INTERAGENCY AGREEMENT

FOR
COLLABORATION AND COORDINATION
IN

CAVE and KARST RESOURCES MANAGEMENT

Among

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

US FISH AND WILDLIFE SERVICE

US GEOLOGICAL SURVEY

NATIONAL PARK SERVICE

DEPARTMENT OF AGRICULTURE

USDA FOREST SERVICE

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SECTION I - PURPOSE

The purpose of this agreement, made pursuant to 16 U.S.C. 4310(c), is to achieve more effective and efficient management of caves through cooperative action by the Department of the Interior, Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (USFWS), U.S. Geological Survey (USGS), National Park Service (NPS), and the Department of Agriculture, Forest Service (FS), collectively know as the Agencies. The agreement identifies areas of mutual concern and establishes possible avenues for collaboration and cooperation in the management, research, protection, and conservation of cave and karst resources. It is not intended to be a legally binding or enforceable agreement.

SECTION II - NEED FOR COOPERATION

Action is needed based on the following:

A. The Federal Cave Resources Protection Act (FCRPA) of 1988 requires Federal agencies to secure, protect, and preserve significant caves on Federal lands. Further, the FCRPA urges agencies to foster increased cooperation and exchange of information.

B. A large number and diversity of caves and karst lands are managed by the BLM, USFWS, NPS, and FS.

C. The BLM, USFWS, NPS, and the FS recognize the need for consistent management of cave and karst resources to ensure consistent service to the public and the protection of cave and karst resources.

D. Visitation and land use pressures, which are expected to increase, are accelerating the deterioration of cave and karst environments by disrupting biological, archeological, paleontological, cultural, recreational, and other speleological values.

E. Through interagency collaboration and coordination the Agencies will be able to more efficiently solve similar problems and issues associated with safety and resource protection.

F. The USGS has the capability to support the research needs of the land management agencies and their scientific programs involved with cave and karst resources management.

SECTION III - AUTHORITY

A. Bureau of Land Management

The Federal Land Policy and Management Act (FLPMA) of October 21, 1976, as amended (43 USC 1701-1718), requires the BLM to manage the Federal lands under its administrative control for multiple uses, while protecting the long-term health of the lands and related waters. This responsibility extends to the cave and karst resources on those lands. In addition, the FCRPA (16 USC 4301-4310) provides the BLM with the authority to secure, protect, and preserve significant caves on the Federal lands under its management and to cooperate with other governmental authorities for scientific, educational, or recreational purposes.

B. US Fish and Wildlife Service

The Endangered Species Act of 1973, as amended (16 USC 661-667e), and the Fish and Wildlife Coordination Act of 1956, as amended (16 USC 742(f) et seq.), give the USFWS the authority to conserve cave and karst resources where such resources provide habitat for threatened and endangered species. The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 USC 668dd-668ee) gives the USFWS the authority to manage cave and karst resources in National Wildlife Refuges. In addition, the FCRPA provides the USFWS with the authority to secure, protect, and preserve significant caves on Federal lands and cooperate with other governmental authorities for scientific, educational, or recreational purposes.

C. National Park Service

The Organic Act of August 25, 1916, as amended (16 USC 1, 17j-2(b), provides the NPS with the authority to manage and conserve cave and karst resources within national parks and other Federal lands under the administration of the NPS. The National Cave and Karst Research Institute Act of October 1998 (Public Law 105-325) established The National Cave and Karst Research Institute (NCKRI) to facilitate speleological science, enhance public education, and promote environmentally sound cave and karst management. In addition, the FCRPA provides the NPS with the authority to secure, protect, and preserve

significant caves on Federal lands and cooperate with other governmental authorities for scientific, educational, and recreational purposes.

D. United States Geological Survey

The Organic Act of March 3, 1879, as amended, and supplemental legislation (43 USC 31-50d) directs or authorizes the USGS to classify the public lands and examine the geological structure, mineral resources, and products within and outside the national domain; gage streams and underground water resources; conduct topographical surveys; establish a national geologic database; and conduct other functions. Under this authority, the USGS carries out research to

assist Federal land management agencies in the discharge of their administrative responsibilities. In addition, the FCRPA provides the USGS with the authority to cooperate with other governmental authorities for scientific, educational, and recreational purposes.

E. USDA-Forest Service

The Organic Administration Act of June 4, 1897 (16 USC 471), the Multiple Use-Sustained Yield Act of 1960 (16 USC 1600 528-531), the National Forest Management Act of 1976 (16 USC 1600-1614) and the Cooperative Forestry Assistance Act of 1978 (16 USC 2101-2114) direct the FS to protect and manage natural resources on National Forest System Lands by providing for multiple uses of these natural resources, including cave and karst resources. In addition, the FCRPA provides the FS with the authority to secure, protect, and preserve significant caves on Federal lands and cooperate with other governmental authorities for scientific, educational, and recreational purposes.

SECTION IV - DEFINITIONS

For purposes of this agreement the terms listed below shall have the following meanings. The definitions of the terms "cave" and "cave resource" are based on the definitions of these terms in the FCRPA:

Cave — Any naturally occurring void, cavity, recess, or system of interconnected passages, which occurs beneath the surface of the earth or within a cliff or ledge, and which is large enough to permit an individual to enter, whether or not the entrance is naturally formed or man-made. Such term shall include any natural pit, sinkhole, or other feature which is an extension of the cave entrance.

Cave Resources - Includes any material or substance occurring naturally in caves on Federal lands, such as animal life, plant life, paleontological deposits or cultural resources, sediments, minerals, speleogens, and speleothems.

Karst - A land form, generally developed in soluble rock types, which is characterized by a system of interconnected subsurface drainage conduits, and contains sinkholes, sinking streams, swallets, resurgences, caves, but few, if any, surface streams.

SECTION V - POLICY

In working to achieve the purposes of this agreement, we recognize that each Agency intends, in accordance with its authorities and policies, to take the following actions with regard to cave and karst resources.

A. Bureau of Land Management

1. Identify, evaluate, manage, and protect caves and karst resources on BLM managed lands for the purpose of maintaining their unique, nonrenewable, and fragile biologic, geologic, hydrologic, cultural, paleontologic, scientific, and recreation values for present and future uses.

2. Encourage volunteer involvement of qualified and experienced individuals and caving organizations in cave and karst management projects, through the use of volunteer and cooperative management agreements.

3. Work closely with interested parties to identify and address cave and karst management opportunities and issues.

4. Integrate the identification and management of the caves and karst resources and their associated resource values into resource management planning and management efforts, and avoid or minimize conflicts between caves and karst lands resources management and other surface and subsurface resource management activities.

5. Provide user opportunities which are compatible and consistent with objectives outlined in BLM Resource Management Plans and Activity Plans. These might include recreation, education, research, or commercial activities, when those activities can be adequately managed.

6. Promote an awareness among users and managers of caves and karst resources on BLM managed lands through the development of informational and educational materials concerning conservation methods and potential hazards.

B. US Fish and Wildlife Service

1. Protect cave and karst resources found upon lands within the National Wildlife Refuge System to the extent needed for their maintenance as healthy, fully functioning components of these systems and allow secondary uses, such as recreation, only where they are compatible with the mission of the National Wildlife Refuge System and the individual refuge purpose.

2. Work closely with other Federal agencies to accommodate their management objectives, to the extent that it is feasible to do so, and to insure that such agencies meet the consultation requirements of the Endangered Species Act and the coordination requirements of the Fish and Wildlife Coordination Act.

C. United States Geological Survey

1. Conduct scientific research on cave and karst resources. For example, USGS will aid in the evaluation of paleontologic, biologic, and speleologic resources and provide geologic and hydrologic frameworks for evaluating karst hazards and resources through USGS scientists' expertise in a wide variety of technical disciplines, including water-racer tests, water quality, numeric (computer modeling, geochemistry, aquatic biology, habitat evaluation and restoration, population ecology, remote sensing, mineralogy, geologic mapping, and applications of Geographic Information Systems (GIS) technology.

2. Facilitate information transfer on cave and karst resources through published reports, maps, electronic data bases, professional conferences or workshops, and by individual training.

D. National Park Service

1. Manage and protect cave and karst resources for the perpetuation of their natural, geological, and ecological conditions, and historic associations.

2. To the extent practicable, restrict public access to caves or portions of

caves when such a restriction is necessary to protect human safety or cave resources.

3. Facilitate cave and karst research, education, and sound management practices.

E. United States Forest Service

1. Manage cave and karst resources as nonrenewable resources to maintain their geologic, scenic, educational, cultural, biological, hydrological paleontological, and recreational values.

2. Classify caves containing outstanding values as Geological or Historical Areas (FSM 2372)

3. Emphasize wild cave management with few or no facilities to aid or facilitate use.

4. Develop management prescriptions for caves of significant value.

5. Coordinate surface and cave resources management activities.

6. Protect threatened, endangered, proposed, and sensitive species in accordance with the Endangered Species Act of 1973, as amended, (16 USC 661-667e) and F.M. 2670

7. Protect cultural sites and deposits in accordance with F.M. 2361.03.

8. Develop and foster communications, cooperation, and volunteerism with interested publics, Federal agencies, States, and local governments.

SECTION VI - AREAS OF COOPERATION

The intent of this agreement is to seek to achieve cooperation in solving mutual problems related to cave and karst resources management in the most efficient and consistent manner possible. To achieve this, all the Agencies will endeavor in good faith to cooperate with each other, subject to individual agency constraints and to the extent practical, in the following aspects of cave and karst management and resource protection.

A. Environmental Education - The Agencies will cooperate in the development and production of mutually beneficial environmental education materials such as

brochures, pamphlets, programs, videos, and the Leave No Trace Program.

B. Training - The Agencies will cooperate in the development, offering, and teaching of training courses and seminars related to cave and karst resources management and other aspects of speleology, including biology, geology, hydrology, mineralogy, paleontology, and cave search and rescue and cooperatively host the National Cave Management Symposiums.

C. Information Pooling and Transfer - The Agencies, including the NPS National Cave and Karst Research Institute, will share information concerning cave and karst resources management, current issues, problems, and solutions.

D. Research - The Agencies, including the NPS National Cave and Karst Research Institute, will, when appropriate, develop and coordinate research needs and projects.

E. Regional Agreements - The Agencies will, when appropriate, enter into additional regional and local agreements for specific programmatic involvement and cooperation.

F. Publications - Publications (including distribution to the world wide web) documenting cooperative efforts may be prepared by any agency, or jointly, provided that all parties involved have an opportunity to review manuscripts prior to publication. To the extent possible, decisions involving authorship and review of reports will be addressed during the preparation of work plans or work agreements. Should differences of viewpoint occur, an effort will be made to reconcile dissenting views. This shall not prohibit, however, any agency from publishing the data, provided it assumes sole responsibility and gives appropriate credit to the other agency(ies). All parties agree that sharing credit is mutually beneficial, and will make every effort to assure that appropriate credit, including the use of official agency visual identifiers, is provided for work performed under this agreement.

G. Freedom of Information Act - The Agencies will share information related to Freedom of Information Act requests.

SECTION VII - OTHER PROVISIONS

A. Scheduling - All parties agree to meet at the Washington Office level at least annually or more often as mutually agreed upon. The purpose of the annual meeting will be to provide a national interagency forum to identify issues concerning implementation of applicable Federal laws and policies and facilitate issue resolution. This meeting can occur in conjunction with the annual National Cave Management Symposium Steering Committee meeting, in which the agencies are already involved.

B. Subject to Laws - It is agreed by all parties that actions taken pursuant to this agreement will be taken in accordance with the laws of the United States and in keeping with appropriate delegated authority relative to each agency.

C. Obligating Funds - None of the items covered in this agreement is to be construed as requiring any party to obligate or expend funds. The joint funding of special projects, however, is encouraged. Should any specific project require reimbursements between agencies under the Economy Act or any other applicable authority, the parties will coordinate such reimbursements in appropriate agreements. Nothing in this agreement will be construed as affecting the authorities of the participants.

D. Disputed Issues - Disputed issues resulting from this agreement may be resolved at the Washington Office level.

E. Limitations of Benefit - No member of, or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit to arise therefrom. This restriction shall not be construed to extend this agreement if made with a corporation or company for its general benefit.

F. Supplemental Agreements - BLM Field Office and State Office Managers, Refuge Managers, National Park Superintendents, National Cave and Karst Research Institute Director, and Forest Supervisors are encouraged to enter into supplemental agreements that describe detailed procedures and respective roles, consistent with the general provision listed in Section VI of this agreement.

G. Effective Date, Amendments and Termination - This agreement shall become effective when signed by the head of each Agency and not until all of the Agencies have signed it. This agreement shall remain in force for a period of five years, or until notification by any party upon 30 days notice in writing to the others, of its intention to terminate upon a date indicated. Upon expiration, the agreement will be subject to review, renewal, or expiration. Amendments to this agreement may be proposed by any party and shall become effective upon

approval by all parties, and may be incorporated as appendices to this agreement.

SECTION VIII - PRINCIPAL CONTACTS

BLM	Senior Technical Specialist Cave and Karst Resources 620 E. Greene St. Carlsbad, New Mexico 88220 (505) 234-5929
USFWS	Fish and Wildlife Biologist Asheville Field Office US Fish and Wildlife Service 160 Zillicoa Street Asheville, North Carolina 28801 (828) 258-3939, Ext. 224
USGS	Science Advisor for Environment Office of the Director, MS 107 U.S. Geological Survey Reston, Virginia 20192 (703) 648-5470
USNPS	National Cave Management Coordinator Geologic Resources Division P.O. Box 25287 Denver, CO 80225-0287 (303) 969-2097
FS	Dispersed Recreation Program Manager P.O. Box 96090 (RH&WR) Washington, D.C. 20090-6090 (202)-205-1313

INTERAGENCY AGREEMENT
FOR
CAVE AND KARST RESOURCES MANAGEMENT

Kathleen Clarke
Director, Bureau of Land Management

5/2/03
Date

Steven A. Williams
Director, US Fish and Wildlife Service

6/13/03
Date

Charles G. Groat
Director, US Geological Survey

7/8/03
Date

Fran P. Mainella
Director, National Park Service

9/08/03
Date

Dale N. Bosworth
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FS Document Number 02-SU-11132424-096

9/29/03
Date