

Memoranda of Understanding: Essential Components

A memorandum of understanding (MOU) is a tool to manage expectations and resolve disputes. They are used to define roles and responsibilities of all parties when a proponent hires a contractor to complete the NEPA analysis. They are used to remove any impropriety or conflict of interest, or the appearance of impropriety or conflict of interest between a proponent and a third-party contractor (and the BLM, as well). They are also used to clarify responsibilities between the BLM and cooperating agencies.

Essential Components of an MOU

- Introduction** (describes the project and statutory requirements, identifies participants/partners in the MOU)
- Purpose** of the MOU
- Authority** for the MOU
- Roles and responsibilities** of all parties. Like in a contract, this is where the workload and obligations of the parties are detailed. For example:
 - who provides what analysis
 - periods of review
 - how the cooperating agency will use its expertise to support the effort
 - whether compensation is provided
 - project schedule for the tasks the cooperating agencies will take on
- Other provisions** (e.g. how to address conflicts of interest, handle confidential information, resolve disputes, etc.)
- Designation of the representatives** (and alternates) of each agency or company
- Administration** of MOU (who signs it, how it will be amended or terminated)