STATE OF MINNESOTA
U.S. DEPARTMENT OF AGRICULTURE
U.S. ENVIRONMENTAL PROTECTION AGENCY

ENGAGING IN A STATE AND FEDERAL PARTNERSHIP IN SUPPORT OF THE MINNESOTA AGRICULTURAL WATER QUALITY CERTIFICATION PROGRAM

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We, Mark Dayton, Governor of the State of Minnesota; Thomas J. Vilsack, Secretary of the U.S. Department of Agriculture; and Lisa Jackson, Administrator of the U.S. Environmental Protection Agency, by virtue of the powers vested in us, do hereby issue this Memorandum of Understanding:

WHEREAS, the State of Minnesota and the Federal government value the health of our agricultural economy and the protection of our natural resources; and

WHEREAS, Minnesota farmers and ranchers are providing food, feed, and fiber for the Nation and the world; and

WHEREAS, agriculture is a cornerstone of the State's economy and a major employer; and

WHEREAS, Minnesotans value the health of our rivers, lakes, streams, wetlands, and ground water, and

WHEREAS, our natural resources contribute to our shared quality of life and future economic progress; and

WHEREAS, we must protect the environment while supporting economic development in this State; and

WHEREAS, Minnesota is a headwaters state, and

WHEREAS, we affirm that it is the role of the state through its delegated and other authorities to develop and implement water quality standards; and

WHEREAS, we seek to accelerate voluntary adoption of on-farm recommended management practices to protect and improve water quality across the State; and

WHEREAS, we seek to remove barriers and expand opportunities for investment in water quality practices; and

WHEREAS, we seek to synchronize and harmonize State and Federal water quality recommended practices; and
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WHEREAS, we seek to recognize the environmental stewardship of farmers and ranchers who implement and maintain recommended practices; and

WHEREAS, we desire to collaboratively work together to enhance our agricultural sector and protect our natural resources.

NOW THEREFORE, we do hereby agree to:

1.) Support a Minnesota Agricultural Water Quality Certification Program to accelerate on-farm adoption of recommended management practices on agricultural lands in Minnesota, and

2.) Establish a Technical Advisory Committee to work to develop and implement, in consultation with stakeholders, a certification program that will support state water quality standards and goals, and

3.) Work to initiate development of a program designed to provide certainty to producers that their attainment and maintenance of certification meets water quality goals and standards of the State and where applicable maintains consistency with Federal water quality goals, and

4.) Coordinate and prioritize state and federal resources and funding, to the extent state and federal appropriations are available, to support the development and implementation of the certification program, including technical assistance and cost share to program participants for on-farm recommended management practices.

IN TESTIMONY WHEREOF, we set our hands to this document on this 17th day of January, 2012.

Signed copy on file

Mark Dayton
Governor
State of Minnesota

Thomas J. Vilsack
Secretary
U.S. Department of Agriculture

Lisa Jackson
Administrator
U.S. Environmental Protection Agency

Legal Disclaimers: We recognize that this MOU does not, in and of itself, obligate the State of Minnesota, U.S. Department of Agriculture or the U.S. Environmental Protection Agency to expend funds, enter into any contract or assistance agreement, or incur any other financial obligation. All financial transactions in furtherance of this MOU shall be undertaken in accordance with applicable laws, regulations, and procedures, and shall be subject to separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.

This MOU is not intended to and does not create any right, benefit or trust responsibility, substantive or procedural, enforceable by law or equity, by a party against the State or the United States, its agencies, its officers or employees, or any other person. The U.S. Department of Agriculture, the U.S. Environmental Protection Agency and the State of Minnesota and their respective agencies and offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

This MOU takes effect upon the signature of the U.S. Department of Agriculture, the U.S. Environmental Protection Agency and the State of Minnesota and shall remain in effect for ten years from the date of execution. The U.S. Department of Agriculture, the U.S. Environmental Protection Agency or the State of Minnesota may terminate this MOU with a 60-day written notice to the others.