

**SEEDS OF SUCCESS
NATIONAL NATIVE SEED COLLECTION PROGRAM**

MEMORANDUM OF UNDERSTANDING

by and between the
BUREAU OF LAND MANAGEMENT
and
NATIONAL PARK SERVICE
and
UNITED STATES FISH AND WILDLIFE SERVICE

This Memorandum of Understanding (MOU) is made and entered into by and between the Bureau of Land Management (BLM), National Park Service (NPS), and the U.S. Fish and Wildlife Service (USFWS), hereinafter referred to collectively as “the Parties.” The Parties may agree to add additional Parties to this MOU, upon the written agreement of the Parties.

I. Purpose and Scope

The purpose of this MOU is to codify the cooperation and participation between and among Federal agencies in Seeds of Success (SOS), the national native seed collection program.

Native plant materials are in greater demand now than ever before. Severe wildfires and extreme climate events continue to threaten ecosystem resilience, requiring a sustainable supply of genetically appropriate native seed for improving habitats for plant and animal species, stabilizing soil and watershed function, preventing invasions by non-native invasive plant species, and restoring resilient ecosystems. Ensuring an adequate supply of native seeds for ecosystem restoration is an important strategy to reduce these stressors that are compounded by climate change. However, native seeds continue to be in short supply. Few U.S. native plant species are available commercially in the quantity, diversity, and quality necessary to restore resilient habitats, and in most areas of the country, native plants and seeds of local origin are rarely available. It is vitally important for federal land management agencies to work together to meet nationwide revegetation and restoration needs.

Federal agencies and Congress recognize the value of strengthening coordination to meet the demand of restoring resilient native plant communities with locally adapted native seed and to enhance long-term climate adaptation and ecosystem restoration goals across landscapes. In November, 2021, the Secretary of the Interior and the Secretary of Agriculture, acting through the Chief of the Forest Service, authorized appropriations through the Infrastructure Investment and Jobs Act with funding for ecosystem restoration, for the period of fiscal years 2022-2026, to “establish and implement a national revegetation effort on Federal and non-Federal land, including to implement the *National Seed Strategy for Rehabilitation and Restoration*” (Title VIII, SEC.40804, (9)). Seeds of Success (SOS) is an effective tool to increase the capacity of Federal agencies to ensure the reliable availability of genetically appropriate seed for effective rehabilitation and restoration. SOS has developed a framework for seed collection, cleaning,

distribution, seed storage, and data management for the BLM, and SOS's infrastructure can be expanded to support coordinated seed collection efforts of other Federal agencies.

II. Statement of Mutual Interest and Benefits

By entering this MOU, the Parties recognize that they have common goals, which include:

The Parties are all Federal land management agencies, with missions that include maintaining the health, productivity, and diversity of public lands to meet the needs of present and future generations. All Parties need more genetically appropriate native seed than is currently available for restoration purposes. Seeds of Success provides an opportunity for the Parties to work together in collecting, conserving, and restoring native plant communities and wildlife habitats across the United States. Utilizing the established SOS framework will allow the Parties to efficiently coordinate and execute seed collection, cleaning, storage, and data tracking activities.

III. Authorities

This MOU is entered into consistent with the provisions of the following authorities:

The Bureau of Land Management: Federal Land Policy and Management Act (43 U.S.C. 1701-1782), as amended.

National Park Service: National Park Service Organic Act of 1916, 54 U.S.C. § 1000101, as amended and supplemented, Fish and Wildlife Coordination Act, 16 U.S.C. § 661.

U.S. Fish and Wildlife Service: Endangered Species Act of 1973, as amended, 16 U.S.C. § 1531-1544 (2012); Fish and Wildlife Conservation Act of 1980, 16 U.S.C. § 2901-2912 (2012); Fish and Wildlife Act of 1956, 16 U.S.C. § 742f (2012); Fish and Wildlife Coordination Act, 16 U.S.C. § 661-666 (2012).

IV. It is mutually agreed and understood by and between the Parties that:

1. Seeds of Success is open to interested Federal agencies by invitation only. Partnership becomes official at such time as the MOU is signed by the head of the agencies.
2. The Seeds of Success National Coordinating office is housed within the Bureau of Land Management. Responsibilities of the National Coordinating Office are outlined in section V.
3. This Memorandum of Understanding in no way restricts the Parties from involvement in similar activities with other public or private agencies, organizations, or individuals.
4. Nothing in this MOU shall be construed as obligating Parties to extend funds or to provide resources or be involved in any obligations for future payment of money or provisions of resources.

5. Modifications within the scope of this Memorandum of Understanding shall be made by formal consent of the Parties, by the issuance of written modifications, signed and dated by the Parties, prior to any changes becoming effective.
6. This instrument is neither a fiscal nor a funds-obligation document. The Parties are not obligated to transfer or obligate any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the Parties will require execution of separate agreements and be contingent upon the availability of appropriate funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority.
7. Any activities conducted under this MOU 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 (P.L. 100-259); and other non-discrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1072, and the Age Discrimination Act of 1975.
8. No member of, or Delegate to, Congress shall be admitted to any share of part of this instrument, or any benefits that may arise therefrom.
9. The Parties may terminate or withdraw partnership in whole or in part at any time before the date of expiration, by providing 30 days written notice to the SOS National Coordinating Office and submitting all outstanding collection data and materials according to the SOS Protocol. The Memorandum of Understanding remains viable until the expiration date as long as two Parties remain in the agreement.

V. Responsibilities

- A. To actively promote the goals of this MOU, all Parties will work to:
 1. The Parties will designate one official (with one alternate) to serve as their representative to SOS who will attend scheduled meetings at the agency's expense. Each Agency will inform the SOS National Coordinating Office, in writing, of the name and position of its representatives and alternate, or of any changes in same. Principal contacts can be found in Attachment I.
 2. The Parties are responsible for coordinating their own collection crews and data quality assurance and quality control measures.
 3. The Parties shall communicate quarterly and as needed. Additionally, the Parties are encouraged to have monthly coordination meetings with their own collection crews.
 4. Execute and develop the SOS Technical Protocol (www.blm.gov/sos). All comments, suggestions, and additions should be sent in writing, to the SOS National Coordinating Office. It is understood that the SOS Technical Protocol is an evolving scientific

document with the intent to sustainably collect and store native seeds only from wild populations.

5. Prioritize collections on their agency's lands before seeking permission to collect on the lands of other Parties. Any collaboration to collect on other agency lands will be communicated to the SOS National Coordinating Office. For collections on private lands, the Parties agree to use the same permit template. Signed permits authorizing such collection must be kept as part of the Parties' SOS records.
 6. Maintain workflows following the SOS Technical Protocol to ensure all seeds are cleaned prior to long-term storage and have long-term storage and distribution services through the USDA-ARS National Plant Germplasm System (NPGS). When sufficient quantities (as defined by the SOS Technical Protocol) allow, collections will be curated in a collection open for distribution to researchers and those interested in developing native plant materials also through the NPGS.
 7. The Parties will work together to ensure seed cleaning, short-term storage and distribution services are available for SOS collections.
 8. Create target lists of species of restoration value with regional and local land managing agencies, as well as other interested Parties.
 9. Exclude all rare, threatened, and endangered species, as defined at the Federal and State level, from SOS target lists and collection. Additional species exclusions apply as stated in SOS Technical Protocol Section 4.
 10. Submit completed SOS field data to the SOS National Coordinating Office no later than December 15th of the collecting season. To protect seed resources, the Parties agree to keep SOS data internal, with appropriate operational use of their agency's SOS data on a case-by-case basis *as approved by the SOS National Coordinating Office*.
 11. Submit a summary of each Parties' collecting activities (by calendar year) to the SOS National Coordinating Office for the Seeds of Success Annual Report by January 31st, using the annual report template provided by the National Coordinating Office.
- B. The Seeds of Success National Coordinating Office will:
1. Be staffed by the Bureau of Land Management's Plant Conservation and Restoration Program.
 2. Maintain and update the SOS website.
 3. Work and communicate with other agency coordinators to ensure SOS technical protocol is being followed.

4. Organize and teach Seeds of Success training courses as needed.
5. Maintain the SOS digital data collection infrastructure, including tools from Survey123, Field Maps (maps and layers), and regional GeoPlatform Groups, as well as allow access to this infrastructure and provide training to other Parties.
6. Coordinate the production of an interagency Seeds of Success Annual Report in collaboration with the Parties.
7. Manage collection data for long-term data storage and make SOS data accessible to the Parties.
8. Coordinate with all Parties to promote Seeds of Success through lectures, exhibits, and publications.

VI. Duration

This agreement is effective upon the date of the second agency signature and will remain in effect until five years upon the date of the second agency signature, or until such time as it is modified or terminated.

ATTACHMENT I – PRINCIPAL CONTACTS

The following staff are designated as the official contact and alternate to serve as their representative to SOS who will attend scheduled meetings at the agency’s expense. Each Agency will inform the Seeds of Success National Coordinating Office, in writing, of the name and position of its representatives and alternate, or of any changes in same.

BLM	FWS	NPS
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