

**MEMORANDUM OF UNDERSTANDING
BETWEEN**

**THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
AND
THE BRITISH COLUMBIA MINISTRY OF WATER, LAND AND AIR
PROTECTION**

I. Purpose and Scope

In September 2003, the Governor of Idaho and the Premier of British Columbia signed an Environmental Cooperation Arrangement. It commits the two jurisdictions to "identify, coordinate and promote mutual efforts to ensure the protection, conservation and enhancement of our shared environment for the benefit of current and future generations."

The Arrangement called for the development of an action plan within one year of signing and went on to authorize the state and province to "enter into specific arrangements necessary to effectively address shared environmental goals."

The Idaho Department of Environmental Quality (hereafter DEQ) and the British Columbia Ministry of Water, Land and Air Protection (hereafter the Ministry) are the agencies responsible for implementation. For the purposes of this Memorandum of Understanding (MOU), those agencies shall be deemed the Lead Agencies.

The purpose of this MOU is to set out an action plan to give effect to the Environmental Cooperation Arrangement. This MOU describes approaches to addressing transboundary environmental issues that can be used by the Lead Agencies. It is designed to be general, with the recognition that subject-specific memoranda may be developed and added as appendices to implement this MOU if the Lead Agencies jointly agree to do so. These appendices may include other parties if the Lead Agencies determine that this will be beneficial.

II. Responsibilities

DEQ is Idaho's main environmental protection agency, with lead responsibility for air and water quality, waste management and remediation, and assistance and education to citizens and businesses on environmental issues. The Department's mission is to protect human health and preserve the quality of Idaho's air land and water for use and enjoyment today and in the future.

The Ministry is responsible for environmental protection and water, land and air quality, the stewardship of biodiversity, park and wildlife recreation management, and environmental monitoring and enforcement in British Columbia. The Ministry's vision is a clean, healthy and naturally diverse environment that enriches people's lives, now and in the future.

III. Provisions

The Ministry and DEQ wish to maximize efficiency and effectiveness, and to cooperate in a spirit of partnership. Toward this end, they agree to make every effort to share information, consult with one another, and coordinate their work on environmental issues that affect resources and residents in the border region.

The DEQ Coeur d'Alene Regional Office Administrator and the Ministry's Regional Manager Environmental Protection in Penticton will be the designated lead liaisons for cross-border communications to serve as points of contact on issues related to the Environmental Cooperation Arrangement and implementation of this MOU;

In particular, the agencies commit to:

- establish communications among staff members working on issues with cross-border impacts to enable open sharing of information and awareness of processes for public review and comment;
- provide referrals to other agencies within the state and province when an environmental issue needing resolution does not fall within the responsibilities of the lead agency; and
- establish working relationships with regional representatives of federal agencies and Indian tribes to facilitate cooperation on appropriate issues.

In accordance with implementing appendices to be developed by the Lead Agencies, DEQ and the Ministry will:

- include the regional office of the other jurisdiction in the distribution of environmental assessments developed by DEQ or the Ministry for major projects likely to have cross-border impacts;
- develop notification procedures to identify environmental problems or sources of controversy to residents or government agencies in the border region;
- establish procedures to cooperatively respond to emergencies that could cause environmental harm or damages.

IV. Dispute Resolution

In the spirit of partnership and the efficient use of public resources, the parties agree to attempt to resolve disputes or conflicts at the lowest possible staff level. Issues will be elevated to more senior management levels within each agency as needed to achieve resolution. The mutual goal shall be to ensure the rapid resolution of disagreements before negative impacts on the environment or economy occur.

V. Terms of this Memorandum of Understanding

This agreement shall be effective when signed by both parties. It may be amended at any time by agreement between the parties and may be terminated by either party upon 30 days written notice to the other.

IN WITNESS OF THE AGREEMENT TO ADHERE TO THE TERMS OF THIS MEMORANDUM OF UNDERSTANDING, the parties have executed it by their signatures:

/s/

Steve Allred
Director
Idaho Department of Environmental Quality

/s/

Gord Macatee
Deputy Minister
Ministry of Water, Land and Air
Protection