

MEMORANDUM OF UNDERSTANDING

Between the

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service
And

UNITED STATES DEPARTMENT OF AGRICULTURE
U.S. Forest Service
And

COMMONWEALTH OF PUERTO RICO
Department of Natural and Environmental Resources
On the

PUERTO RICAN PARROT INTERAGENCY
EXECUTIVE POLICY COMMITTEE

U.S. Fish and Wildlife Service Agreement No: 40181CK023
U.S. Forest Service Agreement No:

This Memorandum of Understanding (MOU) is made and entered into by the U.S. Department of the Interior, U.S. Fish and Wildlife Service (hereinafter referred to as Service); U.S. Department of Agriculture, U.S. Forest Service- National Forest System (hereinafter referred to as USFS); and the Commonwealth of Puerto Rico, Department of Natural and Environmental Resources (hereinafter referred to as PRDNER). Collectively, the parties to this MOU will be referred to as Cooperators.





I. PURPOSE AND OBJECTIVES

- A. This MOU is being prepared to continue collaboration and participation among the Cooperators to promote and support the recovery and conservation of the Puerto Rican parrot. This MOU is intended to advance collaboration between the Cooperators through the implementation of the Puerto Rican parrot recovery plan.
- B. The Puerto Rican parrot (*Amazona vittata*) was once abundant in Puerto Rico, including the islands of Culebra, Vieques and Mona. This parrot is one of the most endangered birds in the world and the last species of psittacine extant and native to the United States. The wild population of Puerto Rican parrots is currently confined to the Luquillo Mountains, mostly the El Yunque National Forest, in eastern Puerto Rico and the Rio Abajo State Forest, in north central Puerto Rico. The captive population occurs in two aviaries in eastern and west central Puerto Rico respectively.
- C. The long-term goal of the Cooperators is to undertake a cooperative effort to restore the Puerto Rican parrot to the wild.

- D. To continue and enhance cooperation and improve all necessary conservation efforts, this MOU sustains the established Puerto Rican Parrot Interagency Executive Policy Committee (Policy Committee), consisting of the Service, USFS, and PRDNER.
- E. In furtherance of this MOU and our long-term goal, the Policy Committee will:
- a. promote and support the implementation of the Puerto Rican Parrot Recovery Plan including the plan's specific objectives/criteria and milestones.
 - b. provide the resources, both human and financial, to support the continued implementation of Puerto Rican parrot recovery efforts, thru separate project specific agreement(s),
 - c. exchange information on the Cooperators' objectives and techniques of ongoing conservation efforts,
 - d. minimize duplication of conservation efforts undertaken by the Cooperators,
 - e. review and recommend conservation alternatives and their likely effect on the parrot and other resources, and
 - f. identify new and existing approaches within the jurisdiction of the Cooperators that are most likely to help alleviate the threats to the species.

II. AUTHORITY


The authority of the Cooperators to enter into this agreement is as follows:


Puerto Rico Department of Natural and Environmental Resources:

Law No. 23 of June 20, 1972

Law No. 133 of July 1, 1975

Wildlife Law No. 241 of August 15, 1999


U.S. Fish and Wildlife Service and U.S. Forest Service:

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq)

U.S. Forest Service

Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq)

Multiple-Use Sustained Yield Act of 1960, as amended (16 USC 528)

National Forest Management Act of 1976

Wilderness Act of 1964

III. ORGANIZATION

- A. The Policy Committee consists of the Southeast Regional Director of the Service, the Southern Regional Forester of the USFS, and the Secretary of the PRDNER.
- B. The organization, structure, and rules of order of meetings of the Policy Committee shall be determined on an ad hoc basis and shall be subject to change by unanimous consent.
- C. The chair of the Policy Committee shall rotate among the Cooperators. Each chairperson will serve a one (1) year term.
- D. The Policy Committee will meet formally at least once per year. Additional telephone conferences or other informal discussions will be held as needed to improve coordination and further implementation of recovery actions toward meeting recovery goals.
- E. The Cooperators understand that participation in the conservation and recovery process for the Puerto Rican parrot under this MOU is voluntary.
- F. The Policy Committee shall establish an Interagency Management Team composed of on-the-ground Managers from each cooperating agency with jurisdictional responsibilities and an Interagency Operational Team composed of the Project Leaders from each cooperating agency with jurisdictional responsibilities.
- G. The Management Team shall provide oversight of the Interagency Operational Team, ensure directives from the Policy Committee are carried out and make recommendations to the Policy Committee.
- H. The Interagency Operational Team shall be responsible for the operations and management required to recover the Puerto Rican parrot, and carry out work plans or agreements (including the Puerto Rican Parrot Recovery Plan) established by the Policy Committee or the Interagency Management Team.
- I. The Policy Committee shall also utilize a group of research scientists (Science Advisory Resources) composed of knowledgeable individuals from the Service, PRDNER, USFS, the International Institute of Tropical Forestry, and U.S. Geological Survey-Biological Resources Division, as well as other cooperating agencies including universities, to assist the Interagency Operational Team in the recovery and management of the Puerto Rican parrot. Attachment 1 illustrates the relationship between the various groups.

IV. ROLES

All Cooperators shall:

1. Continue working together to achieve the common goals of (1) recovering the Puerto Rican parrot, (2) using existing protecting authorities and programs to further the purpose of parrot recovery, and (3) improving the efficiency and effectiveness of the recovery program.
2. Share, when feasible, available personnel, facilities, data, and equipment mutually agreed upon to increase the effectiveness of the parrot recovery effort, to the extent that each Cooperator can still carry out its primary responsibilities.
3. Work in such a manner that personnel of the Cooperators form a functional team to maximize recovery opportunities for the Puerto Rican parrot including, but not limited to, direct collaboration and sharing available staff for population surveys, field and aviary activities for construction of platforms, and habitat enhancement. However, nothing in this MOU shall be construed as authorizing the Policy Committee to control management and research activities over which the Cooperators have statutory or regulatory authority.

The USFWS shall:

1. Maintain a parrot project coordinator position to coordinate and facilitate parrot recovery activities and to facilitate the flow of information among Cooperators and other recovery partners.
2. Be lead for wild and captive Puerto Rican parrot management in El Yunque National Forest, including guarding and monitoring wild parrot nests, planning and implementing counts of the wild parrot flock, and parrot release programs.
3. Provide professional expertise and training in wild parrot management, propagation, and release of captive parrots.
4. Operate and maintain buildings and supporting facilities and equipment necessary for parrot propagation at the Iguaca Aviary.

The USFS shall:

1. Serve as consultant and advisor on engineering matter such as providing information, contacts, guidance in seeking solutions.
2. Be lead for habitat management for the Puerto Rican parrot in El Yunque National Forest. This includes maintenance of habitat, construction, and maintenance of all support structures (e.g., blinds,

lookout towers, access trails), integrity of nest areas, and installation and maintenance of artificial and natural nest structures.

3. Support and participate in periodic counts of the wild flocks.
4. Provide professional and technical expertise and training in habitat management for the Puerto Rican parrot.
5. Lead analysis and submittal of El Toro Wilderness's regulatory process such as Minimum Requirement Guides, Land Management Planning and Site Specific Environmental Analysis.

The PRDNER shall:

1. Arrange access to and use of lands belonging to the Government of Puerto Rico as needed.
2. Authorize, when feasible, the use of non-protected captive stock and control of non-protected natural enemies by cooperating parties as required for studies and management under this agreement.
3. Provide professional expertise and training for the propagation and release of captive parrots.
4. Be lead for wild and captive Puerto Rican parrot management in the Río Abajo Forest, and for releasing and monitoring parrots on Commonwealth lands.
5. Maintain a parrot project staff to coordinate, facilitate and implement parrot recovery activities in Río Abajo Forest and on other Commonwealth and private lands.
6. Support the planning and implementation of wild stock counts.
7. Operate and maintain buildings and supporting facilities and equipment necessary for parrot propagation at the José L. Vivaldi Aviary.

V. RESPONSABILITIES

The responsibilities of the Policy Committee are:

1. Establish policy regarding recovery efforts, taking into account recommendations submitted by the Interagency Management Team and the

Interagency Operational Team, and those outlined in the Puerto Rican Parrot Recovery Plan.

2. Set recovery priorities taking into account recommendations submitted by the Interagency Management and the Interagency Operational Teams and those priorities identified in the Puerto Rican Parrot Recovery Plan.
3. Utilize a group of research scientists (Science Advisory Resources) composed of knowledgeable individuals from the Service, PRDNER, USFS, the International Institute of Tropical Forestry, and U.S. Geological Survey-Biological Resources Division, as well as other cooperating agencies including universities, to assist the Interagency Operational Team in the recovery and management of the Puerto Rican parrot.
4. Monitor policy recommendations.
5. Monitor overall recovery efforts and progress.
6. Evaluate policy recommendations and overall recovery efforts and accomplishments.

The responsibilities of the Interagency Management Team are:

1. Provide oversight of the Interagency Operational Team by facilitating and ensuring that actions needed to achieve program goals and objectives are implemented.
2. Ensure directives from the Policy Committee are carried out and make recommendations to the Policy Committee.
3. Monitor recovery efforts and progress.


 The responsibilities of the Interagency Operational Team are:

1. The operations and management for the recovery of the Puerto Rican parrot, and carry out work plans or agreements (including the Puerto Rican Parrot Recovery Plan) established by the Policy Committee and Interagency Management Team.
2. Provide to the Policy Committee and to the Interagency Management Team all the recommendations and work actions needed to achieve goals and objectives of the Puerto Rican Parrot Recovery Plan.
3. Offer technical guidance to the Policy Committee and to the Interagency Management Team related to the status of active field work.
4. Identify and inform the Interagency Management Team of actions needed to succeed on day to day overall recovery activities.

5. Identify technical support from other agencies that is needed to help implement Puerto Rican parrot recovery efforts as determined by the Policy Committee and identified in the Puerto Rican Recovery Plan.

VI. MISCELLANEOUS PROVISIONS

- A. Each Cooperator shall be responsible for its own activities and liability for such activities to the extent provided by applicable laws and regulations now or hereafter in force. Liability of the Service and USFS shall be governed by the Federal Tort Claims Act (28 U.S.C. 2671 et seq.). PRDNER's liability shall be governed by the laws of the Commonwealth of Puerto Rico.
- B. This MOU shall be in effect for a period of five (5) years, beginning on the date on which the last Cooperator affixes its signature hereto.
- C. This MOU may be amended upon the mutual consent of the Cooperators.
- D. Any Cooperator may withdraw from this MOU upon 45 days written notice to the other Cooperators. However, if this notice is provided, the Cooperators agree to meet promptly to discuss the reasons for the notice and try to resolve any differences. Principal Contact: The principal contacts for this instrument are:

Handwritten signature in black ink and a blue ink stamp or mark.

USFWS Project Contact	USFWS Management Contact
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E. Non-fund obligating document: This instrument is neither a fiscal nor a funds obligation document. Nothing in this MOU shall require any Cooperator to expend funds which have not been appropriated and administratively allocated for expenditure. Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.