

MEMORANDUM OF AGREEMENT

BETWEEN THE FOLLOWING PARTIES:

**NORTH CAROLINA ASSOCIATION OF SOIL AND WATER CONSERVATION DISTRICTS,
NORTH CAROLINA SOIL AND WATER CONSERVATION COMMISSION,
NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES –
DIVISION OF SOIL AND WATER CONSERVATION,
NORTH CAROLINA CONSERVATION DISTRICT EMPLOYEES ASSOCIATION,
N.C. FOUNDATION FOR SOIL AND WATER CONSERVATION, Inc.
NORTH CAROLINA RESOURCE CONSERVATION AND DEVELOPMENT ASSOCIATION,
UNITED STATES DEPARTMENT OF AGRICULTURE –
NATURAL RESOURCES CONSERVATION SERVICE**

This Memorandum of Agreement (MOA) is made and entered into by and between the North Carolina Association of Soil and Water Conservation Districts (NCASWCD), North Carolina Soil and Water Conservation Commission (Commission), North Carolina Department Of Agriculture & Consumer Services (NCDA&CS) - Division of Soil And Water Conservation (Division), North Carolina Conservation District Employees Association (DEA), N.C. Foundation for Soil and Water Conservation (Foundation), North Carolina Resource Conservation & Development Association (RC&D), and the United States Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS), hereinafter referred to as “the Parties.”

I. PURPOSE

The purpose of this MOA is to encourage strong partnerships, as well as to strengthen cooperation among the Parties that result in coordinated interagency delivery of conservation assistance to private landowners and others to sustain the health, diversity, and productivity of North Carolina’s natural resources. The Parties share a long-term commitment to the federal/state/local government conservation delivery system to help private landowners, communities, and others conserve natural resources across the nation. This system supports local level and

private landowner decision making and advocacy for conservation planning that will result in sound solutions that are practical and economical and lead to wise use and management of natural resources. This mutual goal is to provide locally-led natural resource conservation that addresses local, state, national and tribal priorities while optimizing efficiency and effectiveness. As a partnership, we will put quality first, enable people to make sound conservation decisions, demonstrate professionalism and dedication, and strive for continuous improvement.

II. BACKGROUND

The Parties recognize the importance of natural resources, sound resource conservation development, and the wise use and management of these natural resources. In addition, the Parties recognize the importance of working together due to their broad strategic assessment and planning authorities for the conservation, protection, and enhancement of soil, water, and related natural resources. The Parties further recognize that our state's resources are finite and under increasing pressure from a variety of impacts. Soil, water, air, plants, animals, and energy are addressed under the programs, initiatives, and partnership efforts of the Parties.

Examples of activities the Parties will address include, but not limited to:

- A. Continuing to support the delivery of excellent and innovative service;
- B. Strengthening and modernizing conservation delivery to optimize efficiency and effectiveness;
- C. Broadening our outreach to existing and new customers and partners;
- D. Supporting science based decision making as close to the resource issue/opportunity as possible;
- E. Encouraging a voluntary approach as the primary means of accomplishing conservation goals; and
- F. Using sound approaches to strengthen each Party and its role in the delivery of soil and water conservation across the state.

Collaborating to Meet Customer Needs

The Parties recognize that the owners and managers of farmland, rangeland, forestland, and other lands are key customers for our programs and activities. Increased coordination and collaboration is essential so that we can provide effective and efficient assistance to a changing customer/owner base. The Parties believe that a strong

partnership among them will make it possible to be more effective and efficient in assisting decision makers, thereby increasing production on agricultural and private working lands and strengthening local economies, while improving natural resource benefits.

III. ROLES AND RESPONSIBILITIES

This MOA commits the Parties to increase cooperation within our state to ensure coordinated, efficient, and effective delivery of conservation assistance. The actions taken under this MOA are expected to enable the Parties to accomplish their individual and collective conservation missions and goals in a strategic approach with greater efficiency.

The Parties recognize the unique and complementary role that each Party brings to the partnership:

- The NCASWCD helps promote activities and programs for the 96 Soil and Water Conservation Districts and 492 district supervisors in North Carolina. The NCASWCD addresses and helps form policies on issues such as land use planning, non-point source water pollution, watershed protection, soil and water research efforts, and the overall environmental quality of North Carolina. Additionally, NCASWCD promotes and sponsors educational programs of all types relating to the conservation, restoration, management, and proper use of the soil, water, and other natural resources of in the state. The NCASWCD works closely with local, state and federal agencies and/or organizations and private citizen's organizations interested in natural resource conservation in furtherance of local Soil and Water Conservation District programs.
- The Commission provides oversight, rules, and policy for the state soil and water conservation programs. These programs are voluntary and emphasize a locally-led approach to improve and protect water quality and natural resources for a wide range of land uses. The Commission is responsible for determining cost share allocations (both technical and financial) to the state's 96 conservation districts.
- The Division cooperates with federal, state, and local partners to administer a comprehensive statewide program to protect and conserve the state's soil, water, and natural resources. The Division serves as staff

to the North Carolina Soil and Water Conservation Commission to help deliver conservation programs at the local level. The Division administers programs in nonpoint source pollution and water resource management including cost share funding for installation of best management practices; securing conservation easements; technical assistance in engineering, soil interpretation, conservation planning, and nutrient and animal waste management; and support for environmental and conservation education.

- The DEA is made up of district employees who have voting rights and non-voting associate members from the partnership that support the organization. The mission of the DEA is to strengthen the local soil and water conservation districts of North Carolina by providing a vehicle for personal development of district employees and to assist them to better fulfill their responsibilities.
- The Foundation, a 501(c)(3) established in 1999, is managed by a Board of Directors that supports the work of local soil and water conservation districts by obtaining additional resources for innovative conservation projects. The Foundation's mission is to promote, protect, and improve North Carolina soil and water resources for the enhancement of economic growth and stewardship of the natural environment. The Foundation achieves its mission by focusing on building capacity in conservation districts, educating the citizens, and improving the natural environment.
- RC&D represents the ten resource conservation and development councils in North Carolina. The councils are sponsored by local soil and water conservation districts, county boards of commissioners, and regional councils of government. These "non-profit" councils provide a unique process, bringing people together from across county lines, statewide, and nationwide, to jointly improve their areas' economy, environment, and quality of life. The councils combine many sources of funding (individual, business, non-profit foundations, local, state, and federal) to facilitate and/or implement varied and far ranging projects that balance economic growth and environmental stewardship and improvement.
- NRCS draws on a long history of helping people help the land. NRCS works in close partnerships with farmers and ranchers, local and state governments, and other federal agencies to maintain healthy and productive working landscapes. NRCS is a source of interdisciplinary technical expertise for natural

resource conservation and provides this assistance to landowners and communities in every county in North Carolina.

The Parties will work to address conservation priorities through joint and individual actions. The organization contacts listed or their designees will meet at least annually to review performance under this MOA and provide recommendations as appropriate.

AGENCY/ORGANIZATION CONTACTS

NCASWCD:	Julie Groce, Executive Director
Commission:	John Langdon, Chairman
Division:	Patricia Harris, Director
DEA:	Rick McSwain, President
Foundation:	Michelle Lovejoy, Executive Director
RC&D:	Robert Watts, President
NRCS:	Tim Beard, State Conservationist

IV. AUTHORITIES

This MOA is entered into in accordance with the following laws and organization policy:

- A. The Department of Agriculture Reorganization Act of 1994, Public Law 103-354, 7 U.S.C. 6901-7014.
- B. Secretary's Memorandum 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.
- C. Soil Conservation and Domestic Allotment Act, Public Law 74-461, 16 U.S.C. 590, as amended (16 U.S.C. 590a, et seq.).
- D. Section 1242(d) of the Food Security Act of 1985, 16 USC 3842(d).
- E. North Carolina General Statute §139 – Soil & Water Conservation Districts
- F. North Carolina General Statute §106, Article 71 - Soil & Water Conservation Commission

V. GENERAL PROVISIONS

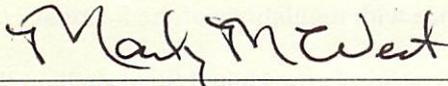
- A. This MOA takes effect upon the signatures of the Parties and remains in effect for 5 years from the date of execution. In the event of termination by one of the parties, the other parties will continue the MOA between them.
- B. This MOA is not intended to, and does not create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by any party against the United States, its agencies, its officers, or any person.
- C. This MOA does not affect or modify existing regulations or agency responsibilities and authorities. It specifically does not commit agency activities beyond the scope of its mission and authorities under its organic statutes.
- D. NCASWCD, Commission, Division, DEA, Foundation, RC&D, NRCS, and their respective officials will handle their own activities and utilize their own resources, including expenditures of their own funds, in pursuing the purposes of this MOA. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.
- E. Nothing in this MOA shall obligate NCASWCD, Commission, Division, DEA, Foundation, RC&D, and NRCS to expend or transfer funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Parties will require execution of separate agreements, and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOA does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.
- F. Any information furnished to NRCS under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552), and any information furnished to the Division or the Commission is subject to the North Carolina Public Records Act (N.C.G.S. §132).
- G. All activities and programs conducted under this MOA shall be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended; Civil Rights

Restoration Act of 1987 (Public Law 100-250); and other nondiscrimination statutes; namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendment of 1972, and the Age Discrimination Act of 1975. Also, they will be in accordance with regulations of the Secretary of Agriculture (7 CFR 15.3, subpart A), which provide that no person in the United State shall on the grounds of race, color, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination from USDA or any agency thereof.

- H. All activities conducted under this MOA shall be in compliance with the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D).

VI. APPROVAL

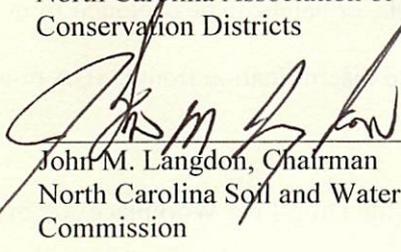
The undersigned parties hereby agree to the terms and conditions specified above.



Manly M. West, President
North Carolina Association of Soil and Water
Conservation Districts

1/4/16

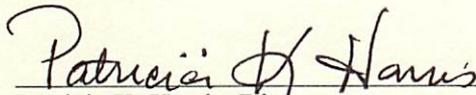
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John M. Langdon, Chairman
North Carolina Soil and Water Conservation
Commission

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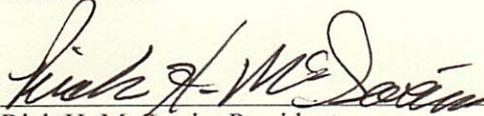
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Patricia K. Harris, Director
North Carolina Division of Soil & Water
Conservation

1.4.2016

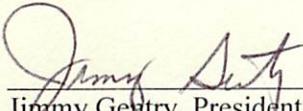
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Rick H. McSwain, President
North Carolina Conservation District
Employees Association

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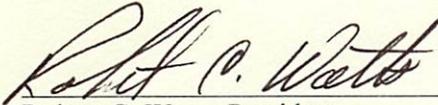
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Jimmy Gentry, President
N.C. Foundation for Soil and Water
Conservation, Inc.

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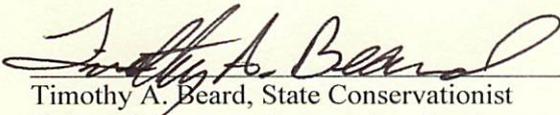
Date



Robert C. Watts, President
North Carolina Resource Conservation and
Development Association

1-4-2016

Date



Timothy A. Beard, State Conservationist
Natural Resources Conservation Service

Jan. 4, 2014

Date