

Memorandum of Understanding
among the
Department of Environmental Quality of the State of North Carolina,
and the
Department of Natural and Cultural Resources of the State of North Carolina,
and the
Department of Agriculture and Consumer Services of the State of North Carolina,
and the
North Carolina Wildlife Resources Commission,
and the
Secretary of Natural Resources for the Commonwealth of Virginia,
and the
Secretary of Agriculture and Forestry for the Commonwealth of Virginia
for the

Support of Cooperative Conservation and Management of the Albemarle-Pamlico
Region

Purpose

This Memorandum of Understanding (MOU) provides for the continued and expanded coordination and cooperation among the North Carolina Departments of Environmental Quality, Natural and Cultural Resources, and Agriculture and Consumer Services, and the North Carolina Wildlife Resources Commission, the Secretary of Natural Resources and the Secretary of Agriculture and Forestry 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) toward the protection and restoration of water and ecosystem resources throughout the Albemarle-Pamlico watershed and estuarine system.

The signatories acknowledge continued support for the “Cooperative Conservation and Management Objectives of the Albemarle-Pamlico Region” MOU signed by the North Carolina Department of Environmental Quality, the North Carolina Department of Natural and Cultural Resources, and the Virginia Secretary of Natural Resources on November 1, 2017 (2017 MOU). In signing this MOU, representatives of North Carolina and Virginia will pursue actions to further the intent of the 2017 MOU and to identify additional joint efforts to advance shared goals for the Albemarle-Pamlico Region.

The actions identified in this MOU are intended to be completed by March 31, 2021, or as soon as possible thereafter.

Authority

This MOU does not 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 the environmental and natural resource identification, conservation, and restoration by facilitating interagency and interstate collaboration and 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. This MOU is not a funding document and does not represent the obligation or transfer of funds or resources among the parties.

Background

The Albemarle-Pamlico Estuary was designated by Congress as "an estuary of national significance" in 1987, and it continues to be recognized as a nationally important resource. With more than 3,000 square miles of open water, the Albemarle-Pamlico Estuary is the second largest estuarine complex in the contiguous United States. Spanning 43 counties in North Carolina and 38 counties and cities in Virginia, the watershed of the Albemarle-Pamlico Estuary is almost 31,500 square miles. Tributaries to the Albemarle and Pamlico Sounds include the Chowan, Roanoke, Pasquotank, Tar, Pamlico, Neuse, and White Oak Rivers. The Roanoke River stretches from the headwaters of the Blue Ridge Mountains in Virginia to the coast of North Carolina. The Chowan River and Pasquotank River Basins also span both North Carolina and Virginia.

The Albemarle-Pamlico Estuary and its tributary system support a wide array of ecological and economic functions of local, regional, and national importance and is home to nearly four million people. Agriculture, forestry, travel, tourism, and recreation are leading sectors for economic growth in the Albemarle-Pamlico region, with concerted efforts by states, regional agencies, and local jurisdictions to manage and promote nature-based economic opportunities.

It is therefore in the interest of all parties to this agreement to manage properly these significant resources for the benefit of present and future generations.

Agreement

The State of North Carolina, as represented by the Secretary of the Department of Environmental Quality, the Secretary of the Department of Natural and Cultural Resources, the Commissioner of Agriculture, and the Executive Director of the Wildlife Resources Commission, and the Commonwealth of Virginia as represented by the Secretary of Natural Resources and the Secretary of Agriculture and Forestry, agree that continuing collaborative and coordinated efforts are the most effective means to develop and implement strategies to identify, conserve, restore, and maintain the water quality and natural resources of the Albemarle-Pamlico Estuary and its tributary system, including the shared Roanoke, Chowan, and Pasquotank River Basins.

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North Carolina and Virginia, as represented by the signatories, hereby agree to the following actions to continue their collaborative management of the Albemarle-Pamlico Estuary and its tributary system:

- 1) Designate and empower leads from contributing agencies and the Director of the Albemarle-Pamlico National Estuary Partnership (APNEP), to pursue the activities described in this MOU;
- 2) Maintain regular communication among the agency leads and the APNEP Director;
- 3) Report on data sharing among Virginia and North Carolina contributing agencies resulting from the 2017 MOU and state if any impediments to additional data sharing opportunities exist. Priority should be given to geographic and hydrologic data pertaining to rare species, natural communities and other conservation values and priorities, as well as threats to ecologically healthy aquatic systems, across state lines for consistent regional research, management, and conservation of shared waterways;
- 4) Assess joint management strategies and activities resulting from the 2017 MOU a) to protect and restore significant resources, b) to improve spawning habitats in shared river basins, c) to protect areas identified as ecologically healthy, and d) to incorporate resilience to climate change impacts and sea level rise in local, state and regional planning needs;
- 5) Recommend whether the preparation of an annual action plan could resolve impediments to collaborative management of the Albemarle-Pamlico Estuary and its tributary system, including the shared Roanoke, Chowan, and the Pasquotank River Basins;
- 6) Provide a report compiling the findings and actions resulting from the above referenced items to the signatories by March 31, 2021, or as soon as possible thereafter; and,
- 7) No later than December 31, 2020, a recommendation to the signatories of any joint actions by the State of North Carolina, the Commonwealth of Virginia, and the U.S. Environmental Protection Agency needed to fully realize the protection and restoration of water and ecosystem resources throughout the Albemarle-Pamlico Estuary and its tributary system, including the Roanoke, Chowan, and the Pasquotank River Basins, through articulation of the high-level commitment to the region.

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 negotiation and completion of ongoing actions and projects.

Date: **August 31, 2020**

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



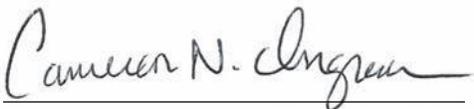
Susi H. Hamilton, Secretary

As to the North Carolina Department of Agriculture and Consumer Services



Steve W. Troxler, Commissioner

As to the North Carolina Wildlife Resources Commission



Cameron N. Ingram, Executive Director

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



Matthew J. Strickler, Secretary

As to the Secretary of Agriculture and Forestry of the Commonwealth of Virginia



Bettina Ring, Secretary