

Part 610 – National Environmental Compliance Handbook

Subpart H – Exhibits

610.119 Typical Elements of a Cooperating Agency MOU

I. Introduction

- Describes the planning/National Environmental Policy Act effort, and the major statutory and regulatory requirements it fulfills
- Identifies the government entities assuming cooperating agency status through the MOU, and their qualifications as defined at 40 CFR Sections 1508.15 and 1508.26: jurisdiction, special expertise, or jurisdiction and special expertise

II. Purpose (describes what will be accomplished by the MOU)

III. Authorities

- Identifies the principal statutory authorities for the NRCS to enter into the MOU
- Identifies the principal statutory authorities for the cooperating agencies to enter into the MOU

IV. Roles and Responsibilities

- The roles of each party in the planning process, including contractors if applicable
- Particular interests and areas of the expertise of the cooperating agencies relative to the plan
- Procedures for information sharing and confidentiality
- How the cooperating agencies' comments, recommendations, and data will be used in the planning process
- Resource commitments
- Anticipated schedule
- Any other expectations of the parties

V. Agency Representatives (usually enumerated in an attachment)

VI. Administration of the MOU

- How disagreements will be resolved
- How the MOU may be modified or terminated
- Acknowledgement that the authority and responsibilities of the parties under their respective jurisdictions are not altered by the MOU
- Signatures and dates