

Interior/MMS
Coop
3/95

**MEMORANDUM OF AGREEMENT
BETWEEN
THE MINERALS MANAGEMENT SERVICE
OF THE DEPARTMENT OF THE INTERIOR
AND
THE U.S. ARMY CORPS OF ENGINEERS
OF THE DEPARTMENT OF THE ARMY**

Title I. Purpose

Pursuant to the provisions of Section 8(k)(2)(D) of the Outer Continental Shelf Lands Act (OCSLA)(43 U.S.C. 1337(k)(2)(D)), as amended by P.L. 103-426, this Memorandum of Agreement (MOA) is entered into by the Department of the Interior's (DOI) Minerals Management Service (MMS) and the Department of the Army's Corps of Engineers (Corps) concerning the potential use of sand, gravel, and shell resources on the Outer Continental Shelf (OCS) for the Duval County, Florida shore protection project described herein.

It is the intention of the MMS and the Corps that this MOA establish procedures to assure timely coordination and cooperation between the two agencies as each carries out its responsibilities related to the use of such resources for such project.

Title II. Project Description

The overall project is being undertaken for the purpose of shore protection (storm damage reduction) by the Corps' Jacksonville District; was authorized in Section 301 of the Rivers and Harbors Act of 1965 (P.L. 89-298), as amended by Section 156 of P.L. 94-587 and Section 934 of P.L. 99-662; and is funded in principal part by the Federal government based on a percentage of total cost.

The overall project site is located in Duval County, Florida, as generally described in the Section 934 Study entitled, "Duval County, Florida, from St. Johns River to the Duval-St. Johns County Line, Shore Protection Project, Section 934 Study and Reevaluation Report with Environmental Assessment," dated October 1990, and approved by the Assistant Secretary of the Army for Civil Works on February 3, 1992, which is incorporated herein by reference.

The MMS and the Corps acknowledge that the overall shore protection project extends to the year 2028, a 34-year period during which the need for further sand for periodic renourishments is recognized.

This MOA is only applicable to the current (third) phase of the overall project. Such phase is referred to in the Corps' December 1993 Environment Assessment as the "Duval County Shore Protection Project, Third Renourishment for Reaches

F. Sharing of Information.

Consistent with the intention stipulated by both agencies in Title I, the MMS and the Corps agree to: (1) share all information needed for or generated from the Project, including the sharing of implementation and other applicable schedules; and (2) provide such information to the requesting agency as expeditiously as possible.

G. Resolution of Disputes.

In the case of a substantial disagreement between the MMS and the Corps with respect to any aspect or decision to implement the Project, the undersigned shall designate a senior management official in their respective agencies to determine an appropriate course of action, including a firm and expeditious schedule, to resolve such disagreement.

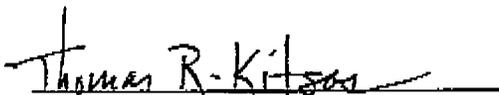
H. Notification of Congress.

After the execution of this MOA, in accordance with Section 8(k)(2)(D) of the OCSLA (43 U.S.C. 1337(k)(2)(D)), the MMS will notify the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate concerning the use of the OCS sand resources for the proposed Project described in Title II.

I. Effective Date.

This MOA shall become effective when signed by the Program Director, Office of International Activities and Marine Minerals of the MMS and the Acting Chief, Policy Review and Analysis Division, Directorate of Civil Works of the Corps. This MOA may be amended or revoked at any time by mutual agreement between the agencies, and expires upon completion of the Project.

Signed at Washington, D.C. this 31st day of March 1995.



Program Director
Office of International Activities
and Marine Minerals
Minerals Management Service
U.S. Department of the Interior



Acting Chief, Policy Review and
Analysis Division
Directorate of Civil Works
U.S. Army Corps of Engineers
Department of the Army