

Memoranda of Understanding (MOU) & Memoranda of Agreement (MOA)



**Partnerships in NRM
PROSPECT Course**

"The views, opinions and findings contained in this report are those of the authors(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."



**US Army Corps
of Engineers®**



Overview

- Goal: Participants will learn about the differences between the two types of agreements and how they are developed and utilized.
- National MOU list and brief description of the types of work/activities included in the MOU
- Local MOUs and success stories



US Army Corps
of Engineers®



MOUs & MOAs: What are They?

- MOUs and MOAs are used to coordinate the Corps' authorized activities with another entity.
- Outline what each entity has to offer to the partnership, as well as what each has at stake.
- These “agreements to agree” or umbrella agreements are often used interchangeably (and incorrectly) in conversation, but they are distinctly different.



US Army Corps
of Engineers®



Authority for MOUs

- There is no explicit authority which permits USACE to collaborate through these non-binding documents, but all activities need to be within the Corps mission.
- Anything the Corps does under the MOU would be based on other general authorities.
- For example, there is no explicit authority to hold meetings or conferences related to Civil Works projects, but usually such meetings are implicitly permitted by the general authorities as a necessary expense to accomplish our legislatively permitted goals.
- If the MOU has something to do with recreation or environmental stewardship at Civil Works sites, the general authorities related to operating and maintaining these areas would apply.



US Army Corps
of Engineers®



Memorandum Of Understanding (MOU)

- A “general area of understanding” within both parties' authorities.
- No transfer of funds for services is anticipated.
- MOUs often state common goals and nothing more.
- An MOU may be used to outline the operation of a program so that it functions a certain way.
 - For example, two agencies that have similar goals may agree to work together to solve a problem or support each other’s activities by using an MOU.
- The MOU is nothing more than a formalized handshake that may help keep a partnership “on task”

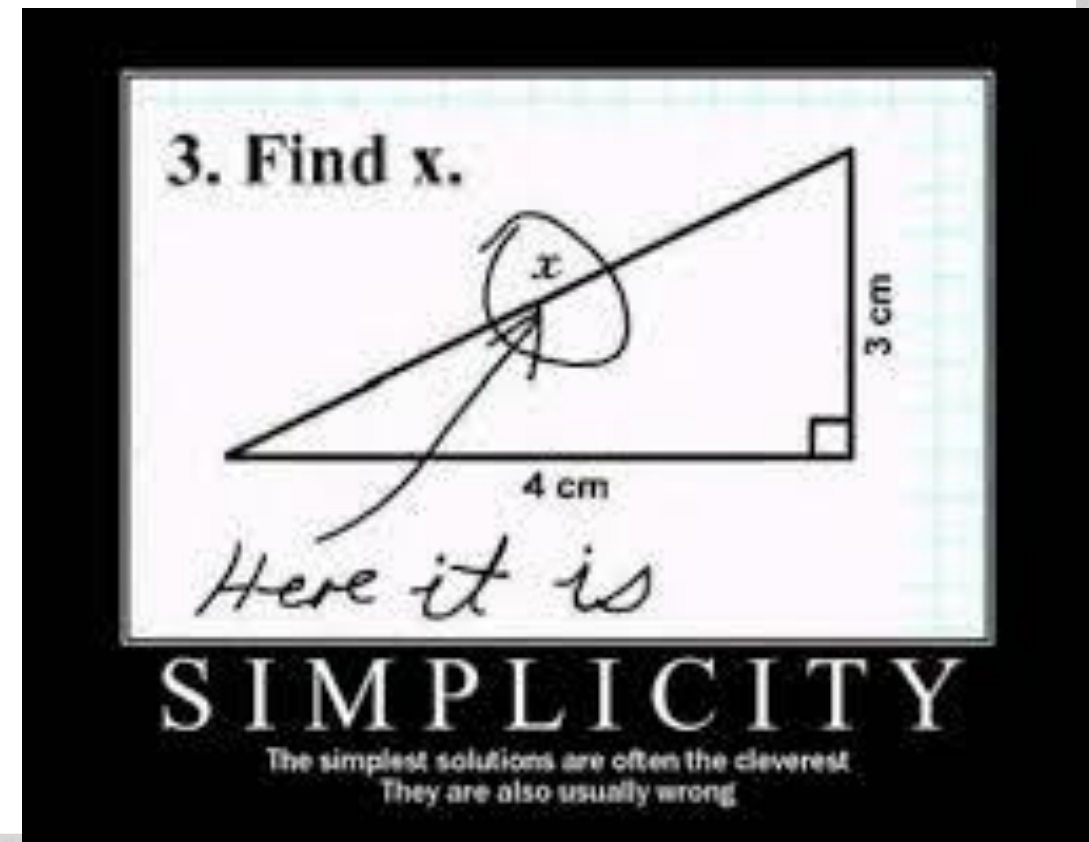


US Army Corps
of Engineers®



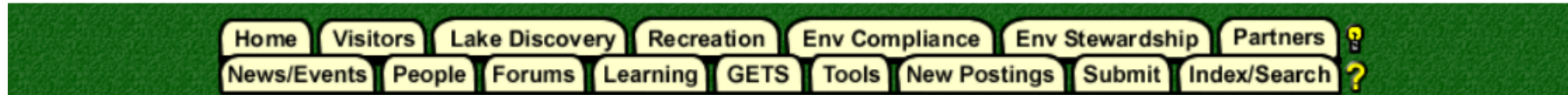
MOUs are Simply an “Agreement”

- MOUs should usually include language that states something similar to:
 - “This is not a funds obligating document; by signing this agreement the _____ parties are not bound to take any action or fund any initiative.”
 - MOUs are not legally binding
- MOUs can be as large, or as small in scope as you’d like them to be.
- Advice: Keep ‘em simple!




How to Get Started with a MOU


<https://corpslakes.erd.c.dren.mil/partners/moumoa-template.cfm>



MOU/MOA Partnerships

MOUs/MOAs Sample Templates

- [AR 25-50 Preparing and Managing Correspondence](#) - MOU and MOA format
- [Boat Operator Training Agreement MOU with Outside Entities - Template](#)
- [DOD Instruction 400019: Support Agreements](#) - MOU and MOA templates with required content and clauses
- [DOD MOA template for Economy Act, 2016](#)
- [DOD Model MOU Template, 2016](#)
- [DD 1144 Interservice Support Agreement](#) - support document that goes with an MOA for funds exchange between DOD agencies
- [ENG Form 4914-R Interagency Support Agreement](#) - support document that goes with an MOA for funds exchange with non-DOD federal agencies
- [CECC-G Bulletin 14-01, Revised Department of Defense Instruction \(DODI\) 4000.19 for "Support Agreements" memo](#)
- [Interagency and International Service Model Agreements Sharepoint Site](#) 
- [DOD MOA template for Support to State and Local Governments, 2016](#)

 Item is restricted to U.S. Army Corps of Engineers and will open in a new window.

- [Home](#)
- [National MOUs/MOAs](#)
- [FAQs](#)
- [Local MOUs/MOAs](#)
- [Sample Templates](#)
- [Success Stories](#)
- [HQUSACE Regulatory Program MOUs/MOAs](#)
- [HQUSACE Project/Planning MOUs/MOAs](#)
- [Inmate Labor Program](#)



Common Elements of a MOU

- Purpose (Why?)
- Authority (What allows us to partner)
- Responsibilities (What each party will do)
- Mutual Understandings/Conditions
 - Subject to appropriations
 - Not a fiscal or fund-obligating document
 - Does not restrict the agency from working with others
 - Does not imply endorsement of partner
 - No discrimination
 - No preferential treatment
 - May be amended or terminated at any time
 - Expiration date (can be 'until terminated')
- Principal Contacts
- Effective Date
- Signatures



US Army Corps
of Engineers®



MOU Examples

USACE has over 40 national MOUs that can be found on the Gateway.

<https://corpslakes.erdc.dren.mil/employees/cecwon/mou.cfm>

National MOUs/MOAs

All MOUs and MOAs listed are Natural Resources proponent unless otherwise noted.

- [Archive of MOUs/MOAs](#)

Agency/Organization	Start Date	Description	End Date
21st Century Conservation Service Corps	1/1/13	MOU between Department of the Army, DOI, DOA, DOC, DOL, EPA, CEQ, and CNCS Purpose: To establish the interagency National Council for the 21 CSC and form an interagency working group.	In effect until terminated
American Chestnut Foundation	12/2009	MOU between USACE and the American Chestnut Foundation Purpose: To restore the American Chestnut on USACE lands	In effect until terminated
BASS	6/1996	MOU between Bass Anglers Sportsman Society and USACE Purpose: Maintain and enhance sportfishery resources, public fishing opportunities, and increase public understanding	In effect until terminated
BoatU.S.	2006	MOU between BoatU.S. and USACE Purpose: Cooperate on boating and water safety education outreach, materials, and education	In effect until terminated
Boy Scouts of America	3/1987	MOU between USACE and BSA Purpose: Work together to protect, develop, and conserve water resources	In effect until terminated
CAST (Catch a Special Thrill)	6/2012	Interagency MOU Purpose: Interagency MOU with CAST to develop and implement recreation programs, projects, and activities that serve children and military service members with disabilities and/or disadvantages.	6/2022
Cooperative Conservation	1/2009	MOU between the USACE and Cooperative Conservation (Department of Agriculture, DOC, DOD, DOI, and CEQ) Purpose: Identify issues, develop solutions, and share best practices in collaborative natural resource and environmental management	In effect until terminated
Cooperative Ecosystem Studies Units	5/2011	MOU between the USACE, NASA, ARS, NRCS, USFS, NOAA, BLM, BOEM, NPS, BOR, USFWS, USGS	2017



National MOUs

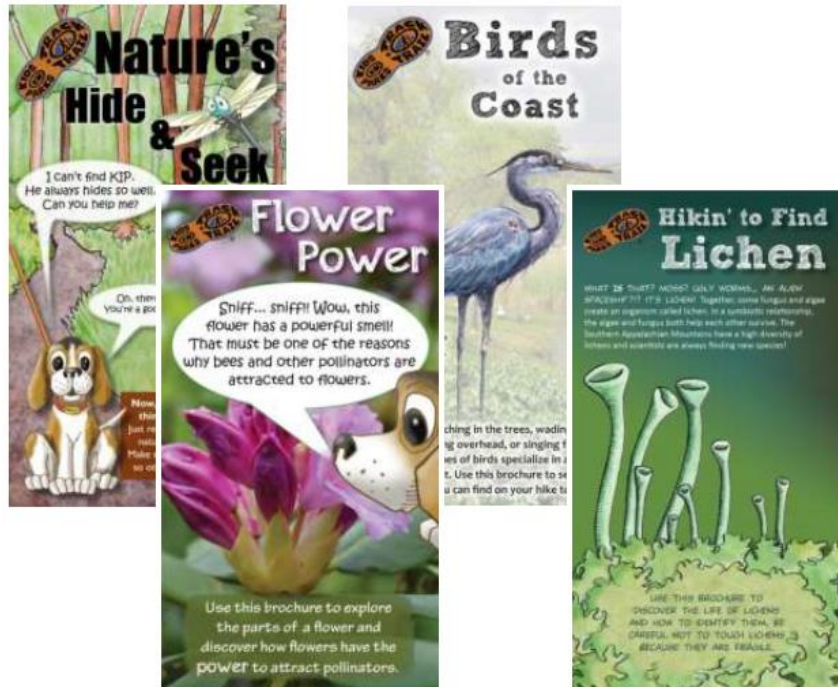
(Partial list of more frequently used. See NRM gateway for full list.)

- | | |
|---|---|
| <ul style="list-style-type: none">▪ American Chestnut Foundation▪ BASS▪ Boat US▪ Boy Scouts▪ CAST▪ CESU▪ Corps Foundation▪ Ducks Unlimited▪ FLW▪ Friends of the Wild Whooper▪ Girl Scouts▪ IMBA▪ Leave No Trace▪ National Audubon Society▪ NEEF | <ul style="list-style-type: none">▪ NFWF▪ National Wild Turkey Federation▪ NRCS▪ Paralyzed Veterans of America▪ Public Lands Alliance (APPL)▪ Reservoir Fisheries Habitat▪ Safe Kids▪ SCA▪ Nature Conservancy▪ Tread Lightly!▪ USFWS▪ US Power Squadron▪ US Coast Guard and Auxiliary▪ Watchable Wildlife▪ Wildlife Habitat Council |
|---|---|



National MOU: Kids In Parks TRACK Trails

- Purpose: Develop TRACK trails (self-guided trails) on Corps projects to get more kids outdoors
- Brochure-led discoveries
- Incentives/prizes for participation
- Trail types: biking, paddling, disc golf, hiking, citizen science



Discover Treasures on Price Lake

Paddle around the perimeter of Price Lake and visit these colored zones to discover just a few of the stories the lake has to tell.

Wild Waters

Rain and snow from the surrounding peaks flow into Boone Fork and other small creeks that drain into Price Lake. The flowing water from these streams brings valuable nutrients and oxygen to the lake, making these areas abundant with aquatic wildlife. Carefully paddle around the mouth of Boone Fork and the other creeks. Look for raccoons on the surface of the water and schools of fish swimming below. What was the coolest thing you found?

Boone Fork Creek

Active Beavers

Beavers live at the lake and are always busy gnawing and cutting down trees. The wetland on the south end of the lake was created by beavers. They used logs and mud to block the stream to raise the water level so they could build their dome-like homes, called lodges, in the water. Can you find any signs of beavers?

Chewed Trunk

North American Beaver

Wetland

Evergreen Shrub

From a look, you are able to see the different levels of the forest. Rhododendron is an understory (lower level) plant that stays green all year long.

Rhododendron

Rhododendron have bright pink, purple, or white flowers in the summer. The leathery oval leaves are about the length of an adult hand.

Who's Swimming Underneath?

The lake is stocked with fish including all three trout species - brook, rainbow and brown. Brook trout is a large fish native to North Carolina. Brook trout only live in cool water and are powerful predators.

Fish

Brook Trout

Fish Food

Fish in Price Lake eat algae, zooplankton (microscopic creatures), insects and... other fish! The most common fish in the lake are golden shiners. These small fish were introduced to the lake to provide food for the bigger fish.

A Young Grandfather

Grandfather Mountain

While paddling along the lake's eastern shore, you get a unique view of Grandfather Mountain. Long ago, massive boulders of rock folded and compressed to form the Blue Ridge Mountains. In this area, older rock was actually pushed over younger rock. Over time, the older rocks on top eroded away, revealing the younger rocks beneath that form the distinct profile of Grandfather Mountain.

The Man behind the Park

Julian Price Dam

Julian Price was a nationally known insurance executive and civic leader. He originally bought this land (now called Julian Price Memorial Park) so that his employees would have a place to vacation. After Price's death in 1946, the estate was given to the National Park Service with an agreement that a lake would be made. Years later, the dam was built which created the 47-acre lake. From your boat you can get an excellent view of the dam as the northern end of the lake. What road goes over the dam?



National MOU: Union Sportsmen's Alliance

- Purpose: Utilize USA's flagship conservation program "Work Boots on the Ground" to facilitate opportunities for their members to volunteer their time and unique trade skills towards construction, repair and restoration projects on USACE public lands and waters
- USA contributes private sector resources and highly trained Union member volunteers such as:
 - Electrical workers
 - Plumbers, welders and service techs
 - Machinists
 - Sheet metal workers
 - Painters
 - Roofers
 - Bricklayers
 - Iron workers
 - Carpenters
- <http://unionsportsmen.org/>
- Find out more at <https://corpslakes.erc.dren.mil/partners/national.cfm?Partner=usa>



USACE PROJECTS: REND LAKE – MARION, IL

Welcome to the Pollinator Trail & Pond

This 1/2 mile, accessible trail is surrounded by acres of native plant prairie that bursts with seasonal wildflowers and hosts many grassland birds and busy insects. Discover other habitats as the trail loops around a pond with platforms for fishing or observing aquatic species. Continue to explore along the Nature Trail. This extended, unpaved path passes through the nearby woods where other wildlife might be spotted.

Thank You to Our Partners

This project was completed by the U.S. Army Corps of Engineers at Rend Lake and partners to improve accessible recreation and water-related opportunities.

The following partners are gratefully acknowledged for their hard work and generous contributions that made this project possible.



Pollinator Trail & Pond

Local labor union members (laborers, carpenters, cement masons, operating engineers) and other community groups donated 100+ hours, materials and equipment to complete the 1,200-foot Pollinator Trail at the North Marcum Recreation Area on Rend Lake. The trail encircles a pond that volunteers dredged and expanded and features four accessible fishing stations.



USACE Project: Rend Lake – Marion, IL



Rend Lake Archery Trail & Range

USA volunteers from IUOE local 318 have already completed the main archery trail as well as the new parking lot. Volunteers also prepped the grounds and laid rock for the accessible sidewalk to the range shelter. Volunteers will complete the range shelter as well as construct an elevated archery platform similar to the one pictured here.

USA Project at Pine Flat Lake, SPK



- Constructed large pavilion in Kings River Wildlife Area with Local Union 701, 1109, 9082, and 155
- 120 union members participated, contributing 200 volunteer hours, saving USACE \$30k



National MOU: Back Country Horsemen of America

- Purpose: Increase cooperation between USACE and BCHA to assist one another in developing equestrian related programs, projects, training, and trails.



Goals

- Work closely with equestrian groups to set up common objectives
- Identify opportunities in land use, planning, and education related to trails/trail usage
- Develop/maintain equestrian trails on USACE lands
- Seek opportunities to promote trail use
- Establish contacts and communication avenues between organizations

- <https://www.bcha.org/>

- Find out more at <https://corpslakes.erdcdren.mil/partners/national.cfm?Partner=back>



US Army Corps
of Engineers®



BCHA at Mark Twain (MVS)

Partnered in 2012 and 2014 with NEMO River Valley Chapter of Show Me Missouri BCHA and FOREST Council to construct an outdoor adventure campground and barrier free access/fishing facility using Handshake Program funding.



- 4 equestrian campsites
- Asphalt parking pads
- Water/electrical service
- Steel hitching rails
- Sheltered hitching area
- Tree planting
- Aquatic landscaping
- Sidewalk and fishing pad installation



US Army Corps
of Engineers®



BCHA at Big Hill (SWT)

- Partnership started in 2015 with BCHA wanting to help out clearing trails by mowing, track hoe, mulching tool/skid loader work
- \$29k in Handshake funding received in 2017 and 2020 for trail markers, signage, horse pens, group shelters, mapping,



US Army Corps
of Engineers®



U.S. ARMY

BCHA at J Strom Thurmond (SAS)

Partnered with Central Savannah River Area Equestrian Club, BCHA of Middle and South Georgia and Boy Scouts for equestrian friendly upgrades to Bussey Point trail and campground

- New access trail at Bussey Point trailhead
- Potable water well for equestrian use
- Expanded campsite driveways for horse trailers
- Horse tethering high lines at campsites
- New exit road to improve traffic flow
- Expanded day use parking lot
- Interpretive kiosk at trailhead
- Solar light at restroom facilities



Local MOUs

Local MOUs are not required if the proposed partner's parent organization or primary organization has an existing National MOU with the Corps.

However, if the potential partner requests a local MOU as a condition to partner with the Corps, you may use the National MOU as a model example to create a local version.

Raystown/Ruffed Grouse Society WMA



Tioga-Hammond/PA Fish & Boat Commission Fish Habitat Improvements



John Martin/CO State Parks Eagle trees



Local MOU Successes

SAW: W. Kerr Scott and Brushy Mountain Cyclists Club (IMBA)

<https://www.youtube.com/watch?v=nvwA5Lm9Myc&index=2&list=PL012086E7B4EFAD1B>



Local MOU Successes

NWP: Portland District MOU with OPAL Foundation, March 2016

- Park closed in 2013 due to budget reductions
- Local non-profit organization approached the Corps and offered to fundraise and make investments to reopen and operate Phillipi Park
- Costs the Corps less in O&M now that there is a full time staff member under



full ti



Local MOU Successes

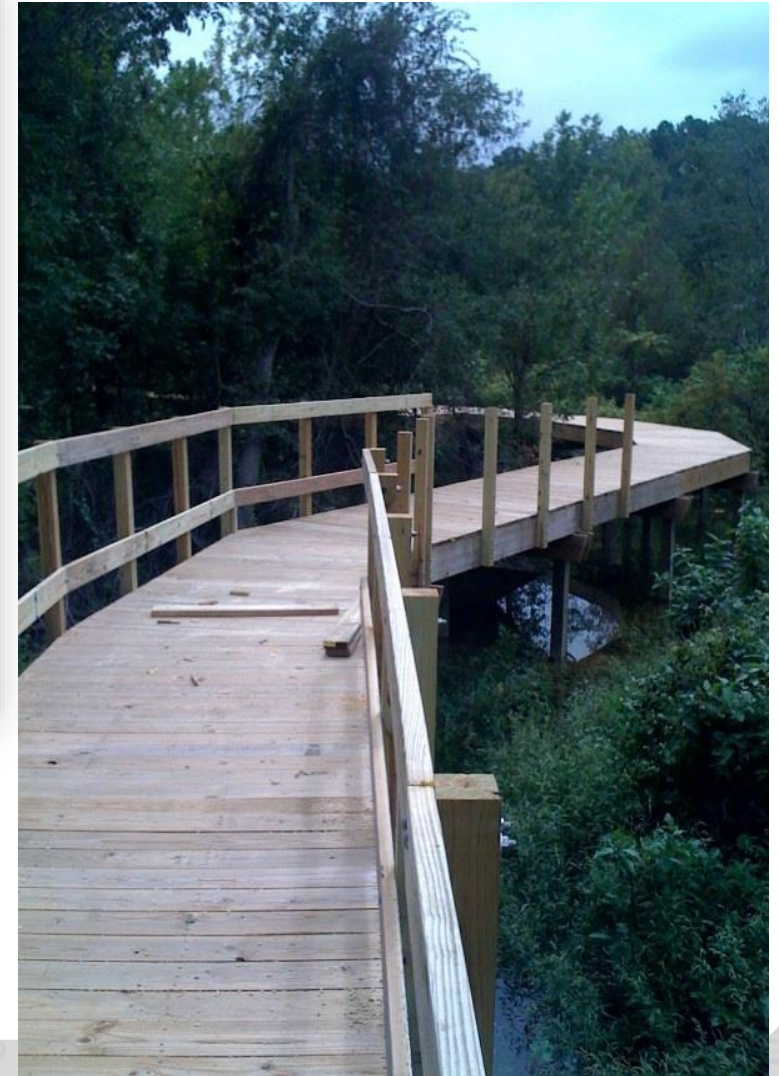
Austin Ridge Riders – Goodwater Loop Trail

- The Austin Ridge Riders Mountain Biking Association has been working in Agreement with USACE at Lake Georgetown since 2014 but has provided volunteer services for Lake Georgetown since 2008. Members of the club have completed work on the Goodwater Loop Hiking Trail to provide better recreational opportunities and access for people of all backgrounds.
- Partnership Officially Established in 2014
- Maintained and improved 26 miles of rugged trails
- Completed 150 hours of service in FY20
- Exhibit exceptional environmental stewardship
- Contributed to IMBA EPIC Trail Designation
- Partnership type: MOU



Local MOU Successes

MVK: W. Friends of Lake Ouachita/Citizens Focus Committee and the LOViT Trail



Local MOU Successes

NWP: BPA, OR Department of Agriculture, Oregon Hunters Assn, USFS

- Cooperative project to improve habitat while meeting BPA's vegetative maintenance objectives
- Establish self-sustaining low-growing plant communities that provide diverse habitat for wildlife
- Reduce invasive exotics and replace with native plants
- Studies conducted for pollinators
- Obliterate and restore unnecessary road segments



Local MOU Successes

NAE: Cape Abilities – Cape Cod Canal

Cape Abilities supports Environmental Stewardship and Interpretive Services and Outreach missions at the Cape Cod Canal. This partnership develops and maintains pollinator gardens at the Cape Cod Canal Visitor Center, removes loose litter and improperly discarded fishing gear from the banks of the Canal, and engages in public outreach to promote stewardship of our resources, while providing enriching opportunities for mentally and physically disabled adults.

- Partnership established in 2017
- Partnership developed and maintains 853 square feet (and growing) of pollinator gardens
- Incorporates another partnership with Take Care of the Cape & Islands and outreach opportunities to achieve additional ES missions
- Over 1400 volunteer hours provided between 2017-2019



Local MOU Successes



SESSER-VALIER OUTDOORSMEN CLUB – REND LAKE



The Sesser-Valier Outdoorsmen Club supports several special events in support of Rend Lake's missions. These events include the Annual Rend Lake Deer Hunt for Individuals with Disabilities, Annual Christmas Tree Drop, Paralyzed Veterans of America Bass Tournament, and Rend Lake Shooting Classic. The Club's mission is to get students outdoors through volunteer opportunities in which students assist both youth and disabled recreationalists. Their commitment and dedication has helped Rend Lake continue to provide outdoor recreation opportunities to all visitors while maintaining our natural resources.

- Established in 1980.
- The SVOC has assisted with the Rend Lake Deer Hunt for Individuals with Disabilities for over 40 years, scouting for blind locations, camouflaging the blinds, providing meals for the hunters, and assisting them in any way. Students track, haul, and field dress the harvested deer for hunt participants. The club has also hosted a large banquet for the last 33 years to support and celebrate this amazing event.
- In 2019 alone, the Outdoorsmen Club had more than 70 volunteers provide over \$105K to benefit the events and visitors of Rend Lake.
- Partnership Type: Memorandum of Understanding.



SVOC members and hunters during the Annual Rend Lake Deer Hunt for Individuals with Disabilities.



SVOC volunteers during the Rend Lake Christmas Tree Drop. Volunteers help build and place fish habitat structure to improve fish populations at Rend Lake.



Who can sign a MOU?

- A draft of the MOU should be forwarded for review by the District Office Partnership Coordinator and the other agency before finalizing the draft.
- Signature of the MOU should be made in accordance with USACE District policies and authorizations.



Corps Foundation MOU signing

- MOUs can be signed by the OPM, District Operations Chiefs, District Engineers, Division Commanders, or HQ representatives depending on the scope of the activity and the authority referenced.



US Army Corps
of Engineers®



Memorandum Of Agreement (MOA)

- A binding “conditional agreement” between two or more parties where the transfer of funds for services is anticipated.
- The MOA is prepared in advance of a support agreement/ reimbursable order form that defines the support, basis for reimbursement, the billing and payment process, and other terms and conditions of the agreement. *Note: Each District has different processes and procedures; contact your District Office Partnership Coordinator.
- MOAs often establish common legal terms that will be read into every reimbursable order that follows.
- MOAs do not obligate any funds themselves, but they establish the terms for future service and cite one of the appropriate authorities to do so.



US Army Corps
of Engineers®



Common Elements of an MOA

- Purpose and Authority (Why)
- Scope
- Interagency Communications (Who is involved)
- Taskers
- Responsibilities (What each party will do)
- Funding/Financial details (Who is paying)
- Acceptance of funds/billing
- Applicable Laws and Regulations
- Records and reports
- Safety
- Amendment, Modification, Termination
- Mutual Understandings/Conditions
- Effective Date
- Signatures



US Army Corps
of Engineers®



MOA Examples

- United States Geological Survey and USACE
 - Purpose: Provision planning, design, construction, restoration, R&D, engineering, training
- U.S. Department of Agriculture and USACE
 - Purpose: Forest Insect and Disease Suppression on DOD Lands
- Federal Highway Administration and USACE
 - Purpose: Collaborate to provide goods and services
- General Services Administration (GSA) and USACE
 - Purpose: Customer surveys
- National Park Service and USACE
 - Purpose: Natural and cultural resource management
- Susquehanna River Basin Commission and USACE
 - Purpose: Preliminary assessment of optimizing use of water storage
(Authorized by 31 USC 6505 Authority to provide specialized or technical services to state or local governments)



US Army Corps
of Engineers®



Who Can Sign a MOA?

- A draft of the MOA should be forwarded for review by the District Office Partnership Coordinator and the other agency before finalizing the draft.
 - Signature of the MOA should be made in accordance with USACE District policies and authorizations.
 - Typically the MOA is signed at the District level by the District Engineer or their authorized representative.
- Expiration date: All MOAs will have an expiration date not to exceed 9 years (*per DOD Instruction 4000.19, Support Agreements*)



US Army Corps
of Engineers®



USACE District Policies and Authorizations

Note that neither MOUs nor MOAs can be used independently to receive services or obligate funds beyond those separately authorized, and that any MOU or MOA with outside entities should be made in accordance with USACE District policies and authorizations.



US Army Corps
of Engineers®



Summary

	MOU	MOA
Anticipate transfer of funds?	No	Yes
Required Review	Ops (OC recommended also)	Ops, OC, RM, CT
Signature Level	Can be at any level depending on the complexity of the MOU and the authority referenced	Typically signed by the DE, funds transfer through RM and CT



US Army Corps
of Engineers®



Exercise to Determine Which is MOU and Which is MOA

A local bike group has approached you about having their group work on rebuilding and improving your trail system. They will be raising funds in the local community for their group to use to work at your lake. They will handle all of the funds to pay for equipment and supplies, there will not be any exchange of funds between the group and the Corps.

MOU or MOA?

You have approached the USDA Wildlife services group to help you remove and control nuisance Turkey Vultures that are roosting on your dam control tower. Funding will be exchanged to the USDA from the Corps.

MOU or MOA?



US Army Corps
of Engineers®



Exercise to Determine Which is MOU and Which is MOA

The local chapter of Pheasants Forever has approached your OPM to develop a relationship between PF and the Corps to improve wildlife habitat on Corps lands surrounding your lake. The two groups will work together on the projects. The Corps will be supplying equipment and materials and Pheasants Forever will provide volunteer labor. MOU or MOA?

Your state boating agency has approached you about partnering on water safety initiatives to reduce boating accidents and reduce drownings. Each agency has developed programs and have agreed to work together to meet common goals. MOU or MOA ?



US Army Corps
of Engineers®

