

**PIEDMONT – SOUTH ATLANTIC COAST
COOPERATIVE ECOSYSTEM STUDIES UNIT**

**AMENDMENT ONE to
COOPERATIVE and JOINT VENTURE AGREEMENT**

between

**DEPARTMENT OF THE INTERIOR
Bureau of Land Management
U.S. Geological Survey
National Park Service
U.S. Fish and Wildlife Service**

**DEPARTMENT OF AGRICULTURE
U.S. Forest Service, Southern Research Station
Natural Resources Conservation Service**

**DEPARTMENT OF DEFENSE
Office of the Deputy Under Secretary of Defense (Installations and Environment),
Naval Hospital – Beaufort, SC
U.S. Army Corps of Engineers – Civil Works**

and

**UNIVERSITY OF GEORGIA RESEARCH FOUNDATION, INC. (HOST)
Auburn University
Clemson University
Florida A&M University
North Carolina State University
University of Central Florida
University of Florida
Audubon of Florida
Audubon of North Carolina
Audubon of South Carolina
East Carolina University
University of South Carolina
North Carolina Agricultural and Technical State University
Towson University
University of South Florida
Southern Forest Research Partnership**

Adding:

National Oceanic and Atmospheric Administration

With the exception of the changes below, all terms and conditions of the Piedmont – South Atlantic Coast CESU Cooperative and Joint Venture Agreement apply to this Amendment, and this Amendment is hereby made part of the Agreement.

ARTICLE I. BACKGROUND AND OBJECTIVES

A.1. The National Oceanic and Atmospheric Administration (NOAA) is hereby included in the Piedmont-South Atlantic Coast CESU as a Federal Agency Partner.

H.1. The following revisions are hereby included in the Agreement as background information for the Natural Resources Conservation Service: Under 16 USC 590a-f, the Natural Resources Conservation Service is authorized to enter into this cooperative agreement continuing the Pacific Northwest CESU to assist in providing research, technical assistance and education.

M. The mission of the National Oceanic and Atmospheric Administration (hereafter NOAA) is to understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet our Nation's economic, social, and environmental needs. Authorities to participate in and conduct activities through the Cooperative Ecosystem Studies Units Network include 33 USC 883e, which gives NOAA the authority to enter into cooperative agreements with States, Federal Agencies, public or private organizations or individuals for authorized surveys or investigations and other specified purposes. In addition, under 16 USC 661, NOAA has the authority to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, among other things. NOAA also has the authority under 15 USC 2901 et seq., to enter into contracts, grants, or cooperative agreements for climate-related activities. Finally, the Coastal Zone Management Act at 16 USC 1451 et seq., grants NOAA the authority to coordinate with Federal Agencies and provide financial and technical assistance to states and territories to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for this and succeeding generations, among other things. In accordance with the authorities listed above, NOAA is authorized to enter into this cooperative agreement continuing the Piedmont – South Atlantic Coast CESU to assist in providing research, technical assistance and educational services.

ARTICLE III. TERM OF AGREEMENT

A.1. The effective date of the Piedmont – South Atlantic Coast CESU Cooperative and Joint Venture Agreement is 1 July 2008.

A.2. The effective date of this amendment to the Piedmont – South Atlantic Coast CESU Cooperative and Joint Venture Agreement shall be determined from the date of the last signature.

ARTICLE IV. KEY OFFICIALS

A.9. The technical representative for the National Oceanic and Atmospheric Administration is:

Dr. Bonnie J. Ponwith
Science and Research Director
Southeast Fisheries Science Center
75 Virginia Beach Drive
Miami, FL 33149-1003
Phone: (305) 361-4264
Fax: (305) 361-4219
Bonnie.Ponwith@noaa.gov

ARTICLE V. AWARD

A.1. Upon signature of all parties to this amendment, the National Oceanic and Atmospheric Administration will commit \$10,000 in funds to the Host University in furtherance of the Agreement, to be authorized by a modification issued against the Agreement.

ARTICLE X. REQUIRED/SPECIAL PROVISIONS

All award recipients must comply with the following term and condition of award. This term of award is hereby made part of the Agreement pursuant to paragraph (g) of section 106 of the Trafficking Victims Protections Act of 2000, as amended (22 USC 7104) and 2 CFR Part 175.

A. REQUIRED PROVISIONS:

7. TRAFFICKING IN PERSONS:

(a) Provisions applicable to a recipient that is a private entity.

- (1) You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.

- (2) We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity --
 - i. Is determined to have violated a prohibition in paragraph (a)(1) of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph (a)(1) of this award term through conduct that is either—
 - a. Associated with performance under this award; or
 - b. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by each respective federal agency partner at: 2 CFR Part 1125 (Department of Defense), 2 CFR Part 1326 (Department of Commerce), 2 CFR 1400 (Department of the Interior), 2 CFR Part 1880 (NASA), 7 CFR Part 3017 (Department of Agriculture).

- (b) Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—
 - (1) Is determined to have violated an applicable prohibition in paragraph (a)(1) of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph (a)(1) of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 CFR Part 1125 (Department of Defense), 2 CFR Part 1326 (Department of Commerce), 2 CFR 1400 (Department of the Interior), 2 CFR Part 1880 (NASA), 7 CFR Part 3017 (Department of Agriculture).

(c) Provisions applicable to any recipient.

- (1) You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph (a)(1) of this award term.
- (2) Our right to terminate unilaterally that is described in paragraph (a)(2) or (b) of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 USC 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
- (3) You must include the requirements of paragraph (a)(1) of this award term in any subaward you make to a private entity.

(d) Definitions. For purposes of this award term:

- (1) "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
- (2) "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
- (3) "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - ii. Includes:
 - a. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - b. A for-profit organization.
- (4) "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 USC 7102).

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES

The following authorizing signatures are attached to this amendment:

U.S. DEPARTMENT OF THE INTERIOR

- A. Bureau of Land Management
- B. U.S. Fish and Wildlife Service
- C. U.S. Geological Survey
- D. National Park Service

U.S. DEPARTMENT OF AGRICULTURE

- E. USDA Forest Service
- F. Natural Resources Conservation Service

U.S. DEPARTMENT OF DEFENSE

- G. Office of the Deputy Under Secretary of Defense (Installations and Environment),
Naval Hospital – Beaufort, SC
- H. U.S. Army Corps of Engineers – Civil Works

U.S. Department of Commerce

I. National Oceanic and Atmospheric Administration

J. THE UNIVERSITY OF GEORGIA RESEARCH FOUNDATION, INC.

- K. Auburn University
- L. Clemson University
- M. Florida A&M University
- N. North Carolina State University
- O. University of Central Florida
- P. University of Florida
- Q. Audubon of Florida
- R. Audubon of North Carolina
- S. Audubon of South Carolina
- T. East Carolina University
- U. University of South Carolina
- V. North Carolina Agriculture and Technical State University
- W. Towson University
- X. University of South Florida
- Y. Southern Forest Research Partnership

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

A. Bureau of Land Management

[Print Name]:
[Print Title]:

Date

[Print Name]:
[Print Title]:

Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

B. U.S. Fish and Wildlife Service



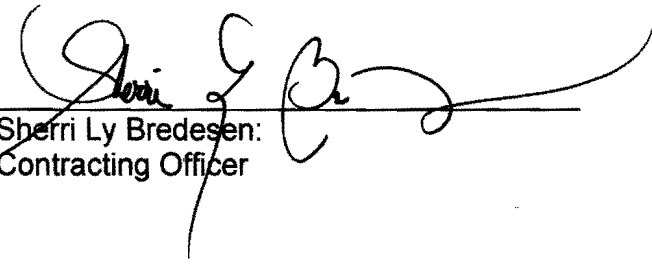
[Print Name]: Don Calder
[Print Title]:

9-22-09
Date

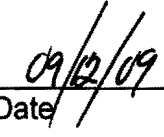
~~Chief Contracting & Grant Services Division~~

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

C. U.S. Geological Survey



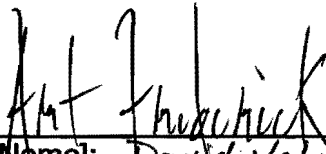
Sherri Ly Bredesen:
Contracting Officer



Date

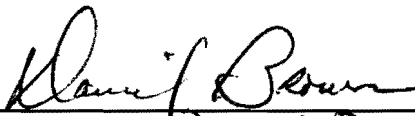
ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

D. National Park Service




[Print Name]: David Vela
[Print Title]: Regional Director

10/6/09
Date



[Print Name]: Daniel Brown
[Print Title]: Acting Deputy Regional Director

10/5/09
Date



Cheryl Richardson
Contracting Officer

10/7/09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

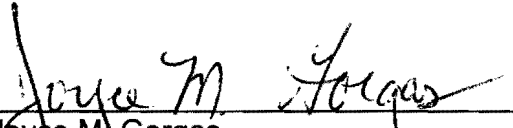
E. USDA Forest Service, Southern Research Station



Jimmy L. Feaves
Station Director

9-10-09
Date

The authority and format of this instrument has been reviewed and approved for signature.



Joyce M. Gorgas
Grants and Agreements Specialist
Southern Research Station

9/9/09
Date

FS Agreement SRS 08-JV-11330101-039

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

F. Natural Resources Conservation Service

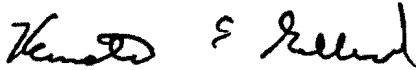


ELORIS D. SPEIGHT
Acting Deputy Chief for Management

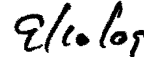
9-23-09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

G. Office of the Deputy Under Secretary of Defense (Installations and Environment),
Naval Hospital – Beaufort, SC



Kenneth E. Goddard
Grants Officer
U.S. Army Engineering & Support Center - Huntsville



Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

H. U.S. Army Corps of Engineers - Civil Works

[Print Name]:
[Print Title]:

Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

I. National Oceanic and Atmospheric Administration



10/31/09

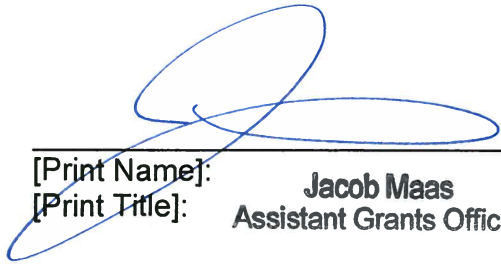
[Print Name]: Gary Reisner

Date

[Print Title]: Director, NOAA Fisheries Service
Office of Management and Budget

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

J. The University of Georgia Research Foundation, Inc.



[Print Name]: **Jacob Maas**
[Print Title]: **Assistant Grants Officer**

9/14/2009
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

K. Auburn University



[Print Name]:

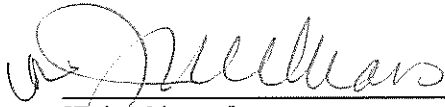
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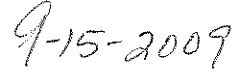
John M. Mason
Associate Provost and
Vice President for Research

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

L. Clemson University



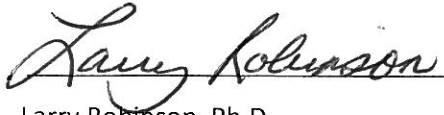
[Print Name]: Christian E.G. Przirembel, Ph.D.
[Print Title]: Vice President for Research
and Economic Development



Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

M. Florida Agricultural and Mechanical University



Larry Robinson, Ph.D.
Vice President for Research

9/17/09

Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

N. North Carolina State University



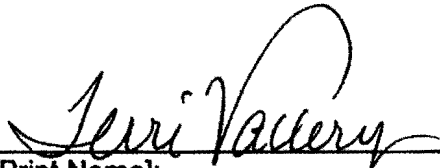
2/21/2009

[Print Name]: Matthew Ronning
[Print Title]: Associate Vice Chancellor

Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

O. University of Central Florida



[Print Name]:
[Print Title]: **Terri Vallery**
Contract Manager

09/09/09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

P. University of Florida



9/29/09

[Print Name]:

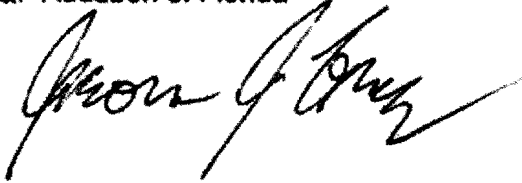
Date

[Print Title]:

Brian Prindle
Associate Director of Research

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

Q. Audubon of Florida



Jerome J. Lorenz
[Print Name]:
[Print Title]:
state Dir. of Research

09SEP09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

R. Audubon of North Carolina



Jerome J. Lorenz

[Print Name]:

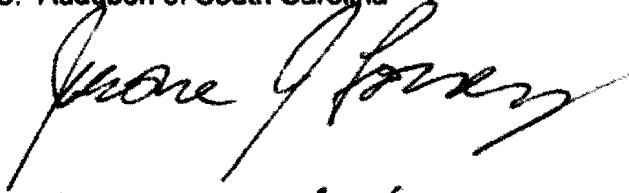
[Print Title]:

Acting Rep of ANC to CESU

09SEP09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

S. Audubon of South Carolina



Jerome J. Lorenz

[Print Name]:

[Print Title]:


Acting Rep of ASC to CESU

09SEP09

Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

T. East Carolina University



[Print Name]: Kathleen G. Hall
[Print Title]: Director, Office of Sponsored Programs

090909
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

U. University of South Carolina



[Print Name]:
[Print Title]:

9/10/09
Date

**Thomas A. Coggins, Director
Sponsored Awards Management**

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

V. North Carolina Agricultural and Technical State University



Alton Thompson
[Print Name]:
[Print Title]:

9/9/09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)


W. Towson University

R A Seibel
[Print Name]: R. A. Seibel
[Print Title]: chair


9/15/09
Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

X. University of South Florida



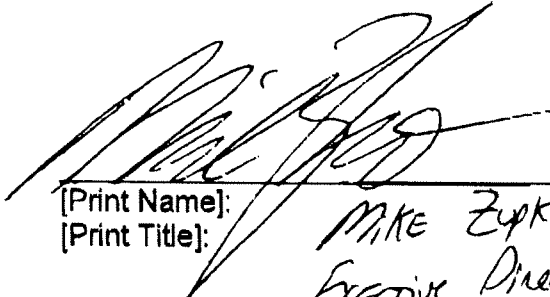
[Print Name]: Travis F. Doering
[Print Title]: Technical Representative to PSAC-CESU



Date

ARTICLE XIV. AMENDMENT AUTHORIZING SIGNATURES (cont.)

Y. Southern Forest Research Partnership



[Print Name]: MIKE ZUPKO
[Print Title]: EXECUTIVE DIRECTOR

09/09/09
Date