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MEMORANDUM OF UNDERSTANDING
BETWEEN THE U.S. ARMY CORPS OF ENGINEERS
AND THE
U.S.D.A. FOREST SERVICE REGARDING
THE OUACHITA RESERVOIR
PROJECT

THIS MEMORANDUM OF UNDERSTANDING is entered into pursuant to paragraph 9 of the Memorandum of Agreement dated August 13, 1964, between the Secretaries of the Army and Agriculture for the purpose of establishing and recording an agreed-upon interchange of lands and establishing joint policies and principles governing the water and land resources at Lake Ouachita located within and adjacent to the Ouachita National Forest, Montgomery and Garland Counties, Arkansas. Both the U.S. Army Corps of Engineers and the U.S.D.A. Forest Service recognize that there is a need to coordinate management of the Reservoir Project lands, which are administered by the U.S. Army Corps of Engineers, with adjoining National Forest lands, which are administered by the U.S.D.A. Forest Service. This Memorandum of Understanding is directed at that need, and provides for coordinated management of Ouachita Reservoir Project lands by the U.S. Army Corps of Engineers and the U.S.D.A. Forest Service.

ARTICLE I. The Corps of Engineers will:

Pursuant to Public Law 804, 84th Congress (16 USC 505a,b) recommend transfer to the Secretary of Agriculture for administration by the Forest Service all project lands generally above elevation 610' mean sea level with appurtenant rights, except for lands above this elevation needed for project operations and existing and future recreation areas. The approximate location and acreage of these lands are shown in green on the attached project map (Exhibit A). Precise boundary lines will be mutually agreed upon and established by the Division Engineer and the Regional Forester.

ARTICLE II. The Forest Service will:

Pursuant to the Public Law 804, 84th Congress (16 USC, 505a, b), recommend transfer to the Secretary of the Army all National Forest lands below the elevation 610' mean sea level, with appurtenant rights, plus all lands above this elevation needed for project operations and existing and future recreation areas. The approximate location and acreage of these lands are shown in red on the attached project maps (Exhibit A). Precise boundary lines will be mutually agreed upon and established by the Division Engineer and the Regional Forester.

ARTICLE III. The Corps of Engineers and the Forest Service Agree and Understand that:

a. Each Agency will furnish the other the acquisition records, survey records, and other such documents about the lands to be interchanged, including known current trespasses or uses on land to be interchanged. This information will include type and length of use or trespass, contacts made and results, and commitments made.

b. The Corps of Engineers and the Forest Service will prepare a joint management plan for project lands between elevation 578' mean sea level and 610' mean sea level. This management plan will provide for coordinated management of all project lands between elevation 578' mean sea level and 610' mean sea level, except for lands within this elevation that are needed for project operations and existing and future recreation areas, which will continue to be separately administered by the Corps of Engineers. The approximate location and acreage of these lands are shown in yellow on the attached project maps (Exhibit B). The management plan will provide that:

i. The Forest Service and the Corps of Engineers shall coordinate closely on all rules, regulations, and proposals pertinent to such lands, in recognition of the desirability of uniformity and consistency in approach to the management of these lands for public use.

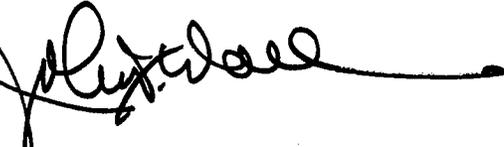
ii. The Forest Service will be responsible for timber harvesting. The Corps of Engineers and the Forest Service shall consult on timber harvest philosophies and shall attempt to reconcile differences in philosophies between the Agencies where differences exist. No timber shall be cut on any project lands between elevation 578' mean sea level and 610' mean sea level without the prior concurrence of the Corps of Engineers. The Corps of Engineers will reimburse the Forest Service for the actual costs of administering timber sales on project lands between elevation 578' mean sea level and 610' mean sea level. Revenue from timber sales on project lands between elevation 578' mean sea level and 610' mean sea level will be paid to the Vicksburg District.

iii. The Corps of Engineers will enter into an agreement with the Forest Service on disease and insect infestation treatment on project lands between elevation 578' mean sea level and 610' mean sea level, such agreement to provide for payment to the Forest Service for actual expenses relating to such treatments.

iv. The Corps of Engineers and the Forest Service will enter into a cooperative fire protection plan. The Corps of Engineers will reimburse the Forest Service for actual expenses relating to such protection on project lands between elevation 578' mean sea level and 610' mean sea level.

c. As used in this Memorandum of Understanding, the phrase "lands needed for project operations and for future and existing recreation areas" means lands that the Corps of Engineers determines are necessary for operation of the project for flood control and hydropower purposes and for existing and future recreation areas. The phrase "future recreation areas" refers to those recreation areas designated for future development on the current Master Plan for Lake Ouachita.

d. Ancillary operating agreements may be needed in implementing this Memorandum of Understanding. The Forest Supervisor and the District Engineer will, from time to time, discuss various phases of the administration of the project and will, when appropriate, insofar as they are capable of doing so under the authorities of their offices, incorporate the mutual understanding, responsibilities, and obligations in written operating agreements.


Director of Civil Works
U.S. Army Corps of Engineers

Date: 6/28/85


Chief
Forest Service

Date: 6/28/85