

Memorandum of Understanding
Mojave Weed Management Area
(Revised October 7, 2009)

I. Introduction

Weed infestations in the Mojave Desert in California reduce the biological, agricultural, recreational, and economic value of the land and negatively impact the environment by suppressing native plant species. A coordinated approach among Federal, State and local agencies will improve the effectiveness of weed management efforts in the Mojave Desert. Weed management efforts may include site identification, public education, and mechanical, biological, chemical, and cultural control.

SB 1740 initially authorized funding for the implementation of Integrated Weed Management Plans submitted by county-based Weed Management Areas (WMAs), and to assist the WMAs in obtaining additional monetary contributions and in-kind support for integrated weed management. Currently the California Department of Food and Agriculture is providing limited funding to WMAs through grants for weed removal and retreatment.

For the purpose of this document, a weed is a plant species that is detrimental or destructive to agriculture, silviculture, or important native species, and difficult to control or eradicate.

To facilitate planning and implementation of educational and control programs, representatives from the partner agencies developed a list of target species within the Mojave Weed Management Area (MWMA). These species are:

Fountain grass	<i>Pennisetium setaceum</i>
Giant reed	<i>Arundo donax</i>
Halogeton	<i>Halogeton glomeratus</i>
Perennial Peppergrass	<i>Lepidium latifolium</i>
Puncture-vine	<i>Tribulus terrestris</i>
Russian Thistle	<i>Salsola tragus</i>
Sahara Mustard	<i>Brassica tournefortii</i>
Saltcedar	<i>Tamarix ramosissima</i>
Spanish Broom	<i>Spartium junceum</i>
Tree of Heaven	<i>Ailanthus altissima</i>
White Horsenettle	<i>Solanum elaeagnifolium</i>
Yellow Starthistle	<i>Centaurea solstitialis</i>

Sahara mustard and Halogeton are rapidly spreading throughout the Mojave Desert. Saltcedar, Russian-olive and arundo continue to adversely affect hydrology and displace native vegetation in riparian areas; therefore, these five species are the current focus of control actions for the MWMA. Weed control activities are not limited to only species listed on the target list. The list will be used to help prioritize weed projects, and will be modified as needed. Partner agencies shall have the opportunity to review and comment on the proposed modifications to the list.

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II. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish the MWMA to facilitate the cooperation and coordination necessary to prevent and control weeds throughout the Mojave Desert in California. The emphasis of MWMA activities shall be on the exclusion, detection, eradication, and suppression of weeds. The priority for control and eradication efforts shall be on the species listed as noxious weeds by the California Department of Food and Agriculture and other species of local significance as they are identified. The signatory agencies and organizations will cooperate in developing coordinated work plans and seeking funds to support the activities of the MWMA. In addition, public education on weed identification, prevention, and control will be a primary goal of the MWMA. This MOU is limited to issues pertaining to weed control and management in the Mojave Desert, California.

III. Authority

Initially, California Senate Bill 1740 created the Noxious Weed Management Account in the Department of Food and Agriculture Fund. The Bill authorized and appropriated funds for WMAs to use to control and abate noxious weeds according to approved integrated weed management plans, conduct research on the biology, ecology, or management of noxious and invasive weeds, and administer WMA activities. The WMA Program is no longer funded by a legislative bill, but rather out of general funds through CDFA. CDFA honors the original funding for WMA Programs that came through SB 1740 and AB 1168 and still follows that overall intent of the legislation.

Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2801 et seq.) The Act was superseded in 2000 by the Plant Protection Act (Pub.L. 106-224).

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

Executive Order 13112 (Invasive Species) February 3, 1999

Wildlife Habitat Incentive Program, Federal Improvement and Reform Act of 1996, PL 104-127; Food Security Act of 1985, as amended, 16 USC 3830 et seq. Activities under this MOU will improve wildlife habitat through the removal of invasive plant species allowing native vegetation to reestablish.

IV. Geographic Scope (Map Attached)

The geographic scope of the MWMA includes the portion of San Bernardino County in the Mojave Desert Resource Conservation District including the portions of Joshua Tree National Park and Death Valley National Park that reside within San Bernardino County. (An MOU will be generated should work areas cross boundary lines.)

V. Parties

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Participation in the MWMA is open to any public or private individual, organization, or agency interested in weed management, subject to their signing this MOU.

VI. Agreement

It is mutually agreed upon and understood by and between the said parties that:

- A. All partners will meet as needed for the purpose of developing, documenting, and implementing a Long Range Plan to control and suppress or eradicate weed infestations within the MWMA. The Long Range Plan will support and help implement the Federal Invasive Species Management Plan, as appropriate.
- B. Insofar as it is compatible with each agency's primary mission and statutory responsibilities, all parties shall use their best efforts to secure the funding needed to carry out the Long Range Plan. Each project that requires specific funding to be implemented shall be the subject of a separate project-specific agreement between the agencies responsible for its funding and implementation.
- C. Partners will provide data and information on the distribution of weeds and methods of control for sharing with all partners through a centralized database and website.
- D. The Bureau of Land Management will:
 1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Identify and map weed infestations on BLM managed lands.
 3. Promote the prevention and control of weeds on BLM managed lands.
 4. Support and assist other agencies and interested parties in weed prevention and control.
- E. Participating Department of Defense installations will:
 1. Educate installation personnel and visiting groups about weeds, their identification, prevention, and methods of control.
 2. Identify and map weed infestations on military lands.
 3. Promote the prevention and control of weeds on military lands.
 4. Support and assist other agencies and interested parties in weed prevention and control to the extent possible.
- F. The Mojave Desert Resource Conservation District will:
 1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Maintain a GIS for exotic weed mapping efforts within the MWMA.
 3. In partnership with the Natural Resources Conservation Service, provide recommendations and planting specifications for the re-vegetation of disturbed and/or chemically treated areas.
 4. Advocate for more sophisticated management strategies by agencies with weed management responsibilities.

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5. Contract with the California Department of Food and Agriculture to administer and manage grant funding.
 6. Maintain a MWMA website to facilitate communication and dissemination of information related to the MWMA. The MWMA website will include appropriate links to the California Department of Food and Agriculture's Weed Management Area website.
 7. Continue weed eradication along the Mojave River (as funding allows).
 8. Create informational brochures as funding allows.
- G. The Mojave Desert-Mountain Resource Conservation & Development Council will:
1. Provide coordination and information on regional issues related to weed control.
 2. Support the MWMA's efforts in control and prevention of weeds.
 3. Coordinate grant funding, when appropriate, that requires application as a 501(c)3 non-profit organization.
- H. The Mojave National Preserve, Death Valley National Park, and Joshua Tree National Park will:
1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Promote the control and treatment of weeds on National Park Service (NPS) lands.
 3. Coordinate with and assist other agencies and interested parties in weed prevention and control to the extent possible.
 4. Identify and map priority weed infestations on NPS lands.
- I. The Mojave Water Agency (MWA) will:
1. Participate in seeking grants to fund weed management efforts in cooperation with the MWMA partners and other organizations attempting to manage weeds.
 2. Promote the control and treatment of weeds on MWA property.
 3. Support efforts to educate the public about weeds, their identification, prevention, and methods of control.
- J. The San Bernardino County Farm Bureau will:
1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Promote the control and prevention of weeds on private lands.
- K. The San Bernardino National Forest will:
1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Promote the control and treatment of weeds on National Forest System lands.
 3. Support and assist other agencies and interested parties in weed prevention and control to the extent practicable.
 4. Identify and map all weed infestations on National Forest System lands as encountered.
- L. The University of California Cooperative Extension Unit will:

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1. Educate the public about weeds, their identification, prevention, and methods of control through development and distribution of publications, conducting educational workshops, and field consultations with land managers.
 2. Promote the control and prevention of weeds on private land through extension of research-based information on weed control.
 3. Conduct and/or report upon applied research on weed control to test management strategies including prescribed burning, approved herbicides, grazing, mowing, hand removal, and competitive vegetation.
- M. The United States Department of Agriculture (USDA) Natural Resources Conservation Service will:
1. Work with the Mojave Desert Resource Conservation District (MDRCD) to educate and assist landowners with the management of sensitive areas that may be prone to weed infestation.
 2. Utilize the appropriate Soil Survey of San Bernardino County Mojave River Area, California, in correlating weed areas within the MWMA with soil series to determine connections.
 3. Support the MDRCD's role in providing educational workshops on the management and vegetative control of sensitive areas.
- N. The United States Geological Survey will:
1. Assist in designing scientifically sound weed management monitoring plans.
 2. Conduct applied research on factors contributing to the spread of weeds and the most effective methods for controlling noxious weeds, including prescribed burning, approved herbicides, grazing, mowing, hand removal, and biological controls.
- O. The California State Parks (Mojave Sector) will:
1. Educate the public about weeds, their identification, prevention, and methods of control.
 2. Promote the control and treatment of weeds on State Park managed lands.
 3. Support and assist other agencies and interested parties in weed prevention and control.
 4. Identify and map targeted weed infestations on State Park managed lands.
- P. The California Department of Transportation will:
1. Educate its staff and the public about weeds, prevention, and methods of control.
 2. During project construction and maintenance activities, control and eradicate weeds, where feasible and resources permit, within California Department of Transportation right of ways.
 3. Support and assist other agencies and interested parties in methods of weed prevention and control.
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4. During biological surveys, identify and map, where feasible and resources permit, weed infestations in California Department of Transportation right of ways.

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Q. The California Department of Fish and Game (CDFG) will:

1. Educate the public about weeds, their identification, prevention, and methods of control.
2. Promote the control and treatment of weeds on CDFG and other lands.
3. Support and cooperate with other agencies and interested parties in weed prevention and control.

R. The U.S. Fish and Wildlife Service (through Ecological Services and Partners for Fish and Wildlife Services Programs) will:

1. Provide technical assistance to partner agencies within the MWMA.
2. Coordinate with and assist partner agencies and interested parties in weed prevention and control to the extent possible.
3. Assist partner agencies in the identification and development of Fish and Wildlife Services administered conservation grants.

VII. Termination

Any partner may, in writing, terminate their participation in this instrument in whole, or in part, at any time before the date of renewal/expiration (see Section IX). This agreement may be terminated by majority and the MWMA thereby disbanded. In the event of termination, each party will assume financial and other responsibilities for the completion of required and agreed upon activities or such responsibilities must be modified by mutual written agreement.

VIII. Participation in Similar Activities

This instrument in no way restricts the cooperators from participating in similar activities with other public or private agencies, organizations, and individuals.

IX. Effective Date and Date of Renewal/Expiration

This instrument shall become effective upon the date that a simple majority of the parties signs the MOU and shall remain in effect for a period of 5 years, at which time it will be subject to review, renewal, or expiration.

X. Principal Contacts

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XI. Non-Fund Obligating Document

This instrument is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the partners to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for 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. Specifically, this instrument does not establish authority for noncompetitive award to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

XII. Modification

The MOU may be modified at any time upon written approval of all the parties.

XIII. Non Discrimination

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The programs or activities conducted under this agreement will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and