



State of Louisiana

JOHN BEL EDWARDS
GOVERNOR

May 20, 2020

James Bergan
The Nature Conservancy of Louisiana
P.O. Box 4125
Baton Rouge, LA 70821

RE: CPRA Contract No. 2503-20-07
"Atchafalaya Basin Program"

Dear Mr. Bergan:

Enclosed for your records is a fully executed copy of the agreement for the above referenced project reflecting the approval of the Agency.

Should you have any questions, please contact Wes LeBlanc at (225) 342-4127.

Sincerely,

Jordan DeLaune
Coastal Resources Program Supervisor

Enclosure

Executive Division

MEMORANDUM of UNDERSTANDING

BETWEEN

COASTAL PROTECTION RESTORATION AUTHORITY(CPRA)

AND

THE NATURE CONSERVANCY OF LOUISIANA (TNC)

REGARDING

ATCHAFALAYA BASIN PROGRAM (ABP)

This Memorandum of Understanding (“Agreement”) is entered into by and between the Louisiana Coastal Protection and Restoration Authority (hereinafter referred to as “CPRA”), whose mailing address is Post Office Box 44027, Baton Rouge, Louisiana 70804-4027, and The Nature Conservancy (hereinafter referred to as “TNC”) whose mailing address is P.O. Box 4125, Baton Rouge, LA 70821. This Agreement is, effective this 30th day of May, 2020, and memorializes the agreement between CPRA and TNC regarding the responsibilities and resources for the future of the Atchafalaya Basin Program (hereinafter referred to as “ABP”).

RECITALS

WHEREAS, The State of Louisiana through the Department of Natural Resources and later through CPRA has maintained a good working relationship with TNC in administering the Atchafalaya Basin Program; and

WHEREAS, Act 3 of the first extraordinary session of the 1998 Legislative Session created the ABP; and

WHEREAS, Act 570 of the 2018 Regular Session of the Louisiana Legislature transferred the responsibilities of the Atchafalaya Basin Research and Promotion Board and the Atchafalaya Basin Program from the Department of Natural Resources to the Coastal Protection and Restoration Authority; and

WHEREAS, pursuant to La. R.S. 49:214.6.1, the Coastal Protection and Restoration Authority (“CPRA”) is the implementation and enforcement arm of the CPRA Board and is directed by the policy set by CPRA Board, and pursuant to La. R.S. 49:214.6.2 and La. R.S. 49:214.6.3, CPRA shall administer the programs of the CPRA Board and shall implement projects relative to the protection, conservation, enhancement, and restoration of the coastal area of the State of Louisiana through oversight of integrated coastal projects and programs consistent with the legislative intent as expressed in La. R.S. 49:214.1; and

WHEREAS, TNC is a tax-exempt organization, qualified as a public charity under Section 501(c)(3) of the United States Internal Revenue Code and exists for the purpose under their mission to conserve lands and waters upon which all life depends; and

WHEREAS, TNC in Louisiana has identified the Atchafalaya River Basin as one of the State's most important natural habitats and is working with landowners and other partners to protect the unique landscape of the Atchafalaya Basin; and

WHEREAS, TNC in Louisiana has launched a comprehensive land-protection and restoration program for the Atchafalaya River Basin by acquiring initial tracts of forested wetland to serve as the foundation for a new Atchafalaya Basin Preserve; and has established the Atchafalaya Conservation Center from which outreach, science and stewardship activities are taking place:

NOW THEREFORE, in consideration of the premises stated herein and subject to other terms and conditions, the parties hereto understand and agree as follows:

I. Purpose

The purpose of this memorandum of understanding is to build upon a framework of cooperation between CPRA and TNC to extend the reach of the respective parties' resources within areas of overlapping concern and interest regarding the conservation, management and restoration of the Atchafalaya Basin.

II. Background

The Atchafalaya Basin is a natural resource of national significance encompassing 838,000 acres of forests, bayous, swamp and lakes. It extends south from the Old River Control Structure approximately 140 miles to Morgan City. The Atchafalaya Basin represents the largest contiguous bottomland hardwood forest, and overflow alluvial swamp remaining in the United States. The Atchafalaya Basin also plays a significant role in the flood protection efforts of the Mississippi River Valley and has been designated as a floodway by the United States Army Corps of Engineers (USACE). Many of the actions taken to modify the basin into a floodway by the USACE have adversely impacted the natural hydrology and habitat of the Atchafalaya Basin. The Louisiana Legislature, by Act 3 of the First Extraordinary Session of 1998 created and empowered the ABP to coordinate the efforts of various governmental agencies and private concerns in the implementation of the State Master Plan for the Atchafalaya Basin. The Mission in the State Master Plan is to conserve, restore and enhance (where possible) the natural habitat, and to give all people the opportunity to enjoy the Atchafalaya experience. Act 606 of the 2008 Regular Session of the Louisiana Legislature established the Atchafalaya Basin annual plan process, created the Technical Advisory Group (TAG) to elevate the role of science in developing proposed solutions as well as specific projects, and created a focus on water management and water quality to accelerate restoration of the Atchafalaya Basin. The TAG via the annual plan process is also tasked with improving access to enhance public use of the recreational opportunities in the Atchafalaya Basin.

TNC seeks to collaborate with public and private landowners and other stakeholders to promote conservation of the Atchafalaya Basin with science-driven decision making.

This agreement is to identify areas where the parties can cooperate and provide mutual assistance to further their mutual goals with respect to the protection, conservation, enhancement and restoration of the Atchafalaya Basin.

III. CPRA AGREES TO:

1. Consider environmental sustainability concepts suggested by TNC for incorporation into the conceptualization, planning, construction, execution, and evaluation of projects within the Atchafalaya Basin.
2. Provide publicly available data to TNC in support of its development of scientific evaluation of the state of the Atchafalaya Basin, and the development of modeling tools related thereto.

3. Collaborate with TNC to provide public information that will promote conservation and enhancement of the resources of the Atchafalaya Basin.
4. Work with TNC to secure funding for ABP projects that have been approved via the Annual Plan process through the TAG, the CPRA Board (“CPRAB”), CPRA, and the Louisiana Legislature for the construction of hydrological restoration elements in designated Water Management Units (e.g. East Grand Lake). CPRA and TNC will also work to secure additional matching funds for these ABP projects through grants and other funding mechanisms (e.g. North American Wetland Conservation Council [NAWCA]).
5. Coordinate with TNC to ensure the utilization of available grant funds and ABP restoration funds in a manner that will maximize the quality and number of installed hydrological restoration features on approved ABP projects on available lands .

IV. TNC AGREES TO:

1. As appropriate and subject to its internal policy regarding confidential information, contribute pertinent scientific and conservation planning information and documents to CPRA for its activities affecting the Atchafalaya Basin for distribution to the public;
2. Assist CPRA in gathering information related to conservation, restoration and enhancement (where possible) of the natural habitat of the Atchafalaya Basin.
3. Assist CPRA with dissemination of information to the public by supporting public outreach and collaborating on stakeholder involvement and engagement efforts with regard to its programs in the Atchafalaya Basin.
4. Assist CPRA with identification and development of sustainable sources of funding for conservation, preservation, and restoration projects in the Atchafalaya Basin.
5. Assist CPRA by providing timely and cogent scientific evaluation of proposed projects in the Atchafalaya Basin.
6. Contribute grant writing expertise and coordination to leverage ABP funding with other programs in order to expand restoration capacity in the Atchafalaya Basin.

V. THE PARTIES AGREE TO:

1. Collaborate to the extent practicable, on joint development of scientific knowledge with respect to the ecosystems, hydrology, and wildlife habitat of the Atchafalaya Basin.
2. Promote and advance the cause of policies that under scrutiny of scientific examination demonstrate real or potential improvement to the Atchafalaya Basin.
3. Collaborate to the extent practicable to leverage funding for hydrological restoration and land acquisition in the Atchafalaya Basin.


VI. MUTUAL UNDERSTANDING. It is mutually understood and agreed by and between the parties that:

1. PUBLIC RECORDS. Any records or information furnished to the ABP under this instrument are subject to the Louisiana Public Records Law, La. R.S. 44:1, et. seq.
2. MODIFICATION. Modifications within the scope of the instrument shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by all parties, prior to any changes being effective.
3. PARTICIPATION IN SIMILAR ACTIVITIES. This instrument in no way restricts the CPRA or TNC from participating in similar activities with other public or private agencies, organizations, and individuals.
4. TERM AND TERMINATION. This Agreement shall be in effect from the latest date of execution by a party, and shall continue until modified or terminated. Either party may terminate this instrument, in whole or in part, at any time, upon 60 days prior written notice to the appropriate principal contact of the other party.
5. FUNDING. Nothing in this agreement shall be interpreted as authorization for the expenditure of funds, or as support for any demand for the reimbursement for any expenses.
6. PRINCIPAL CONTACTS. The principal contacts for this instrument are:

Atchafalaya Basin Program
 Joseph W. LeBlanc, Atchafalaya Basin Program
 Coastal Protection Restoration Authority P.O. Box 44027
 Baton Rouge, La. 70804-4027

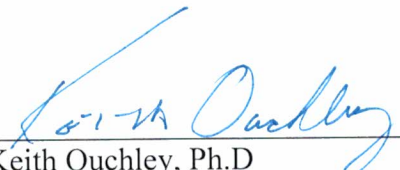
The Nature Conservancy
 James Bergan, Director of Freshwater and Wetland Conservation
 The Nature Conservancy
 P.O. Box 4125
 Baton Rouge, La 70821

VII. Effective date. This agreement shall be effective on the latest date signed below.



 Lawrence B. Haase
 Executive Director
 Coastal Protection and Restoration Authority
 Atchafalaya Basin Program

Date: 4/17/2020



 Keith Ouchley, Ph.D
 Louisiana State Director
 The Nature Conservancy

Date: May 30, 2020