistance as rapidly as possible based upon our available manpower.

By: _____, District Supervisor _____ Date _____

Conservation Districts also enter into a Cooperative Agreement with the land owners / land users in their District.

Cooperative Agreements establish a working relationship between the District and other entities that help them carry out their local conservation program.

Cooperative Agreement

A Working Relationship



- ❧ The District Cooperator identifies the lands within the Conservation Districts to be managed for the purpose of protecting, conserving and practicing wise use of the natural resources.
- ❧ The District Cooperator agrees to develop and implement a conservation program to conserve the natural resources under their control.
- ❧ The Conservation District agrees to play a substantial role in assisting the Cooperator attain their goals, by working with NRCS and other partners to provide technical and financial assistance to their Cooperators in developing and applying a conservation program to conserve the natural resources under their control.

Operational Agreements



- ❧ Some Conservation Districts in Arizona have operational agreements with NRCS.
- ❧ These agreements typically involve the District providing staff support to help the NRCS Field Office with their workload.
- ❧ They typically include funding.
- ❧ Operational Agreements Include
 - ❧ Specific Objectives
 - ❧ Goals and Action Items
 - ❧ Responsibilities
 - ❧ Documentation
 - ❧ Schedules
 - ❧ Use of Resources