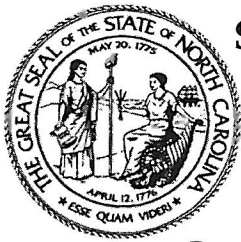


MEMORANDUM OF UNDERSTANDING
AMONG THE
DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE STATE OF
NORTH CAROLINA,
THE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES OF
THE STATE OF NORTH CAROLINA,
AND THE
SECRETARY OF NATURAL RESOURCES FOR THE
COMMONWEALTH OF VIRGINIA



FOR THE
COOPERATIVE CONSERVATION AND MANAGEMENT
OBJECTIVES OF THE ALBEMARLE-PAMLICO REGION

PURPOSE

This Memorandum of Understanding (MOU) provides for the continued and expanded coordination and cooperation among the North Carolina Department of Environmental Quality (NCDEQ), the North Carolina Department of Natural and Cultural Resources (NCDNCR), and the Secretary of Natural Resources (SNR) of the Commonwealth of Virginia and other key partners as named in the Albemarle-Pamlico National Estuary Partnership (APNEP) Comprehensive Conservation and Management Plan (CCMP) and Roanoke River Basin Bi-State Commission toward the protection and restoration of water and ecosystem resources throughout the Albemarle-Pamlico watershed and estuary system.

This MOU does nothing to diminish the independent authority of each agency in the administration of its statutory authority. This MOU is intended to expedite the missions of the agencies responsible for environmental and natural resource identification, protection, and restoration by facilitating interagency and interstate coordination of related activities. All activities conducted under or pursuant to this MOU are subject to the availability of appropriated funds and resources and no provision herein shall be interpreted to require obligation of payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C. 1341. This MOU is not a funding document and does not represent the obligation or transfer of funds or resources among the parties.

BACKGROUND

With over 3,000 square miles of open water, the Albemarle-Pamlico estuary is the second largest estuarine complex in the United States' lower 48 states. Water from 43 counties in North Carolina and 38 counties and cities in Virginia drains into the estuary, a watershed area of almost 31,500 square miles. Second only to the Chesapeake Bay, the Albemarle-Pamlico estuarine system supports a wide array of ecological and economic functions that are of regional and national importance. Both the lands and waters of the estuary support rich natural resources that are intertwined with regional industries, including forestry, agriculture, commercial and recreational fishing, tourism, mining, and energy development. The critical importance of sustaining the system so it may fulfill these functions is reflected through its 1987 nomination to the National Estuary Program by the Governor of North Carolina and the Administrator of the U.S. Environmental Protection Agency (USEPA) and its designation by Congress as an "estuary of national significance."

It is therefore in the interest of both states to properly manage these significant resources for the benefit of present and future generations.

AGREEMENT

The State of North Carolina, as represented by the Secretary of the North Carolina Department of Environmental Quality and the Secretary of the North Carolina Department of Natural and Cultural Resources, and The Commonwealth of Virginia, as represented by the Secretary of Natural Resources, agree that continuing a coordinated effort on the part of the agencies is the most effective means to develop and implement strategies to protect, restore, and maintain the chemical, physical, and biological integrity of the Albemarle-Pamlico Region, estuarine network, and three constituent shared watersheds.

The states hereby agree to the following management goals in the Chowan, Pasquotank, and Roanoke watersheds in support of the objectives pursued by the 2012-2022 APNEP CCMP and by the Roanoke River Bi-State Commission.

- a. Evaluate Ecosystem-Based Management strategies as identified in the APNEP CCMP and implement such strategies as supported by agency discretion.
- b. Maintain regular communication between the states on critical activities of regional significance.
- c. Improve understanding and communication concerning priorities, goals, and objectives of the respective states with respect to regional importance.
- d. Share, and as appropriate and feasible, centralize and standardize information and data sets, specifically including geographic and hydrologic data pertaining to rare species, natural communities, and other conservation values and

priorities, as well as threats to healthy aquatic systems, across state lines for consistent regional research and management of shared waterways.

- e. Explore, identify, and share opportunities for supplemental funding to protect, research, maintain, or restore significant resources.
- f. Explore, identify, and share opportunities to assist state, regional, and local governments in incorporating climate change and sea level rise considerations into their planning processes.
- g. Coordinate cooperative management strategies in shared waterways for the reduction and control of nonpoint source pollution to alleviate stress on water quality, habitats, and other natural resources, including designating priority rivers and streams.
- h. Coordinate planning and management strategies to encourage sustainable and responsible development activities.
- i. Coordinate efforts to restore fish passage and spawning habitat in waterways within shared river basins.
- j. Coordinate efforts to protect those areas identified as ecologically healthy through such efforts at the Virginia Healthy Waters Program and the Stream Ecological Health Assessment for the Chowan River Basin, Virginia and North Carolina.
- k. Identify and share opportunities to control invasive species that threaten significant resources.
- l. Promote greater understanding among the region's citizens regarding the natural resources of the region, policies and programs designed to protect them, and to encourage individual responsibility and stewardship for the shared resources of the region.
- m. Sponsor joint scientific and programmatic stakeholder meetings.
- n. Share strategies and information resulting from interstate collaboration with other state agencies that have common purview and interest in the protection of environmental and cultural resources in the region.
- o. Annually review and evaluate implementation of this MOU.
- p. Maintain collaborative relationships with EPA Regions 3 and 4 in support of regional management objectives and implementation of the CCMP.

EFFECTIVE AND TERMINATION DATES

This MOU is effective upon signatures of authorized representatives of all agencies and shall remain in effect until terminated. This MOU may be modified in writing by the mutual consent of the parties and may be terminated at any time in writing by any party at its discretion, subject to the negotiation and completion of ongoing actions and projects.

Date: *November 1, 2017*

SIGNATORIES TO THE MOU

As to the North Carolina Department of Environmental Quality



Michael S. Regan, Secretary

As to the North Carolina Department of Natural and Cultural Resources



Susi H. Hamilton, Secretary

As to the Secretary of Natural Resources of the Commonwealth of Virginia



Molly Joseph Ward, Secretary

Cc:

Albemarle-Pamlico National Estuary Partnership
Army Corps of Engineers North Atlantic Division
Army Corps of Engineers South Atlantic Division
Atlantic States Marine Fisheries Commission
Duke University Marine Laboratory
North Carolina Clean Water Management Trust Fund
North Carolina Coastal Resources Commission
North Carolina Cooperative Extension Service
North Carolina Department of Agriculture and Consumer Services
North Carolina Environmental Management Commission
North Carolina Marine Fisheries Commission
North Carolina Sea Grant
North Carolina State University Center for Marine Science and Technology
North Carolina Wildlife Resources Commission
Office of the Governor of North Carolina
Office of the Governor of Virginia
Roanoke River Bi-State Commission
US Environmental Protection Agency Region 3
US Environmental Protection Agency Region 4
US Fish and Wildlife Service Region 4
US Fish and Wildlife Service Region 5
University of North Carolina at Chapel Hill Institute for the Environment
University of North Carolina at Chapel Hill Institute of Marine Sciences
University of North Carolina Coastal Studies Institute
University of North Carolina at Wilmington Center for Marine Science
Virginia Department of Conservation and Recreation
Virginia Department of Environmental Quality
Virginia Department of Game and Inland Fisheries
Virginia Institute of Marine Science
Virginia Marine Resources Commission
Virginia Sea Grant