

MEMORANDUM OF AGREEMENT

Between the

United States Department of Agriculture, Forest Service

United States Department of the Interior, National Park Service

United States Department of the Interior, Fish and Wildlife Service

United States Department of the Interior, Bureau of Indian Affairs

The Nature Conservancy

Minnesota Department of Natural Resources

Minnesota Department of Transportation

Minnesota Department of Military Affairs

and the

Minnesota Pollution Control Agency

This Memorandum of Agreement (MOA) is hereby entered into by and between the Minnesota Pollution Control Agency; the United States Department of Agriculture, Forest Service Chippewa National Forest and Superior National Forest; Minnesota management units of the United States Department of the Interior, National Park Service, Fish and Wildlife Service, and Bureau of Indian Affairs ; the Minnesota Department of Natural Resources; the Minnesota Department of Transportation; the Minnesota Department of Military Affairs; and The Nature Conservancy, a nonprofit corporation of the District of Columbia, hereinafter collectively referred to as the "Parties". All of the parties except the Minnesota Pollution Control Agency are referred to collectively as the "Land Management Parties."

I. Purpose

The purpose of this MOA is to provide a means for the Parties to formally adopt and implement the Minnesota Smoke Management Plan (SMP), which is attached and incorporated into this Memorandum, and to:

1. Encourage cooperation among Land Management Parties that conduct prescribed burning and manage wildland fires in Minnesota; the National Weather Service, the Minnesota Pollution Control Agency, and the U.S. Environmental Protection Agency (EPA) in implementing the Minnesota SMP, and
2. Promote agreement among the Land Management Parties in conducting prescribed burn programs according to the provisions of the Guidelines of the Smoke Management Program of the SMP, and the agreement of each Party to undertake the responsibilities described in the component Guidelines of the Smoke Management Program.

The purpose of the Minnesota Smoke Management Plan is to describe minimum practices to reduce air emissions from prescribed fire and from wildland fire use; to mitigate the effects of those emissions on air quality and visibility; to define the responsibilities of the Land Management Parties in conducting prescribed burning in Minnesota; to define the responsibility of the National Weather Service to perform fire weather forecasting; to define the responsibilities of the State regulatory agencies to issue permits for open burning; and to assess the effects of burning on air quality and visibility.

This Memorandum of Agreement defines practices and procedures the parties intend to follow. It is not a basis for legal enforcement actions among the parties, nor does it set legal standards for fire and smoke management.

II. Background

The Federal Regional Haze rule published by the U.S. EPA on July 1, 1999 (64 FR 35714) includes requirements to improve visibility in the national parks and wilderness areas. Among the sources of air pollution that may contribute to visibility impairment are emissions from vegetative burning.

EPA guidance “Interim Air Quality Policy on Wildland and Prescribed Fires” of April 23, 1998, specifically addresses smoke emissions from fire and sets forth components of Smoke Management Programs that can be adopted by States. Public and private land management parties that adopt and implement programs to manage smoke from prescribed burning will reduce the amounts of smoke generated from fire and/or the effects of that smoke on the public health and welfare. The lower concentrations of smoke emissions will assist in preventing violations of National Ambient Air Quality Standards (NAAQS) for particulate matter (PM). For those States that adopt SMP’s, under certain conditions and for a limited period of time, EPA will exempt smoke emissions from both prescribed burning and managed wildland fire from determinations of NAAQS violations for PM.

III. Roles and Responsibilities

A. The Parties agree to:

1. Comply with the provisions of the SMP when they conduct prescribed burns or manage wildland fires and with applicable State and federal regulations.
2. Review the SMP annually and amend it as determined necessary. Changes to the SMP will be made with the approval of the signatories, or their representatives, to this MOA. An amended and signed MOA will formally implement revisions to the SMP.

B. Party Responsibilities:

1. The Land Management Parties agree to incorporate the Guidelines of the Smoke Management Program of the SMP in each burn plan to manage smoke from prescribed fires in order to minimize the amount and/or the effect of the smoke on air quality, to cooperate with other parties to comply with the Minnesota Incident Command System (MNICS) Mobilization Plan (Section 42) procedures regarding burning restrictions, to annually report number of acres and fuel type burned to the MNICS Prescribed Fire Working Team, and to participate in public education regarding prescribed fire and smoke management.
2. The Minnesota Department of Natural Resources agrees to act as the “Central Authority” under EPA guidance “Interim Air Quality Policy on Wildland and Prescribed Fires” for the SMP and, except for federal and tribal lands, to review burn applications and issue written burn permits for all open burning in Minnesota, or to delegate this authority.
3. The Minnesota Pollution Control Agency agrees to annually review data from the ambient particulate matter and ozone monitors in Minnesota and the IMPROVE monitors, to assess correlations of air quality with wildland fire and prescribed fire, and to report this information to the MNICS Prescribed Fire Working Team for the annual evaluation of the SMP.

IV. Reporting and Review

The MNICS Prescribed Fire Working Team will conduct an annual meeting to evaluate the SMP. The Parties to this MOA will each attend this meeting or provide the necessary information to the meeting, if an agency representative cannot attend.

1. The Parties will each attempt to retain and compile reports of complaints due to smoke from wildland and prescribed fire and report these at the MNICS Prescribed Fire Working Team annual meeting to review the SMP.
2. The Land Management Parties will each report number of acres and fuel type burned by prescribed fire and managed wildland fire at the annual meeting to review the SMP.
3. The Minnesota Department of Natural Resources will report the number of written burn permits issued for open burning in Minnesota and the number of total acres burned, or report how this information could be compiled, at the annual meeting to review the SMP.
4. The Minnesota Pollution Control Agency will review air quality data from monitors in Minnesota and the Class I areas with regard to information on emissions from wildland fire and prescribed fire and report this assessment annually to the MNICS Prescribed Fire Working Team.

V. Principal Contacts


The individuals who are principal agency contacts for this MOA or the SMP are:

Trent Wickman US Forest Service Superior National Forest 8901 Grand Avenue Place Duluth, MN 55808 (218) 626-4372	William Glesener Minnesota Dept. of Natural Resources MN Interagency Fire Center 402 SE 11th Street Grand Rapids, MN 55744 (218) 322-2709	Ben Welch Chief Ranger Voyageurs Natl. Park 360 Hwy 11, East International Falls, MN 56649 (218) 283-6658
Russ Langford US Fish and Wildlife Service Big Stone NWR 44843 County Road 19 Odessa, MN 56276 (320) 273-2247	Lisa Herschberger Minnesota Pollution Control Agency 520 Lafayette Road St Paul, MN 55155-4194 (651) 296-7667	Amanda Graning National Weather Service 5027 Miller Trunk Highway Duluth, MN 55811-1442 (218) 729-6697
Matthew Graeve MN Fire Manager The Nature Conservancy 7163 Bear Rd Cushing, MN 56443 (218)575-3032 x111	Tim Notch MN Dept. of Military Affairs 15000 Hwy 115, Camp Ripley Little Falls, MN 56345 (320) 616-3135	Ken Graeve MN Dept. of Transportation 395 John Ireland Blvd. St. Paul, MN 55155-1899 (651) 366-3613
Marty Cassellius Midwest Region Fuels Specialist Norman Pointe II 5600 West American Blvd, Suite 500 Bloomington, MN 55347 (612) 725-4523		

IN WITNESS WHEREOF, the parties to this agreement have executed this agreement intending to be bound by it.

APPROVED BY:

For the U.S. Forest Service
Superior National Forest


Forest Supervisor
Brenda Halter

1-15-16
Date

Chippewa National Forest


Forest Supervisor
Darla Lenz

1/20/16
Date

For the National Park Service
Voyageurs National Park


Park Superintendent
Mike Ward

Jan. 20, 2016
Date

For the Bureau of Indian Affairs
Midwest Region


Regional Director
Diane Rosen

2/3/16
Date

For the U.S. Fish and Wildlife Service
Midwest Region



Chief of Refuges Midwest Region
Charles Blair

1-6-2016

Date

For the Minnesota Department of Natural Resources



Commissioner
Tom Landwehr

3/28/2016

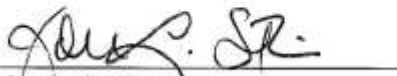
Date

~~For the Minnesota Department of Transportation~~

Commissioner
Charles Zelle

Date

For The Minnesota Pollution Control Agency



Commissioner
John Linc Stine

4 February 2016

Date

For The Department of Military Affairs



RICHARD C. NASH
Major General, MNARNG
The Adjutant General

3-14-16

Date

For the Nature Conservancy



Assistant State Director
Doug Shaw

1/19/2016

Date