

MEMORANDUM OF UNDERSTANDING

ESTABLISHES PROCEDURES TO ASSURE COORDINATION AND COOPERATION BETWEEN THE BUREAU OF LAND MANAGEMENT AND THE U.S. GEOLOGICAL SURVEY IN COMPLYING WITH THE COUNCIL ON ENVIRONMENTAL QUALITY REGULATIONS FOR IMPLEMENTING THE PROCEDURAL PROVISIONS OF THE NATIONAL ENVIRONMENTAL POLICY ACT

- I. Introduction. These cooperative procedures are established between the U.S. Geological Survey (GS) and Bureau of Land Management (BLM) to assure coordination and cooperation between BLM and GS in complying with the Council on Environmental Quality (CEQ) regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA). Emphasis is placed on key aspects in the development of environmental assessments (EAs) and environmental impact statements (EISs) where coordination and cooperation are especially important to assure an efficient and effective NEPA process (40 CFR 1508.21).

These procedures become effective upon signature by the Director, Bureau of Land Management, and the Director, Geological Survey.

This agreement may be changed at any time by mutual agreement between the Director, BLM, and the Director, GS, or may be cancelled 30 days after a written notice is provided by either Director. The procedures set forth in this agreement will be reviewed annually on or about the anniversary date of this agreement by the GS/BLM Coordinating Committee.

This agreement supersedes the cooperative procedure agreement of August 6, 1975, titled "Cooperative Procedures For Coordinating Preparation Of Environmental Analysis And Environmental Impact Statements." [BLM No. WO-55]

II. Purpose

- A. Assure coordinated compliance with CEQ regulations at all administrative levels.
- B. Increase cooperation at all levels in meeting NEPA responsibilities.
- C. Improve understanding of each agency's responsibilities, procedures, and requirements for implementing NEPA, CEQ regulations, and Departmental Manual, Part 516.
- D. Share technical data and professional expertise in meeting NEPA requirements.

- E. Provide for nonduplicative, supportive, and consistent requirements for the NEPA process.

III. Authority

- A. The National Environmental Policy Act of 1969, as amended (42 USC 4321-4347).
- B. Council on Environmental Quality Regulations for Implementing The Procedural Provisions Of The National Environmental Policy Act (40 CFR 1500-1508).
- C. Department of the Interior, Departmental Manual, Part 516.

IV. Coordination Requirements - to assure an efficient and effective NEPA process.

A. Initial Coordination

When either agency contemplates an action or responds to an application which will require the preparation of an EA/EIS, it will normally be considered the lead agency and must determine whether the other agency has a separate approval action on the same or related proposal. Note: 40 CFR 1508.16 allows for joint lead if appropriate.

The lead agency must, (1) make a specific contact with the other agency's counterpart office to determine whether that agency has pending actions that might be involved and, (2) document the coordination efforts as to the time, particulars of the contact, and the response received.

B. Follow up Coordination

When it has been determined that, (1) an EA/EIS is required and, (2) that this single document will be used by both agencies as a basis for NEPA compliance, GS and BLM will coordinate and cooperate as discussed in the following items 1-4. These items shall be accomplished by each agency in a timely manner. The timetable for accomplishing these items shall be established by the lead agency according to deadlines dictated by the proposed actions and in consideration of previously established program and manpower commitments of the other agency.

1. Data exchange - Each agency holding pertinent, non-proprietary data will make these available to the other in an expeditious fashion. The lead agency is encouraged to obtain relevant data (including inventory and monitoring data) available from the other agency. In addition, the lead agency must provide for making all nonproprietary information available to the public.
 2. Analytical and interpretative assistance - When the lead agency lacks the necessary professional skills and such skills repose in the other agency, the lead agency will request such assistance from the other agency. The agency holding the professional skills will make them available, if possible, considering previously established program and manpower commitments.
 3. Document review - The lead agency will provide opportunity for the other agency to review environmental documents.
 4. Implementation of proposed actions - Actions involving the two agencies will be implemented after both agencies agree that the NEPA process has been satisfactorily completed.
- V. Resolution of Disagreements - If the agencies disagree on issues relating to assuring an effective and efficient NEPA process, the disagreement will be resolved as follows:
- A. If the issue cannot be resolved at the appropriate field levels or at successively higher levels, it will be referred to the agency Directors.
 - B. If the issue remains unresolved after referral to the agency Directors, it will be referred for resolution to the appropriate Assistant Secretaries in the case of EAS and through the appropriate Assistant Secretaries to the Assistant Secretary--Policy, Budget and Administration in the case of EISS.
- VI. Funding
- A. Each agency will arrange its own funding through its established budgetary process.

- B. Nothing herein shall be construed as obligating BLM, or GS or the United States in any contract or other obligation for payment of money in excess of appropriations authorized by law.

VII. Supplemental Working Agreements - Working agreements supplemental to this agreement may be entered into by BLM and GS program and field level personnel to further implement NEPA and related environmental regulations. Such agreements will be referred to the Director, GS, and Director, BLM for review.

Ed Hartay

Associate Director, Bureau of Land Management

11/7/80

Date

Doyle H. Frederick

Associate Director, U.S. Geological Survey

10/10/80

Date