

**MEMORANDUM OF PARTNERSHIP  
BY AND AMONG  
THE SOUTH FLORIDA ECOSYSTEM RESTORATION  
TASK FORCE  
AND  
THE MUSEUM OF DISCOVERY AND SCIENCE**

**WHEREAS**, the South Florida ecosystem is unique, valuable, complex, and embodies highly threatened natural resources; and

**WHEREAS**, governments and agencies at the tribal, local, regional, state and federal levels are devoting great amounts of money, time, and effort to research and to implement ways of restoring the South Florida ecosystem; and

**WHEREAS**, it is important that the public have an increased understanding of the complexities and values of the South Florida ecosystem, the importance of that ecosystem to the quality of life, the numerous threats to the resources, the continuing scientific research and technological development relating to ecosystem restoration, the costs and benefits of various alternatives regarding the restoration, and the need for a sustainable balance of the built community, agricultural production, and the natural system, including economic, social, and ecological factors; and

**WHEREAS**, the Congress of the United States established the South Florida Ecosystem Restoration Task Force (Task Force) in the Water Resources Development Act of 1996 (WRDA), and authorized the South Florida Ecosystem Restoration Working Group (Working Group), which is chartered by the Task Force; and

**WHEREAS**, Congress directed the Task Force to perform several duties, including coordinating the development of consistent policies, strategies, plans, programs, projects, activities, and priorities for addressing the restoration, preservation, and protection of the South Florida ecosystem; and

**WHEREAS**, the purpose of the Working Group is to assist and advise the Task Force in the performance of its statutory duties; and

**WHEREAS**, the Task Force directed the Working Group to develop a strategy for public outreach and participation regarding the restoration activities of the Task Force and the Working Group; and

**WHEREAS**, the Task Force has approved the Working Group's public outreach strategy which includes forming public/private partnerships; and

**WHEREAS**, the Task Force finds that it desires expert assistance in disseminating to the public in useful and engaging forms information about the South Florida ecosystem, its values, the plans and ideas for its restoration, the science and technology involved in the restoration activities, and the social costs and benefits of restoration alternatives; and

**WHEREAS**, the Task Force recognizes that the restoration will be a multi-year effort, and therefore desires a long-term partnership with a nonprofit institution that can provide sustained assistance in public outreach and education; and

**WHEREAS**, the Museum of Discovery and Science (Museum) is a private, nonprofit institution awarded tax-exempt status under section 501(c ) (3) of the Internal Revenue Code; and

**WHEREAS**, the Museum is accredited by the American Association of Museums, and is a member of the Association of Science-Technology Centers and of the Florida Association of Museums, and collaborates with museums world-wide in research, collections, program development, and exhibits; and

**WHEREAS**, the Museum has received support from numerous public and private sponsors, donors, grantors, advisors, and volunteers, including agencies of the Federal government, Broward County, the State of Florida, and from the South Florida Water Management District; and

**WHEREAS**, the number of persons visiting the Museum annually is 500,000 or more, including over 75,000 children who visit on field trips from schools in Broward County, Palm Beach County, and Miami-Dade County; and

**WHEREAS**, the Museum attracts and educates persons of all ages, including residents of South Florida, and tourists from all across the United States and many other countries; and

**WHEREAS**, the Museum runs several successful educational programs for school children, pre-school children, teachers, parents, and the public at large; and

**WHEREAS**, the Museum's success in increasing visitation has caused it to initiate a major expansion of its physical facilities, exhibits and programs; and

**WHEREAS**, the Museum has demonstrated success for two decades in educating the public about the habitats and wildlife in South Florida; and

**WHEREAS**, the Museum will focus part of its facilities and programs on telling the story of restoration of the South Florida ecosystem, and wants to cooperate with the Task Force to reach out to the public with information about the ecology and the restoration of the South Florida Ecosystem; and

**WHEREAS**, pursuant to WRDA, the Task Force seeks consensus among its members, but cannot compel any action by any government or agency; and

**WHEREAS**, the Task Force and the Museum recognize their mutual interests in increasing public understanding of the restoration, and the unique opportunity in time for cooperation in the planning of the Museum's expansion; and

**WHEREAS**, the parties believe that a partnership will result in more inclusive, higher quality, and more accurate outreach to the public with information about the ecosystem and the restoration in ways that are better interpreted and more relevant to the public than either organization could do on its own;

**NOW, THEREFORE,**

Upon execution of the Memorandum of Partnership, the Task Force and the Museum will cooperate as outlined in the Memorandum. Which will permit each to fulfill its responsibilities, and to support and to assist each other in advancing the common goal of public outreach and education concerning the South Florida ecosystem and the restoration efforts.

**Role of the Task Force and the Working Group**

1. The Task Force and the Working Group will communicate with the Museum and will keep the Museum informed about events, developments, progress, and decisions concerning the South Florida ecosystem.

2. The Task Force and the Working Group will advocate for the governments and agencies represented on the Working Group to keep the Museum informed of discoveries, progress, developments, decisions, that may affect the restoration of the South Florida ecosystem, and of funding opportunities for public outreach and education. The Working Group will recommend that the governments and agencies represented on the Working Group designate points of contact for communicating with the Museum.
3. It will be the policy of the Working Group that the governments and agencies represented on the Working Group should invite representatives of the Museum to visit, observe, sample, photograph, or tour lands, waters, resources, facilities, monitoring or experimental stations, testing or analytical operations, or other sites or activities relevant to the ecosystem or its restoration, to the extent and in manner consistent with law.
4. The Task Force will request that the governments and agencies represented on the Working Group answer questions and requests for information from the Museum relating to the ecosystem or its restoration. The Working Group will also ask those governments and agencies to invest the time and effort that may be necessary in consulting with the Museum on planning, developing and evaluating exhibits, curriculum, audio-visual presentations, and other public outreach and educational devices, strategies, or publications.
5. The Executive Director of the Task Force will add to the Working Group's site on the worldwide web a link to the web site of the Museum. The Executive Director will also notify the Museum of public meetings of the Working Group, the Task Force, their subgroups or teams, and of other groups engaged in the restoration of the South Florida ecosystem, in the same manner that members of the Working Group are notified of such meetings.
6. The Task Force and the Working Group will communicate to, and collaborate with the museum through a Museum Collaboration Committee. The Working Group will appoint the Museum Collaboration Committee, which will consist of Working Group members or others, selected from the Public Outreach Steering and Support Team (POSST) or the Science Coordination Team, that will be general advisors to the Museum for general planning, development, and

evaluation of the Museum's programs and activities concerning the South Florida Ecosystem and the restoration efforts. Any member of the Task Force or the Working Group may participate in the Museum Collaboration Committee at any time. The Museum Collaboration Committee will designate specific advisory panels to assist the Museum with particular projects. The Museum Collaboration Committee will report regularly to the Working Group on its activities and on the achievements of the collaboration. The Working Group will report regularly to the Task Force on the Museum's progress and activities concerning the public outreach and education goals of this Memorandum of Partnership.

### **The Role of the Museum**

7. The Museum will gather and disseminate available information concerning the South Florida ecosystem, its uniqueness, value, structures, functions, and vulnerabilities, and concerning research, findings, programs, policies, structures, and ideas for the restoration of the ecosystem.
8. Nothing herein restricts the freedom of the Museum to make its independent choices as to which parts of the ecosystem or restoration activities to emphasize, or to make other decisions regarding content or presentation. The parties recognize that there are good-faith disagreements on various topics among those governments and agencies working on the restoration of the South Florida Ecosystem, and among the private interests that may be affected by the restoration. The Museum will endeavor to interpret those facts and theories in ways that are engaging and relevant to the public, including urban, minority, and underserved communities. The Museum's target audiences will include both children and the general public.

### **Conditions and Caveats**

9. The Museum will be an official partner of the Task Force. Prior to using the name of the Task Force in any publication or exhibit, however, the Museum will receive permission for such use from the Museum Collaboration Committee. Such approval will be in addition to any permission that may be required by any government or agency represented on the Working

- Group to use the name of that government or agency.
10. The Task Force may enter into partnership agreements with other institutions. The Museum may enter into agreements with other organizations.
  11. Pursuant to the Federal statutes and regulations, this Memorandum of Partnership will not be construed as procuring training of government employees by the Museum. This Memorandum will not affect in any way any bid by the Museum to train officials or employees of any government agency.
  12. Designation of a non-governmental body, such as the Museum, as an advisor to the Task Force or to the Working Group, is a separate process under WRDA and is not covered by the Memorandum of Partnership.
  13. The partnership created by this Memorandum of Partnership is a cooperative effort to educate the public about the South Florida ecosystem and efforts to restore that ecosystem. Neither party assumes any liability for the actions or omissions of the other party, or gains any control over the other party.

### **Funding**

14. The parties understand that the success of this partnership may be limited by the availability of funds to build and implement the facilities, exhibits, and other tools necessary for public outreach and education, and the Task Force has no budget to provide payment or grants to the Museum for its public outreach and educational facilities or activities. This Memorandum of Partnership does not obligate any funds from any federal, state, local, or tribal agency, or from the Museum, and it does not preclude any funding agreements authorized by law.
15. Pursuant to WRDA, the Task Force is not empowered to solicit funds on behalf of the Museum.
16. The discretion of governments and agencies in awarding grant money is not affected by this Memorandum of Partnership. The Working Group, through the Museum Collaboration Committee, will assist the Museum in identifying funding sources.
17. Within the applicable budget restraints, and subject to the availability of appropriations, each party will make best efforts to fulfill the requirements of this Memorandum of Partnership.

### **Amendment, Conflict Resolution, and Termination**

18. Amendments to this Memorandum of Partnership will be in writing and signed by each party.
19. Each party values the partnership as set forth in this Memorandum, and agrees to prompt informal communications if significant disagreement arises. If informal communications do not resolve such disagreement, either party may serve on the other a written request for a dispute resolution meeting. Delivery to the Executive Director shall constitute service upon the Task Force. Delivery to the Chief Executive Officer of the Museum shall constitute service upon the Museum. The parties will meet within twenty-one days after one party delivers such a written request. Either party may request an independent facilitator or mediator to assist in resolving disputes. Unless otherwise agreed, the party requesting the facilitator or mediator will be responsible for the costs of such services. Subsequent meetings to resolve conflicts may be agreed to by the parties.
20. If a dispute resolution meeting has been held as provided in the preceding paragraph, and if the parties were unable to resolve the conflict, then either party may terminate this Memorandum of Partnership with delivery to the other party of a written, signed notice at least seven days after the conflict resolution meeting and at least thirty days in advance of the termination. The parties will meet again within twenty-one days of delivery of such notice to discuss the reasons for the proposed termination and to attempt to resolve differences. Either party may request the assistance of a facilitator or mediator subject to the provisions of the preceding paragraph.
21. This Memorandum of Partnership shall terminate if either the Task Force or the Museum will cease to exist as a matter of law.

So Agreed and Executed in Duplicate Originals, effective upon the later date shown below:

Patricia Beneke  
Chair, South Florida Ecosystem  
Restoration  
Task Force

Attest: Terrence "Rock" Salt  
Executive Director  
South Florida Ecosystem

Elizabeth C. Hennings  
Interim President  
Museum of Discovery  
and Science

Attest: Jon R. Levinson  
Chairman

Restoration Task Force

Board of Trustees  
Museum of Discovery  
and Science

Working Group Approved, 6/29/99