

MEMORANDUM OF UNDERSTANDING
VISIBILITY IMPROVEMENT - STATE AND TRIBAL ASSOCIATION OF THE SOUTHEAST
(VISTAS)

WHEREAS, The national goal of the visibility program, as set forth by Congress, is to remedy any existing impairment and prevent any future impairment in mandatory Class I Federal areas that are caused by human activity;

WHEREAS, The visibility program highlights the need to implement other regional planning processes to improve air quality in the geographic area located within the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia;

WHEREAS, These States and Tribes, who have the authority and responsibility to develop, adopt, and implement their individual State and Tribal air quality implementation plans, recognize the benefits of coordination on many of the projects relating to air quality that are underway in the region;

WHEREAS, The Southeastern States Air Resource Managers (SESARM) has been designated by the United States Environmental Protection Agency (EPA) as the entity responsible for coordinating and implementing regional planning for the eight SESARM states (Alabama, Florida, Kentucky, Georgia, Mississippi, North Carolina, South Carolina and Tennessee) plus Virginia, West Virginia, and Tribes.

NOW, THEREFORE, it is hereby agreed to by the signatories as follows:

1. The parties agree to collaborate in the initiation and coordination of planning activities associated with the management of regional haze, visibility, and other air quality issues. This collaboration shall be known as Visibility Improvement - State and Tribal Association of the Southeast (VISTAS).

2. The purposes of VISTAS are as follows:

To promote the coordinated efforts of States and Tribes in their efforts to address federal regional haze and visibility requirements.

To identify regional or common air management issues.

To conduct research and undertake other activities to provide the membership with scientific and technological information which may be of value in development of agency strategies.

To develop strategies on regional haze and other air quality issues for use by member States and Tribes, where appropriate, in developing their implementation programs, regulations and laws.

3. VISTAS shall operate as described more fully in the attached Bylaws, which are hereby adopted by the parties to this Memorandum of Understanding (MOU).

4. SESARM shall continue to operate as the entity responsible for applying for, receiving, and disbursing funds necessary for coordinating and implementing regional planning for the eight SESARM states plus Virginia, West Virginia, and Tribes.

5. VISTAS shall not apply for, receive, or disburse any funds. In the Bylaws, "VISTAS funds", "expenses of VISTAS", and other such references shall mean SESARM funds used for VISTAS purposes.

6. VISTAS has no independent regulatory authority and has no authority to direct or establish individual State or Tribal law or policy. Participants retain their own rights and legal authorities.

6. This MOU is not a binding agreement. It is a voluntary collaboration of the parties to aid in planning activities associated with the management of regional haze, visibility, and other air quality issues.

The Parties hereto have executed this MOU.

Agreed to this _____ day of _____, 2001:

For the Southeastern States Air Resource Managers (SESARM):

Executive Director

The Parties hereto have executed this MOU

Agreed to this _____ day of _____, 2001:

For The State of Virginia:

Title?

The Parties hereto have executed this MOU

Agreed to this _____ day of _____, 2001:

For the State of West Virginia:

Title?

The Parties hereto have executed this MOU

Agreed to this _____ day of _____, 2001:

For the Eastern Band of Cherokee Indians:

Title?