

INTERAGENCY AGREEMENT

BETWEEN

NATIONAL OCEAN SERVICE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE

AND

EAST LANSING FIELD OFFICE
U.S. FISH AND WILDLIFE SERVICE
U.S. DEPARTMENT OF INTERIOR

THROUGH WHICH

The Parties will cooperate to further the restoration of
natural resources along the Detroit River in the
Wyandotte National Wildlife Refuge

NOS Agreement Code: MOA-2001-619

I. PARTIES

This Interagency Agreement (IA) establishes an agreement between the East Lansing Field Office of the U.S. Fish and Wildlife Service (FWS), Department of the Interior, and the Office of Response and Restoration, National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce (DOC), through which the Parties will cooperate to further the restoration of natural resources along the Detroit River in the Wyandotte National Wildlife Refuge.

II. AUTHORITIES

The applicable statutory authorities for this Agreement are:

- A. 16 USC 1451, et seq., including 1456c, the Coastal Zone Management Act, which authorizes the Secretary to enter into contracts or other arrangements with any Department, agency, and instrumentality of the executive branch of the Federal Government to assist the Secretary on a reimbursable basis or otherwise in the performance of any research, study, and technical assistance that does not interfere with the performance of the primary duties of such department, agency, or instrumentality.
- B. 33 USC 1441, which authorizes the Secretary of Commerce to initiate a comprehensive and continuing program of monitoring and research regarding the effects of the dumping of material into ocean waters or other coastal waters where the tide ebbs and flows or into the Great Lakes or their connecting waters.

III. BACKGROUND AND PURPOSE

Pursuant to this Agreement, the Parties will transfer funds to enable the characterization of a proposed site within the Wyandotte National Wildlife Refuge with regard to potential contamination and develop a plan to restore the diverse and critical riverside marsh and shallow-water habitat that supports resident and migratory birds, fish, and wildlife. From 1962 to 1983, Grassy Island, located in the lower Detroit River, was used as a deposition site for dredge material obtained during channel maintenance activities. In recent years, the East Lansing Field Office of the U.S. Fish and Wildlife Service and the Biological Resources Division of the U.S. Geological Service have sponsored a series of four studies to examine the types and concentrations of contaminants present in the water and soil of Grassy Island and the possible movement of these materials. Results indicate that bioaccumulative materials are likely to be present, posing a risk to wildlife and migratory birds utilizing the area. These funds will allow the U.S. Fish and Wildlife Service to complete a site characterization and restoration plan, determine contaminants present in the area, and outline options for remediation and the feasibility of restoring of Grassy Island to a condition beneficial to fish, birds, and wildlife. This effort is the first step in the restoration of natural ecological function to critical Michigan coastal wetland and adjacent shallow open water habitats significantly damaged by long term human impacts.

IV. RESPONSIBILITIES OF THE PARTIES

- A. NOAA agrees to transfer funds in the amount of \$950,000 to the East Lansing Field Office of the U.S. Fish and Wildlife Service.
- B. U.S. Fish and Wildlife Service agrees to use in-house expertise combined with contractual arrangements to begin further characterizing contaminants on and around Grassy Island and determine an appropriate presumptive remedy, if warranted, with accompanying engineering feasibility for identified alternatives. Activities will include engineering services to analyze existing information, obtaining and analysing additional data, and developing a timetable for design investigations and potential future restoration. The FWS will also begin preparing a restoration plan to achieve National Wildlife Refuge System goals. A FWS project manager will coordinate with the Wyandotte National Wildlife Refuge, U.S. Environmental Protection Agency and other Federal entities, State agencies, and various stakeholders, including the public. Work will initiate in FY 01, with an initial timetable established by June 1, 2002.

V. FUNDING AND REIMBURSEMENT ARRANGEMENTS

- A. Within the terms of this Agreement, funding and reimbursements will be accomplished by the respective Parties entering into this Agreement in accordance with the fiscal responsibilities indicated herein.

- 1. NOAA shall provide a one-time amount of \$950,000 to the U.S. Fish and Wildlife Service to characterize contamination and prepare a restoration plan to protect and restore coastal resources in the area of Grassy Island in the Detroit River. Billing is to be accomplished before September 30, 2001

- 2. Payments to the U.S. Fish and Wildlife Service will be accomplished through the OPAC system. The Agency Locator Code (ALC) for the FWS is 14-16-0006 and the ALC for NOAA is 13-14-0001.

- 3. This Agreement is subject to the availability of funds.

- B. Estimated U.S. Fish and Wildlife Service budget categories include:

1.	Personnel	\$230,600
2.	Travel	26,100
3.	Equipment	35,000
4.	Supplies	10,000
5.	Procurement/Assistance	490,000
6.	Indirect Cost (20%)	158,300
	Total	\$950,000

VI. CONTACTS

The contacts of each Party to this Agreement are:

Teresa McTigue
Environmental Scientist
NOAA/NOS Office of Response and Restoration
1305 East-West Highway, 10th Floor
Silver Spring, MD 20910
Phone: 301-713-2989 x115
Fax: 301-713-4389
E-mail: Terry.McTigue@noaa.gov

Craig Czarnecki
Field Supervisor
East Lansing Field Office, U.S. Fish and Wildlife Service
2651 Coolidge Road, Suite 101
East Lansing, MI 48823
Phone: 517-351-8470
Fax: 517-351-1443
E-mail: craig_czarnecki@fws.gov

The Parties agree that if there is a change regarding the information in this section, the Party making the change will notify the other Party in writing of such change.

VII. DURATION OF AGREEMENT, AMENDMENTS, OR TERMINATION

This Agreement will become effective when signed by all Parties. The Agreement will terminate on December 31, 2005, but may be amended at any time by mutual consent of the Parties.

Any of the Parties to this Agreement may terminate this Agreement by providing 60 days written notice to the other Party.

VIII. RESOLUTION OF DISAGREEMENTS

Nothing herein is intended to conflict with current Department of Commerce or Department of Interior directives. If the terms of this Agreement are inconsistent with existing directives of either of the agencies entering into this Agreement, then those portions of this Agreement which are determined to be inconsistent shall be invalid, but the remaining terms and conditions not affected by the inconsistency shall remain in full force and effect. At the first opportunity for review of the Agreement, all necessary changes will be accomplished by either an amendment to this Agreement or by entering into a new agreement, whichever is deemed expedient to the interest of both Parties.

Should disagreement arise on the interpretation of the provisions of this Agreement, or amendments and/or revisions thereto, that cannot be resolved at the operating level, the area(s) of disagreement shall be stated in writing by each Party and presented to the other Party for consideration. If agreement on interpretation is not reached within 30 days, the Parties shall forward the written presentation of the

disagreement to respective higher officials for appropriate resolution.

IX. APPROVALS

This Agreement is entered into and made effective as of the date later in time indicated below.

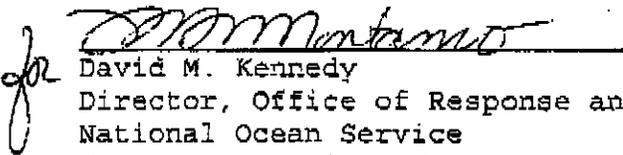
APPROVED:



Craig A. Czarnecki
Field Supervisor
East Lansing Field Office, U.S. Fish and Wildlife Service
2651 Coolidge Road, Suite 101
East Lansing, MI 48823

August 10, 2001
Date

APPROVED:



David M. Kennedy
Director, Office of Response and Restoration
National Ocean Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce

JUL 31 2001
Date



JUL 23 2001

MEMORANDUM FOR: Doris Kohler
Executive Secretariat
National Oceanic and Atmospheric
Administration

FROM: Barbara S. Fredericks
Assistant General Counsel
for Administration

SUBJECT: Interagency Agreement between the National Ocean Service and
the U.S. Fish and Wildlife Service, NOAA Control #75901

This provides clearance on the attached MOU between the National Oceanic and Atmospheric Administration, and the Fish and Wildlife Service of the Department of the Interior, to perform research on Grassy Island. The MOU is authorized by 16 U.S.C. § 1456c, the Coastal Zone Management Act, and 33 U.S.C. § 1441.

Attachment

75901



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

JUL 27 2001

MEMORANDUM FOR: David M. Kennedy
Director, Office of Response and
Restoration

FROM: Margaret A. Davidson
Acting Assistant Administrator *J. Davidson*

SUBJECT: Clearance and Approval on an
Interagency Agreement between the
National Oceanic and Atmospheric
Administration, National Ocean Service
and the U.S. Fish and Wildlife Service
MOA-2001-619/NOAA Control No. 75901

This memorandum provides clearance and approval on the attached Interagency Agreement between the National Ocean Service, through the Office of Response and Restoration (ORR), and the U.S. Fish and Wildlife Service (FWS). Under the proposed Agreement the NOS and the FWS will cooperate to further the restoration of natural resources along the Detroit River in the Wyandotte National Wildlife Refuge. The NOS will reimburse the FWS a one time amount of \$950,000 to characterize contamination and to prepare a restoration plan to protect and restore coastal resources in the area of Grassy Island in the Detroit River.

The NOAA Office of Assistant General Counsel for Ocean Services conducted a programmatic review of the Agreement on June 15, 2001. The Department of Commerce Assistant General Counsel for Administration (AGC-ADMIN) cleared the Agreement on July 23, 2001. A copy of the AGC-ADMIN clearance memorandum is also attached for your information and use. The Agreement is authorized by the Coastal Zone Management Act, 16 U.S.C. § 1456c and the Marine Protection, Research, and Sanctuaries Act, 33 U.S.C. § 1441.

Please reference NOS Control No. MOA-2001-619, when you return a certified or original signature copy of the fully executed Agreement to N/MB3, Attn: Beth Dalzell. Should you have any questions, please contact Ms. Veronica Harvey at 301-713-3070, extension 184.

Attachments



ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF 1 PAGES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER: 08/02/01
 2. CONTRACT NO. (If any)
 3. ORDER NO.
 4. REQUISITION/REFERENCE NO.: NC-NR0000-1-00201

5. ISSUING OFFICE (Address correspondence to):
 National Ocean Service, NOAA, N/ORB
 1305 East-West Highway, SSMC-4 #10140
 Silver Spring MD 20910

6. SHIP TO: (Consignee and address, ZIP Code)
 U.S. Fish and Wildlife Service - East Lansing Field Off.
 2651 Coolidge Road, Suite 101
 East Lansing, Michigan 48823

SHIP VIA: ATTN: Craig Czarnecki

7. TO: CONTRACTOR (Name, address and ZIP Code)
 U.S. Fish and Wildlife Service
 East Lansing Field Office
 2651 Coolidge Road, Suite 101
 East Lansing, Michigan 48823
 ATTN: Craig Czarnecki, Field Supervisor
 (517) 351-8470 Fax (517) 351-1443

8. TYPE OF ORDER
 A. PURCHASE - Reference your Transfer of Funds
 Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of:
 B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

1AACG0442

9. ACCOUNTING AND APPROPRIATION DATA
 1/NR0000/8K3RRD00
 Object Code 2535
 Kathy Satter, N/ORB
 SSMC-4 #10140

10. REQUISITIONING OFFICE
 COTR Terry McTigue (301) 713-2989

11. BUSINESS CLASSIFICATION (Check appropriate box(es))
 SMALL OTHER THAN SMALL DIS-ADVANTAGED WOMEN-OWNED

12. F.O.B. POINT
 13. PLACE OF INSPECTION AND ACCEPTANCE
 14. GOVERNMENT B/L NO.
 15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date)
 16. DISCOUNT TERMS

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
01	PURPOSE: Memorandum of Agreement with the U.S. Fish and Wildlife. NOAA and USWF will cooperate to further the restoration of natural resources along the Detroit River in the Wyandotte National Wildlife Refuge. NOS Agreement Code: MOA-2001-619 U.S. Fish and Wildlife Service ALC 14-16-0006 NOAA Agency Location Code 13140001 NOAA Appropriation Symbol 13x1450 NOTE TO NOAA FINANCE: Proof of payment required (copy of Treasury Schedule). Send to above address.				\$950,000.00	

18. SHIPPING POINT
 19. GROSS SHIPPING WEIGHT
 20. INVOICE NO.
 17(H). TOT. (Cont. pages)
 17(I). GRAND TOTAL

21. MAIL INVOICE TO: (Include ZIP Code)
 Office of Response and Restoration
 1305 East -West Hwy, SSMC-4 #10140
 Silver Spring, MD 20910
 (Please reference Accounting Classification and Order No. on invoice)

22. UNITED STATES OF AMERICA BY (Signature)


23. NAME (Typed) David M. Kennedy, Director
 Office of Response and Restoration
 TITLE: CONTRACTING/ORDERING OFFICER